



The Africa Public Sector Human Resource Managers' Network (APS-HRMnet):

Constitution and Rules

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CONSTITUTION:

PREAMBLE

Pursuant to the recommendation contained in the Communiqué of the 29th AAPAM Roundtable Conference which took place in Mbabane, Swaziland, from 3 to 7 September 2007;

And recognizing the need for the development of competent and professional human resource managers in Africa's public sector to support the development of knowledge, know-how and skills, networks and attitudes of personnel in the public sector through whom services are planned and delivered, critical innovations conceived and realized and needed reforms carried out for rapid economic and social development of the African continent;

And in order to promote, improve and strengthen excellence, integrity and professional standards in the practice of human resource management in the public sector in Africa;

And in recognizing the importance of co-operation and networking among African public sector institutions in the mobilization of resources for advocacy, human resources management professional development, information and knowledge sharing to enhance organizational and individual capacity for effective performance in the public sector;

This meeting of ministers responsible for public service in Africa, human resource managers in the public sector, management development institutes, members of the Africa Association for Public Administration and Management, assembled in Arusha, Tanzania hereby formally resolve this 26th day of February, 2009 to form the African Public Sector Human Resource Managers' Network (APS-HRMnet) and adopt this constitution.

1. NAME

The Network shall be called "The Africa Public Sector Human Resource Managers' Network" (APS-HRMnet) hereafter referred to as "*The Network*".

2. OBJECTIVES

- a.** Promote excellence, integrity and professional standards in the practice of human resource management in the public sector in Africa.

- b. Identify and share best practices in human resource management so as to assist public sector organizations improve their performance in human resource management and public service in general.
- c. Provide human resource management practitioners in the public sector in Africa with tools, models, skills, methods, and data to improve the effectiveness of their human resource management and development programs.
- d. Promote continuous learning, enhance knowledge, improve skills, and develop the current and next generation of human resource management professionals and leaders in the public sector in Africa. In pursuance of this objective establish a system aimed at the certification of human resource management professionals in partnership and/or collaboration with Africa-based and global management development institutes.
- e. Support and advocate for the strategic positioning of human resource managers as prominent and essential strategic partners in public service development planning and management as well as reforms.
- f. Support continental and regional efforts in Africa to implement harmonized public service commitments such as the Charter for Public Service in Africa.

3. METHODS OF PURSUING THE OBJECTIVES

The objectives stated in Article 2 may be pursued by the following means among others, operating where appropriate, through or in collaboration with institutions with similar objectives:

- a. Research, documentation, publications and information dissemination on human resource management in the public sector in Africa.
- b. Education, training and professional development of human resource managers in the public sector in Africa through conferences, seminars, workshops and other appropriate training modalities.
- c. Organization for certification for human resource managers in the public sector to contribute to their professionalization.
- d. Networking nationally, regionally and internationally for developing the capacity and profession of human resource managers in Africa's public sector institutions.
- e. Providing advisory services to governments and other public organizations in various aspects of human resource management.
- f. Mobilization of resources including funds to support the Network activities.
- g. Organizing and undertaking advocacy activities to promote good practice in human resource management in the public sector.

4. MEMBERSHIP

The Network shall maintain at its Secretariat, a register of the members indicating the name, category of membership and the date of the member's admission to membership. The register shall be available for inspection by members upon written request. The Network will have a membership composed of:

a. Individual Membership

Any individual of good standing in the community whose profession and activities serve to promote the interests and objectives of the Network.

b. Corporate Membership

Any institution, organization or association whose purposes and activities are in consonance with the objectives of the Network. Membership shall be open especially to human resource management departments in government ministries and local government/authorities especially those responsible for public service, public service commissions and other appointing bodies, management development institutes, as well as other public organizations in Africa.

c. Honorary Membership

The Network may confer honorary membership upon any individual who has made distinguished contribution to human resource management in Africa.

d. Rights of Members

All categories of members shall be entitled to participate in the deliberations of the Network and will have the right to vote.

e. Obligations of Members

- (i) Members shall promote the objectives of the Network in every way, including the formation and promotion of national level networks to advance the work of the Network in their respective countries.
- (ii) Members shall submit to the Network's Secretariat annual reports of programmes they have initiated during the year in support of the goals and objectives of the Network.
- (iii) Members shall observe all their obligations under this Constitution including payment of the annual subscriptions and subventions (when ever set and required) at the beginning of every financial year.

