

Cook Islands National Youth Council

# CONSTITUTION

2008

## **1. Name & Preamble**

The council for Island and Vaka youth groups in the Cook Islands shall be named the Cook Islands National Youth Council Incorporated (hereinafter called the "CINYC") in this constitution and the public and private realms in which its functions are to be performed.

The CINYC was re-established in 2008 and is an autonomous non-governmental organisation (NGO) that aims to effectively represent Island and Vaka youth groups on policies and issues of concern to youth in the Cook Islands.

## **2. Aims & Objects**

Recognising the Universal Declaration of Human Rights; our religious and family values; our cultural heritage; and, that young people can be developed positively given the appropriate opportunities, CINYC aims to:

- a. Assist in the promotion of a collective voice and action issues of concern to young people in the country;
- b. Promote, at all levels, a national youth identity which is sensitive to the spiritual, cultural, social, economic and political diversities of members
- c. Create a greater awareness and appreciation of issues affecting youth;
- d. Foster goodwill and solidarity among youth and leaders;
- e. Promote understanding of issues affecting youth;
- f. Monitor prevailing and emerging Island, Vaka and National Youth Issues and assist members in developing appropriate programmes to address such issues; and
- g. Foster co-operation with governmental, regional and international organisations to promote engagement and development.

## **3. General Provisions**

The CINYC shall not directly or indirectly support or promote any particular religious, political or cultural belief. However, it may work with and support any religious, political or cultural organizations whose policies and objectives are of the CINYC.

## **4. MEMBERSHIP**

### **4.1 Eligibility**

Island and Vaka Youth Groups in the country shall be eligible for membership of the CINYC provided:

- i. they are registered or recognised as not for profit charitable organisations constituted as umbrella bodies for youth organisations within their island or Vaka;
- ii. have as their main purpose the promotion of youth interests and development;
- iii. they subscribe to the aims of the CINYC as set out in this Constitution; and
- iv. They agree to observe all other provisions of this Constitution and such decisions as may be made by the General Assembly from time to time.

### **4.2 Admission**

- i. Only one Island or Vaka youth council shall be admitted from each island or Vaka
- ii. Application for membership can be made to the Secretariat of CINYC;
- iii. The Executive Committee shall examine any application before recommending admission to the General Assembly, such admission by a majority vote;
- iv. Membership of CINYC is conditional upon payment of membership fees as determined by the General Assembly from time to time; and
- v. Provisional membership may be granted by the Executive Committee before admission by the General Assembly if the applicant fulfils the conditions of membership.

### **4.3 Cessation of Membership**

A member organisation shall cease to be a member of the CINYC if:

- i. Three months notice is given to the Executive Committee in writing of it's intention to withdraw membership; or
- ii. The General Assembly decides upon the recommendation of the Executive Committee that the organisation has failed to abide by the Constitution, provided that the said organisation is given the opportunity to present their case.

### **4.4 Curtailment of Rights**

Member organisations which do not pay membership fees for more than two consecutive years shall not have the right to vote, elect or nominate any official until those outstanding fees are paid subject always to the waiver of such fees by the Executive Committee.

#### **4.5 Observer Status**

Observer status in the Cook Islands National Youth Council may be conferred by the Executive Committee to:

- a. International and regional non-governmental and governmental organisations which subscribe to the aims of CINYC.
- b. Island and Vaka Youth Organisations which subscribe to the aims of CINYC but are not eligible for membership.

#### **5: GENERAL ASSEMBLY**

**5.1** The General Assembly shall be the supreme policy making body of the CINYC and is empowered to:

- a. Determine and approve the policy and work programmes of the CINYC;
- b. Decide on CINYC's Budget;
- c. Receive reports from the Executive Committee on policy, programmes and finance;
- d. Conduct the election of the Executive Committee and Office Bearers by Secret Ballot;
- e. Appoint a qualified Auditor recommended by the Executive Committee; and
- f. Review and amend the Constitution as required.

**5.2** The General Assembly shall be convened every two years. The place and date of the General Assembly shall be decided by the preceding General Assembly but may be changed by the Executive Committee in case of urgency. A notice of meeting convening the General Assembly shall be sent to all member Island and Vaka youth council members and endorsed observers by the Secretary, on the authority of the President, not less than 3 months prior to the General Assembly.

- a. A provisional agenda, drawn by the Executive Committee, shall be circulated to member organisations by the Secretary with the notice covering the General Assembly. Items for inclusion in the final agenda shall be submitted to the Secretary not less than 2 months prior to the General Assembly; and
- b. The final agenda shall be circulated to member organisations not less than 1 month prior to the General Assembly.

**5.3** Each member organisations shall be allowed to send up to five delegates. Organisations with observer's status are allowed up to two delegates. Each member organisation shall have one vote and every decision will be taken by a simple majority vote unless the Constitution provides otherwise. Observer organisations have no voting rights.

**5.4** In the event of the consideration by the General Assembly of "motions of notice":

- a. Members may appoint another member to exercise a proxy vote on their behalf. Members may not hold more than one proxy; and
- b. The Executive Committee may make provision for members to exercise a postal vote.

**5.5** The quorum of the General Assembly shall consist of one half (1/2) of its full membership.

**5.6** An extraordinary session of the General Assembly may be convened by the President on request of the Executive Committee or upon a written request to the Secretary from at least 1/3 of member organisations. At least 90 days notice must be given.

