

**THE NATIONAL ASSOCIATION OF WOMEN JUDGES (UGANDA)**

**NAWJU CONSTITUTION 2017**

**DEBATED AND ADOPTED THIS 14<sup>TH</sup> DAY OF JANUARY 2017 AT THE 2017  
ANNUAL GENERAL MEETING HELD AT JUDICIAL STUDIES INSTITUTE,  
KAMPALA.**

*We, the members of the National Association of Women Judges Uganda, for purposes of promoting a fair and equitable justice system and improving access to justice for women and children in Uganda, solemnly resolve to establish this Constitution as the Constitution of the National Association of Women Judges Uganda.*

*It shall be cited as the **NAWJU CONSTITUTION 2017**, bearing in mind that the inaugural 1994 constitution has been integrated in the new constitution to preserve the values of our founders and embrace progressive values of the young generation.*

## **DEFINITIONS**

When used in the Constitution and subsequent bylaws of National Association of Women Judges, unless the context otherwise clearly requires, the words in this article shall have the following meanings; the terms given below denote the following;

**AGM** means the Annual General Meeting

**Executive** means the Executive Committee of the Association

**Financial Year** means the period running from 1<sup>st</sup> of January of a year, up to 31<sup>st</sup> of December of the same year

**Founder** means a Member of the Executive Committee at the time of the establishment of NAWJU.

**Founder's Representative;** means a person appointed by the founders to sit on the Executive committee as their representative.

**Judge** means a Justice of the Supreme Court, a Justice of the Court of Appeal, and a Judge of the High Court,;

**Judicial officer** means a Judge, Registrar, Chief Magistrate and Magistrate Grade 1.

**NAWJU** means the National Association of Women Judges of Uganda

**Unforeseen circumstances** means circumstances that may incapacitate the operation of the Association.

### **Article 1: NAME AND DESCRIPTION**

1. The name of the organization shall be the National Association of Women Judges of Uganda, herein referred to as NAWJU.
2. NAWJU shall have a Head office located at the Supreme Court of Uganda Kampala. Its postal address shall be P.O. Box 6679 , Kampala.
3. The Executive Committee may recommend alternative head offices for NAWJU.

### **Article 2: OBJECTIVES**

1. With the overall objective of benefiting all people in Uganda, particularly the marginalized, through the fair administration of justice, the specific objectives of NAWJU shall be:
  - a) To provide a clearing house and resource centre to disseminate information affecting women judges.
  - b) To engage in research, study and international, regional and national conferences, judicial exchanges and training programmes that contribute to the understanding and resolution of critical legal issues.
  - c) To encourage co-operation and collaboration between NAWJU members in Uganda and judges of other IAWJ national chapters .
  - d) To contribute to the development of the law so that the legal – judicial systems promote and protect equality before the law.
  - e) To address other important issues related to the improvement and advancement of women in the legal – judicial systems.

- f) Further , to maintain the honour and integrity of the bench and to promote standards of professional ethics and strong and efficient independent judiciary at all levels.
- g) To improve the administration of justice by advocating for the rule of the law and in particular by educating the public especially women and children on the importance and meaning of the rule of law.
- h) To urge an increase in the number of women judges so that the Judiciary more appropriately reflects an equal role for men and women in society.
- i) To cooperate with other organizations in advocating for the rule of the law.

### **Article 3: MEMBERSHIP**

1. Membership is open to any female person who holds a judicial post as well as individuals who are admitted to membership following requirements laid down in this Constitution.
2. The following judicial officers are eligible to membership on payment of subscription fees.
  - a) Justice of the Supreme Court
  - b) Justice of the Court of Appeal
  - c) Judge of the High Court
  - d) Registrar
  - e) Chief Magistrate or
  - f) Magistrate Grade I

### **3. Associate member**

Any person in support of the mission aims and objectives of the NAWJU may be admitted as an Associate Member.

- a) To be admitted under this provision, the person shall apply to the Executive Committee for consideration, and the decision shall be made by a simple majority of members present and voting at an Annual General Meeting.

