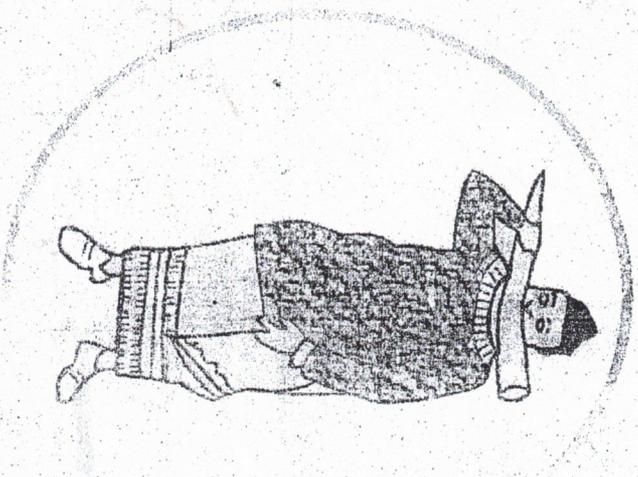


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OBIMBIERI AUTONOUS

**COMMUNITY**



**CONSTRUCTION**  
2004 AS AMERICA

**OBI MBIERI AUTONOMOUS  
COMMUNITY**

**CONSTITUTION  
2004 AS AMENDED**

**OBI-MBIERI AUTONOMOUS COMMUNITY  
CONSTITUTION 2004 AS AMENDED**

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Preamble: We, the people of Obi-Mbieri Autonomous Community (hereafter referred to as the UAutonomous Community), composed of the remnant town of Mbieri consequent upon the creation of more autonomous Communities out of the old Mbieri and, having reviewed the constitution of the old Mbieri Autonomous community and pursuant to peace, unity, progress and the development of the Autonomous Community, do hereby give ourselves the following constitution:

**Chapter 1-General Provisions**

Section 1 (1) This constitution is supreme and its provision shall have binding force on all towns, villages, kindred's, grouped and persons throughout the Autonomous Community.

(2) The Autonomous community shall not be governed, nor shall any person or group of person assume control of the government or the Traditional Ezeship institute of the Autonomous Community except in accordance with the provision of this constitution.

(3) If any other constitution of the component towns or villages or kindred's or grouped is inconsistent with the provisions of the constitution. This constitution shall prevail and that other constitution shall be void to the extent of its inconsistency.

**Section 2: nature, Motto, Aims and objection of the union:**

(1) The Autonomous Community shall be a traditional/cultural community composed of the Ezeship Institution and an Autonomous Community Government.

(2) The Eze of the Autonomous Community shall be known as and called Eze Ukwu I, II, III successively.

(3) The Eze Ukwu shall be addressed as "His Royal Highness"

(4) The Autonomous Community Government shall be known as and called the Obi Mbieri Development Union (hereafter called the Union).

(5) The Motto of the Union shall be "Unity, Peace and progress".

(6) The Symbol of the Autonomous Community shall be a man in full traditional regalia blowing a traditional trumpet (a tusk)

(7). All the individual villages comprised in the Autonomous Community shall be treated on the basis of equality in all matters.

(8) The Aims and Objectives of the Autonomous Community shall include

(a) To promote a peaceful co-existence among the people of the Autonomous Community and her neighbours.

(b) To promote unity, love, industry and co-operation among the people of the Autonomous Community

(c) To wage relentless war against all forms of injustice, acrimony and other forms of evil that shall tend to destroy the unity of the Autonomous Community

(d) To ensure a strong and purposeful leadership in all towns that make up the Autonomous Community.

(e) To promote and preserve legacies, traditions, usages, conventions and customs bequeathed to us which do not occasion idol worship, and/or practices in the Autonomous Community.

(f) To ensure the development of the Autonomous Community within the ambit of our resources.

(g) To pursue the creation of more autonomous communities out of the Autonomous Community.

### Section 3: Composition and Membership of the Autonomous Community

(1). The Autonomous Community shall be composed of towns and villages.

(2) There shall be six towns in the Autonomous Community, that is to say Ebo, Obokwe, Ohohia, Umuagwuru, Umuahii and Umuduru.

(3) There shall be twenty-four villages in the Autonomous Community.

(4) Each town in sub-section (2) above shall be made up of villages as follows:

TOWN	VILLAGES
(a). Ebo	Amakohia, Eziakpu, Obuzi
(b). Obokwe	Amaorji, Durueguzo-n'Afa, Duruogwugwu, Nkwo-na-Nneke,
(c). Ohohia	Agwunnafor, Obiakabo, Okparaoche, Udum.
(d). Umuagwuru	Obiowere, Umuarusilam, Umuduruonugbo, Umuotunwoke
(e). Umuahii	Durueze, Okparaokoro, Okwuoba, Umudurueze, Umunnekanma, Umuomume
(f). Umuduru	Durunna, Duruoriaku, Umuduruaro.