## **6. EXECUTIVE COMMITTEE**

**6.1** The CINYC shall have an Executive Committee comprising 5 members, consisting of a President, 2 Vice Presidents (North & South Islands), a Secretary and Treasurer; and 3 Sub-committee groups each to be elected during the General Assembly. The National Secretariat Coordinator shall also attend as an ex-officio member.

**6.2** Between General Assemblies authority shall be vested in the Executive Committee with the advice of the President for the management and administration of the CINYC, the appointment of the National Secretariat Coordinator and the implementation of the decisions of the General Assembly.

- a. The Executive Committee shall decide upon the rules of procedures and by laws of CINYC.
- b. The Executive Committee shall monitor and evaluate the work of the Secretariat and provide regular directives based on the resolutions of the General Assembly.
- c. The Executive Committee may appoint individuals and or sub-committees to assist it in managing the affairs of the CINYC effectively.

**6.3** The responsibilities of the office bearers are as follow:

- a. The President shall chair all the Executive Committee Meetings and be responsible for the smooth running of all Executive Committee Meetings. He/she shall have the casting vote.
- b. The Vice Presidents shall alternatively perform the duties of the President in his/her absence
- c. The Executive Secretary is responsible for secretarial duties during the Executive Committee Meetings and circulates meeting outcomes and notices

- d. The National Secretariat Coordinator reports to the Executive Committee. He/she shall implement the policies and decisions of the General Assembly and Executive Committee. He/she heads and manages the Secretariat. He/she is to call the General Assembly and Executive Committee Meeting as authorized by the Chair.
- e. The Treasurer is responsible to the Executive Committee for the administration of its accounts. He/she prepares draft budgets, statements of accounts and Annual Financial Reports for consideration of the General Assembly and Executive Committee.

**6.4** Office Bearers and Members of the Executive Committee shall be elected from amongst the delegates representing the membership of CINYC by the General Assembly and shall hold office for a term not greater than the period between the meetings of the General Assembly. The election of office bearers and members of the Secretariat Committee shall be presided over by a person selected by the General Assembly who is not a candidate in such elections.

**6.5** Officer bearers and Members of the Executive Committee shall be elected from amongst the delegates of members of CINYC by simple majority in a secret ballot of members.

**6.6** The Executive Committee shall be a fair representation of youth (aligned to the National Youth Policy) sex and ethnicity.

**6.7** The Executive Committee shall meet no more than six times a year.

**6.8** Members of the Executive Committee cannot serve more than two consecutive terms.

**6.9** The quorum of the Executive Committee shall be three (3) members.

**6.10** In the event that any member of the Executive Committee wishes to resign, it must be in writing and the Executive Committee shall inform all members and request the nomination of candidates and duly vote to select someone to fill that vacancy.

**6.11** In the event of formal complaints being laid against any member of the Executive Committee, the Committee may, in keeping with the principles of natural justice, and following an investigation by a sub-committee of no less than three members, resolve by absolute majority to suspend that member from their duties (provided that such member is given the opportunity to present their case) and report to the subsequent General Assembly.

## **7. SECRETARIAT**

**7.1** The Secretariat shall comprise a National Secretariat Coordinator and required staff as deemed necessary by the Executive Committee.

**7.2** The Secretariat shall be the centre of communication and information of CINYC and be responsible for the implementation and management of programmes and activities.

**7.3** The National Secretariat Coordinator reports to the Executive Committee, implements the policy and decisions of the General Assembly and the Executive Committee heads and manages the secretariat. He/she is to call the General Assembly and Secretariat Committee as authorised by the President. He/she is to administer the day-to-day running of the Secretariat.

## **8. FINANCE**

**8.1** CINYC shall receive and draw funds from:

- a) Membership fees from members;
- b) Contributions from organisations or individual persons; and
- c) Other sources as approved by the Executive Committee including the raising of loans through banks and other institutions.

**8.2** Accounts shall be audited by the approved recognised auditors (independent from CINYC). The audited report must be distributed and presented to the General Assembly.

**8.3** The financial year shall be recommended by the Executive Committee and to be endorsed but the General Assembly.

## **9. RULES OF PROCEDURES AND BY-LAWS**

**9.1** The Executive Committee shall be empowered to draw up rules of procedures and by-laws to govern the functioning of CINYC. The adoption of the rules of procedures and by-laws and the amendments requires the ratification of the General Assembly. The rules of procedures and by-laws are to be made available to all members and be read in conjunction with the Constitution.

**9.2** The common seal of the society will be created and managed by the Executive Committee and is permissible for use by the National Secretariat. Use and distribution of the seal will only be conducted upon written permission from the Executive Committee for exceptional situations

## **10. AMENDMENTS**

**10.1** Where the Constitution, rules of procedures and by-laws are silent or imprecise the Executive Committee shall offer a suitable interpretation in accordance with the aims and objectives of CINYC. Subsequent amendments to

the constitution shall be made by 2/3 majority of all members present and voting at the General Assembly during a special session.

## **11. DISSOLUTION**

**11.1** The General Assembly may, by 2/3 majority of all members present and voting decide to dissolve the CINYC provided that the notice of the proposed dissolution is given in writing, 3 months in advance.

**11.2** In the event of the dissolution the General Assembly shall name two liquidators charged with the liquidation of all forms of assets. The General Assembly shall take all necessary measures to dispose their remaining assets to an organisation, which promotes the original aims of CINYC.