#### **4. Honorary membership**

- a) Any person or organization in recognition of outstanding contribution to the administration of justice may be recognised as an honorary member. This admission shall be initiated by nomination from members referred to in *Article 3*.
- b) Any member of NAWJU, who upon retirement from service as a judicial officer, has been a member of the NAWJU in good standing or who upon retirement applies to the Executive for membership shall be admitted as an Honorary Member of the NAWJU, Uganda.

#### **5. Life member**

- a) Life membership is conferred upon all founder members who were present at the inaugural meeting of the association.
- b) Any member of NAWJU may attain life membership upon payment of a fee to be decided upon by the executive.

### **Article 4: MEMBERS' RIGHTS**

- 1. The members have the following rights;
  - a) Voting rights, save for those members envisaged by articles 3, 4 and 5
  - b) Participation in the activities of NAWJU.
  - c) Any other rights arising as may be agreed upon by a two-thirds majority of members voting at the Annual General Meeting.

### **Article 5: MEMBERS' OBLIGATIONS**

1. Members have the following obligations;
  - a) To respect the Constitution of NAWJU
  - b) To pay membership subscription

## **Article 6: MEETINGS**

### **Annual General meeting**

1. The Annual General Meeting shall be the supreme authority of NAWJU.
2. There shall be an AGM of the NAWJU held once every year and in any case within 3 months of the commencement of the New Law Year. The Secretary under instructions from the Executive Committee shall convene this meeting. Notice in writing shall be sent by the Secretary to all members not less than 30 days before the intended date of the meeting.
3. The Annual General Meeting shall conduct the following:
  - a. Receive the Annual Report of the President
  - b. Receive the Annual Report of the Secretariat
  - c. Receive the Annual Report of the Treasurer
  - d. Table and vote on motions and amendments
  - e. Admission to membership (where applicable)
  - f. Discussion of minutes of previous meeting
  - g. Approval of financial statements and budget (where applicable)
  - h. Discuss any other business as shall be necessary.

### **Extraordinary General Meeting**

4. There may be an Extraordinary General Meeting. It shall be convened by the Secretary as instructed by the Executive Committee. The Secretary shall give to all members 7 days' notice in writing of such a meeting.

### **Article7: VOTING**

1. For an election, motion, amendment or any activity requiring voting, each member with a voting right is entitled to one vote.
2. Voting is by members present and maybe by proxy, letter or by email.
3. Voting shall be by secret ballot however some decisions requiring voting may be reached by show of hands.
4. Voting on decisions may be taken by roll call if requested by at least 15 of the Members present and entitled to vote.
5. The Executive shall nominate a Returning Officer who shall be approved by the AGM as the person to manage the Electoral process.
6. Voting shall be conducted by the Returning Officer who shall be responsible for the distribution and counting of ballot papers.
7. When voting for members of the Executive, two-thirds of the votes recorded and valid are necessary in the first ballot. In the second and any other requisite ballot, an absolute majority of the votes recorded is sufficient.
8. Where there are more than two candidates, whoever obtains the lowest number of votes is eliminated as from the second ballot until only two candidates are left. This applies where the first ballot did not produce a two thirds majority.

### **Article 8: ELECTION PROCESS**

1. Whenever there is a vacancy to be filled by an election, nominations of prospective candidates shall be made in writing by at least one member and shall be signed by the person nominated indicating his or her willingness to serve.
2. Nomination letter shall be sent to the chairperson of the electoral commission
3. Those elected shall start their term with immediate effect.

## **Article 9: EXECUTIVE COMMITTEE**

1. There shall be an Executive Committee comprised of;
  - a) President
  - b) Vice President
  - c) Treasurer
  - d) Secretary
  - e) International Director
  - f) Assistant Treasurer
  - g) Assistant Secretary
  - h) Founder's Representative
  - i) Executive Member(Publicity)
2. The Executive Committee shall also have a representative from the Supreme Court, the Court of Appeal, the High Court, The Registrars, The Chief Magistrates and the Magistrate Grade1.
3. The outgoing President shall maintain an advisory role on the Executive Committee as an ex officio member for a period of 6 months after the new Executive Committee takes office.
4. The role of the Executive Committee is to:
  - a) Pass decisions necessary to fulfil the aims and objectives of NAWJU
  - b) Establish ad hoc committees responsible for the execution of NAWJU's objectives.