5) All adult males of the Autonomous Community shall be members through their respective village unions.

## CHAPTER 2- GOVERNMENT OF THE AUTONOMOUS COMMUNITY

Section 4: (1). There shall be a government for the Autonomous Community

(2) The government of the Autonomous Community shall be vested in the Union.

### Section 5: Mode of Representation

(1). Towns shall be fully represented in the Executive body of the Union

(2) Each village shall be represented by five people, including the Chairman and the Secretary in the general meeting of the Union.

(3) All Village Heads shall attend general meetings in their capacities as Heads of the respective villages.

### Section 6: Supreme Authority of the Autonomous Community

(1). The Supreme Authority of the Autonomous Community lies in the general meeting and the Eze of the Autonomous Community is under this authority.

### Section 7: The General Meeting.

1). There shall be a general meeting of the Union

(2). The general meeting of the Union shall be held twice a year

(3). The executive shall summon emergency general meetings when the need arises.

(4). The Eze of the Autonomous Community shall attend the first general meeting of the year to show solidarity and extend goodwill messages and, any other meeting in which he is specially invited or which he desires to attend.

(5). The general meeting may authorize the executive to hold over the executive portfolio whenever it is absolutely impossible for the executive to dissolve itself at the expiration of their tenure of office.

(6). The authorized period of caretaker committee shall not be more than three (3) months from the date of the expiration of the tenure of office of the executive.

#### Section 8: Quorum.

(1). Attendance in meetings by villages shall be the basis for the formation of quorum in general meetings.

(2) In any general meeting in which at least one-third of the villages comprised in the Autonomous Community are present, a quorum shall be deemed to have been formed.

(3) In any Executive meeting in which the President General/Vice President, General Secretary/Assistant Secretary and six other executive members are present, a quorum shall be deemed to have formed.

#### Section 9: The Executive

(1) There shall be an executive body to run the affairs of the Union

(2) The Executive of the Union shall comprise all elected officers of the Union and the President and Secretary of Town Unions.

(3) All Titled Chiefs/Nze and Ozo title holders shall be ex-officio members and may sit with executive in meetings.

Expiration of Office and new

(4) All elected officers of the Union shall hold office for three years subject to a maximum of two terms.

(5) Within thirty days to the expiration of the tenure of office of the Executive of the Union, the President General shall summon a general meeting for the sole purpose of the dissolution of the executive and the election of new officers

(6) If the executive holds over after the expiration of their tenure of office without the authority of the general meeting, the Eze-in-Council shall call for a special general meeting to dissolve such executive and the Eze (trustee) shall appoint a seven (7) men caretaker committee to conduct a fresh election

(7) If an officer of the Union is incapacitated for upwards of six months, the general meeting shall elect another person to replace him in the next general meeting.

(8) If an officer should absent himself without a reasonable excuse consecutively for three meetings, he shall be seriously cautioned in writing.

(9) If the absentee in meetings in sub-section (8) above absents himself in the next meeting following the caution, he shall cease to be a member of the executive and shall be replaced by the election of a new officer in the next general meeting.

(10) The Executive shall hold meetings on quarterly basis, excluding whenever the need arises.

(11) The venue for meetings shall be decided each time by the Executive for both general and executive meetings.

(12) There shall be an official inauguration of the Executive within the shortest possible time after their election.

#### Section 10: Officers of the Union.

- (1). Officers of the Union shall comprise
  - a. President General
  - b. Vice President
  - c. General Secretary
  - d. Assistant Secretary
  - e. Financial Secretary
  - f. Treasurer

- g. Welfare Officer
- h. Publicity Secretary
- i. Provosts-six in number (one from each town)
- j. Legal Advisers-two in number

### Section 11: Duties of Officers

#### (1) President General

- (a) The President General shall be the head of the executive.
- (b) He shall preside over both the general and executive meetings of the union.
- (c) He shall direct the summoning of both general and executive meetings either in keeping with the letters of this Constitution or in keeping with the dictates of the Executive or in obedience to a situation in which he considers as an emergency.
- (d) He shall, in conjunction with his executive, carry out the decisions of the general meeting.
- (e) He shall exercise a casting vote in the event of a tie in any matter, which is put to vote in a general or executive meeting
- (f) He shall present an annual presidential Address at the last general meeting of every year.
- (g) He shall be a signatory to the Union's banking transactions.
- (h) He shall, in conjunction with the Treasurer and the Financial Secretary, present an annual financial report at the last general meeting of every year.