### **PRESIDENT**

5. There shall be a President of NAWJU who shall;
  - a) Be the Chief Executive Officer and spokesperson of NAWJU
  - b) Supervise the operation of NAWJU and safeguard its interests and welfare.



- c) Preside over the NAWJU Annual General Meeting and at the meetings of the Executive Committee.
- d) Report to the members at least once each year regarding the steps taken to achieve the NAWJU goals and implement NAWJU objectives.

**VICE PRESIDENT**

- 6. There shall be a Vice President of NAWJU who shall:
  - a) Perform duties of the President where the President is absent or unable
  - b) Appoint a Vice-Chairperson for each Committee
  - c) Oversee the planning of the years' activities
  - d) Perform such duties as shall be delegated by the President, the Executive Committee or the International Board of Directors of the IAWJ

**TREASURER**

- 7. There shall be a Treasurer who shall;
  - a) Oversee the accounts of the NAWJU in collaboration with the Finance committee, designated external auditors of NAWJU and designated staff in charge of finance at the Secretariat, if any;
  - b) Contribute to the strategic and financial planning of NAWJU in liaison with the finance committee and designated staff member at the secretariat in charge of finance, if any.

**SECRETARY**

- 8. The Secretary shall;
  - a) Maintain accurate documentation of NAWJU
  - b) Give proper notice of meetings and distribute necessary items.
  - c) Any other duty as envisaged by this Constitution and/or assigned by the Executive Committee.

## **INTERNATIONAL DIRECTOR**

9. There shall be an international Director who shall;
  - a) co-ordinate activities in Uganda and serve on the International Board of Directors, International Association of Women Judges (IAWJ).
  - b) Distribute and share communication of the IAWJ,
  - c) Consult with NAWJU members on matters affecting IAWJ activities.
  - d) Collect IAWJ dues, and transmit such dues to Headquarters.
  - e) Vote on matters that come before the Board of IAWJ on behalf of all IAWJ members in Uganda.
  - f) Submit a written report at least once a year to the international Directors (through headquarters), on the activities of the IAWJ members in Uganda.
  - g) Other activities as the International Board of Directors and the Executive Council may assign.
10. The Assistant Secretary and The Assistant Treasurer shall perform duties of the Secretary and Treasurer respectively in cases of absentia and inability and may handle work delegated by Secretary and Treasurer, respectively.
11. There shall be representatives for the respective judicial posts whose duties shall include serving as a focal point for communication and mobilisation of members within their respective judicial posts.

### **Article 10: TENURE**

1. Members of the Executive Committee shall be elected for a period of three years and may seek re-election but not beyond the second term.
2. Mandate for elected members begins after the end of the meeting at which they are elected.

### **Article 11: ADVISORY BOARD**

1. The National Past Presidents of IAWJ and Past presidents of NAWJ shall hold a place of honour in the Association.
2. These honourable members shall constitute the Advisory Board whose duties shall include but not be limited to:
  - a) Resolving personal disputes among members
  - b) Professional guidance
  - c) Counselling

### **Article 12: ARBITRATION**

As much as possible, members shall preserve an atmosphere of collegiality, cherish association ideals and make a contribution to the attainment of Association objectives.

1. In the event of a formal dispute or disagreement between members on the interpretation of the Constitution or related to execution of association programs/activities, a reference shall be made to the Advisory Board in the first instance for determination.
2. Where the Advisory Board is unable or fails to resolve the dispute to the satisfaction of aggrieved members, the same shall be referred to Centre for Arbitration and Dispute Resolution for Arbitration.

### **Article 13: STANDING COMMITTEES**

1. There shall be Committees to assist the Executive :
  - a) Finance Committee
  - b) Media and Publications committee
  - c) Programmes and Planning committee
  - d) Elections Committee
  - e) International Affairs Committee.
2. The Finance committee shall comprise of; a Chairperson, and other members. Their duties shall be;
  - a) Develop a finance budget, oversee adherence to the budget, and set financial goals, any other financial roles that may be necessary for the achievements of NAWJ. The budget to be prepared will be for a financial year.
  - b) Open and operate bank accounts for NAWJU with signatories to be decided upon by a simple majority of the AGM.
  - c) Provide for annual audit of the books of the NAWJ by certified or chartered public accounts and shall submit a report of such audit to the Annual General Meeting of the Association and to any person appointed by the General Meeting.
  - d) Supervise the finance manager employed at the Secretariat, if any.
3. The publications committee shall comprise of; a Chairperson, and any other members. Their duties shall be;
  - a) To ensure that the NAWJU maintains a publications program, including monthly, quarterly and yearly reports and newsletters

- b) To solicit for written material and carry out editorial functions
  - c) Research and monitor developments that impact on the objectives of the NAWJU
4. The Programmes and planning committee shall comprise of; a Chairperson, co- chairperson and any other members. The purposes of the committee shall include:
- a) Making proposals and planning such events as is necessary for the fulfilment of the objectives of NAWJU.
  - b) Perform such other duties as directed by the Executive Committee.
5. The Electoral committee shall comprise of; a Chairperson, and any other members. Their duties shall be organizing and overseeing of elections.
6. The International Affairs Committee shall be comprised of the International Director as its chair, with a deputy chairperson and any other members not being members of the Executive Committee.
7. All standing committees shall have members not fewer than three and not exceeding six.
8. The Executive Committee may appoint any other committee as it deems necessary for the effective execution of specific assignments.

#### **Article 14: SECRETARIAT**

1. There shall be a Secretariat comprising of the following staff:
- a) Projects coordinator
  - b) Projects accountant
  - c) Administrative assistant

- d) Any other essential staff
- 2. Staff recruitment, and discipline
- 3. Recruitment and staff discipline shall be the responsibility of the Executive who shall ensure that staff and financial regulations are in place for efficient management of the Secretariat.
- 4. The Secretariat shall render the following services to the association
  - a) Administrative services
  - b) Implementation of programs
  - c) Financial services, to include keeping books of accounts for both projects and association activities, collection of subscription fees and reconciling of association accounts.
  - d) Projects accountant shall prepare a financial report for presentation to the Annual General Meeting by the treasurer or an independent auditor as the Executive shall determine.
  - e) Keep register of members
  - f) Effect service of notice of meetings
  - g) Any other duties assigned by the executive members or taskforce.

## **ARTICLE 15**

### **Taskforce**

- a) The executive shall constitute a taskforce that will oversee, manage and ensure successful implementation of all projects/programs
- b) The taskforce shall be chaired by a Chairperson.

- c) for the avoidance of doubt, the President, Vice President, General Secretary, Treasurer, Assistant treasurer, Assistant Secretary shall be members of every taskforce. Any other member may be co-opted to the taskforce.

### **Article 16: FINANCE**

1. For purposes of finance, the members of NAWJU shall pay subscription dues as decided during the AGM and/or Extra ordinary meeting. This subscription may vary depending on members' judicial rank.
2. The Executive Committee may recommend other methods of sustaining programmes.
3. Decisions pertaining to finance shall be solely engineered to meet the objectives of NAWJU and/or IAWJ.

### **Article 17: AMENDMENT OF CONSTITUTION**

1. Amendments to this constitution shall be by resolution passed by at least two-thirds of members present and voting at a General Meeting. Such a resolution shall only be valid when:
  - a) Notice of intention to move the resolution has been submitted in writing to the Executive Committee;
  - b) Notice of such a resolution is given to all members not less than seven days before the General Meeting.

**Article 18: UNFORESEEN CIRCUMSTANCES**

The Executive Committee shall have the final decision in cases of emergencies .

**SIGNED THIS 31<sup>ST</sup> DAY OF JANUARY 2017.**

**HON. LADY JUSTICE DR. ESTHER KITIMBO KISAAKYE JSC**

**PRESIDENT NAWJU**