#### (2) Vice President.

- (a) The Vice President shall carry out all the functions of the President General in his absence, except being signatory in any banking transaction.
- (b) When both are present he shall assist the President General and, carry out any other function assigned to him by the President General.

#### (3) General Secretary

- (a) The General Secretary is the chief scribe of the Union and shall summon meetings as directed by the President General.

- (b) He shall perform all secretarial duties of the Union

- (c) He shall Write and dispatch circulars for both executive and/or general meetings and any other body under the auspices of the Union.

- (d) He shall record and keep minutes of all deliberations in both executive and general meetings.

- (e) He shall, in conjunction with the President General /the Executive prepare an annual report, which shall be read at the annual end of the year general meeting.

- (f) He shall be the custodian of secretarial materials of the Union, and act as the head of the secretariat.

- (g) He shall, in consultation with the President General, prepare the agenda for both executive and general meetings.

#### (4) Assistant Secretary

- (a) The Assistant Secretary shall perform all secretarial duties in the absence of the General Secretary.
- (b) He shall carry out all secretarial duties assigned to him by the General Secretary or by the Union.

#### (5) Financial secretary

- (a) The Financial secretary shall call the roll, collect dues, penalties, levies, donations and /or any other monies coming to the Union.
- (b) He shall issue receipt for all monies collected.
- (c) He shall pay in with the Treasurer all monies collected within 48 hours from the time of such a collection.
- (d) He shall be a signatory to the Union's bank account.
- (e) He shall prepare all vouchers for payment and forms for the withdrawal of money from the bank or from the Treasurer.

(f) He shall surrender all financial record books to the auditors whenever they call for them.

#### (6) Treasurer

(a) The Treasurer shall be the custodian of the Union's finances.

(b) He shall be a signatory to the Union's account.

(c) He shall deposit the Union's money with the bank in which the Union opens a bank account within 48 hours of such receipt of money.

(d) He shall keep an impress account of N5,000 (Five Thousand Naira) at any given time.

(e) He shall, in conjunction with the Financial Secretary, prepare a statement of account which shall be read in the last meeting of the year.

(f) He shall, together with the Financial Secretary, surrender all books of account to the auditors for auditing. (This shall be done in the last year of their three-year tenure or when occasion calls for it).

#### (7) Welfare Officer

(a) The Welfare Officer shall be in charge of entertainment in meetings and in other activities of the union

(b) He shall ensure proper and orderly conduct during entertainment.

(c) He shall see to the welfare of the union in other ways he deems proper.

#### (8) Publicity Secretary

(a) The Publicity Secretary shall publicize the activities of the Union which calls for publicity as directed by the Union

(b) He shall act as Public Relations and Protocol Officer of the Union.

#### (9) Provosts

(a) Provosts shall maintain and ensure the maintenance of peace and order in meetings

(b) They shall bear the responsibility of tidying up meeting venues and the arrangement of seats.

(c) A chief Provost shall be appointed among the six provosts who shall assist the president General in identifying members who wish to contribute to discussions or deliberations in meetings.

(d) The chief Provost shall assign one or two of the provosts the duty of collecting on fines on lateness effective after the reading and adoption of the minutes of the previous meeting.

(e) they shall assist the general secretary in the distribution of circulars

#### (10) Legal Advisers

(a) They legal Adviser shall be advise the Union on legal issues/matters

(b) They shall represent the Union in litigations or other similar matters and, legal fees thereof shall be borne by the union.

(c) They shall administer the oath of the office/allegiance on officers of the Union/Village Heads the Eze of the Autonomous Community.

#### Section 12: Special Advisers

The Traditional Ruler (Eze) shall have the powers to appoint his Adviser(s), Palace Secretary, Traditional Prime Minister and officers of the Town union in the absence an election and shall also have the powers to remove them if they found culpable of fraud, financial embezzlement and or any criminal offence.

(1) All the special Advisers shall be appointed by the Eze.

(2) To qualify for appointment as a patron or Trustee the person shall have served the Autonomous Community meritoriously either in the past or as presently constituted or have contributed to its welfare or development.

(3) The Eze of the Autonomous Community shall be the chief patron/Trustee.

(4) The offices of Patron and Trustee shall be for life, subject to constitutional/stator breaches.

(6) To qualify for appointment as an Auditor, the person shall have served or is serving in that capacity in a firm or government establishment or shall have acquired a vast accounting knowledge.

### **Section 13: Duties of Special Advisers**

#### **(1) Patrons**

(a) The Patrons shall advise the Union on matters touching on the custom and tradition of the Autonomous Community.

(b) They shall come to the aid of the Union in the event of in the a sudden financial need which the Union cannot easily raise, either as loan or donation

(c) They shall be ex-officio members and may sit with the Executive.

#### **(2) Trustee**

(a) Trustee shall be the custodian of all property (movable and immovable) belonging to the Union.

(b) He shall be custodians of documents relating to acquired land by the Union.

(c) He shall apply for the registration of the Union under PART 'C' of the Company and Allied Matters Act of 1990.

(d) All acquired property of the Union shall be dealt with by the Trustee in accordance with the directives of the Union.

(e) In the event of crises or vacancy as a result of tenure expiration or where election could not hold after the expiration of four (4) years tenure of the elected Executive of Obi-Mbieri Development Union, the Traditional Ruler (Trustee) shall have the powers to dissolve the Executive and appoint a seven (7) man caretaker committee, who shall within three (3) months of the administration conduct a fresh election in the community.

(c) The audit report when ready shall be distributed by the Executive to the following:

(i) The Eze of the Autonomous Community

(ii) Patrons

(iii) Executive Members

(iv) Town Unions

### **Section 14: Election of Officers**

(1) There shall be appointed, amongst the Six Returning Officer and a Secretary/Recorder

(2) Election of Officers shall be by Open Secret ballot System

(3) The conventional procedure for the election of officers of a union shall be followed

### **Section 15: Impeachment of Officers.**

(1) An officer of the Union shall be impeached in the following circumstances.

(a) If any officer embezzles the fund of the Union or commits fraud based on later findings of auditors, after the allegation had been made, that officer shall be removed and shall be made to pay back the amount so embezzled or defrauded.

(b) See Section 9 (6) and (9)

(c) When an Executive fails to implement an approved project of whatever nature over a long time despite the availability of fund.

(d) Other serious constitutional breaches shall also form grounds of impeachment.

(2) (a) The procedure to be adopted in the impeachment of the entire executive or a single member / some members is to propose for such an impeachment, move it and get it supported in a general meeting.

(b) If there is a counter motion, which is supported, the President General shall cause the motion to be put to vote.

(c) A successful impeachment shall require two-third (2/3) majority of all members present in the general meeting in which the issue was raised.

#### Section 16: Creation of Committees

(1) The Union Executive shall have power to create ad-hoc committees for specific assignments

(2) Each committee so created shall have at least three members but not more than seven members

#### Section 17: Payment of Dues and other Levies

(1) There shall be payment of dues and other levies as shall be approved by the general meeting.

(2) Payment of dues and other levies shall be on village basis.

(3) There shall be the equality of villages in respect of sub-section (2) above.

(4) There shall be an annual subscription to the Union by each village union with the sum of ₦ 5,000.00 (Five Thousand Naira)

(5) There shall be a 25% (twenty five percent) penalty on each village union for failure on the annual subscription in sub-section (4) above after the month of June each year.

(6) Whenever there is the need for a levy for any special project, the Union Executive shall decide on such levies, subject to approval by the general meeting.

(7) The Chairman of each village shall be held responsible for the nonpayment of Union dues/levies, in which case the defaulting village's chairman shall be compelled to pay the dues/levies voluntarily or by the impounding of property.

(8) In the event of the impounding of property for failure to pay dues/levies, the impounded property shall be in the custody of the respective Village Head who shall be given a list of the items involved and empowered to release same on the payment of the amount or sum involved.

(9) Any village that fails to pay its dues by the end of June each year shall be visited by Union debt collectors to be appointed by the President General in a general meeting for the purpose of collecting the said debt and penalty that accrued therefrom or any property commensurate with the total sum owed.

(10) Any impounded property not redeemed within the time stipulated by the Executive, which shall not exceed sixty days shall be sold by auction, following the conventional auction sale procedure.

(11) The general meeting shall stipulate maximum time limit for the payment of levies after which defaulting villages shall attract the requisite penalty.

#### Section 18: Banking and Signatories to Bank Account of the Union.

(1) The Union's money shall be banked with any commercial bank approved by the general meeting of the Union.

(2) The Treasurer shall be required to bank Union monies within 48 hours of the receipt of such monies.

(3) Any other signatory to the Union's Bank Account may make deposits into the Union's Bank Account.

(4) The signatories to the Union's Bank Account shall include

- (a) The President General
- (b) The Financial Secretary
- (c) The Treasurer

(5) The Treasurer shall be the custodian of the Union's Passbook (in case of Saving Account) and Teller and Cheque Book (in case of Current Account.)

(6) The three signatories in sub-Section (4) above shall sign all withdrawal vouchers or cheques before any withdrawal can be made.

(7) All withdrawals must be authorized by the President General, impliedly or expressly.