5. INSTITUTIONAL ORGANS OF THE NETWORK

The Network shall have three institutional organs, namely:

- a. The Members' Assembly
- b. The Executive Council
- c. The Secretariat

6. OFFICE BEARERS OF THE NETWORK

The Network shall have the following officers:

- a. The President
- b. The Deputy President
- c. Five Sub-Regional Vice Presidents
- d. The Executive Secretary
- e. Any other officer(s) on a regular or temporary basis

Provided always that the appointment of the sub-regional Vice-Presidents and other principal officers of the Network shall reflect the five sub-regional character of Africa as in the schedule to this constitution.

7. CONSTITUTION AND DUTIES OF THE INSTITUTIONAL ORGANS

A. Members' Assembly

- a. The Members' Assembly of the Network shall be constituted by the gathering of the representatives of the corporate and individual members convened by the President of the Network or as provided for in the Rules.
- b. The Members' Assembly, which is the supreme body of the Network, will be responsible for approving the policies of the Network for implementation, the Executive Council. The Members' Assembly will elect a President and Executive Council for a period of three years renewable once.
- c. The meeting of the Members' Assembly shall be held once every three years.
- d. A Special Members' Assembly of the Network may be convened by the President of the Network as and when necessary.

B. The Executive Council

- a. The Executive Council elected by the Members' Assembly shall comprise of the following members:
 - i. The President
 - ii. The Deputy President, and
 - iii. The 5 Sub-Regional Vice-Presidents

- b. The Executive Secretary shall be a member of the Executive Council
- c. The Executive Council shall be responsible for:
 - i. Formulation of major policies of the Network, and submission of the same for approval to the Members' Assembly.
 - ii. Reviewing the activities of the Network.
 - iii. Preparing the annual programme of the Network.
 - iv. The general direction of the activities of the Network.
 - v. Determining the working procedures of the various services of the Network.
 - vi. Preparing the budget of the Network for the approval of the Members' Assembly.
 - vii. Determining the agenda, date and place of meetings of the Network.
 - viii. Taking such measures and actions deemed appropriate in the interest of the Network.
- d. The Executive Council shall meet at least twice a year.
- e. A Representative of the country that hosts the Executive Council meeting shall be a co-opted member of the Executive Council.
- f. The Executive Council may co-opt any officer or member of the Network to any of its meetings as it may deem fit.

C. The Secretariat

There would be a Secretariat whose functions and responsibilities are defined under the section dealing with Rules.

8. RESOURCES

The resources for the Network shall consist of:

- a. Entrance Fees
- b. Members' subscriptions
- c. Payment for services rendered
- d. Proceeds from the sale of publications
- e. Donation and legacies
- f. Grants from organizations, governments or individuals
- g. Subventions from corporate members

9. ANNUAL MEMBERSHIP AND SUBSCRIPTIONS

Entrance fees and annual subscription by members shall be determined by the Members' Assembly of the Network on the advice of the Executive Council.

10. ACCOUNTS

- a. The fiscal year of the Network shall run from the 1st January, to 31st December of every year.
- b. The Accounts of the Network shall be audited annually by an Auditor appointed by the Executive Council.

11. AMENDMENT TO THE CONSTITUTION

The present Constitution may be amended by the Members' Assembly upon a proposal of the Executive Council or upon a request of not less than ten members of the Network. Amendments shall be adopted by a two-thirds majority of the members present and voting at the Members' Assembly.

12. CEASING TO BE A MEMBER

- a. Any member may withdraw from membership of the Network by notifying the Executive Secretary in writing, upon the settlement of all outstanding financial obligations.
- b. Any member whose conduct proves incompatible with the objectives of the network may have their membership suspended or revoked. Each suspension or revocation shall be decided by a vote of two-thirds majority of members present and voting in regular Members' Assembly
- c. Any member of the network who resigns or is removed from membership shall not be entitled to a refund of any subscriptions to the Network or any part thereof or any moneys contributed by such a member at any time.
- d. Any member who ceases to be a member of the Network shall automatically cease to be an office bearer of the Network.

13. THE SEAL

The Network shall have a seal inscribed "**AFRICA PUBLIC SECTOR HUMAN RESOURCE MANAGERS' NETWORK**" which shall be kept in the safe custody of the Executive Secretary at the Secretariat or in such a place as the Executive Secretary may from time to time direct. The seal shall not be affixed to any document except by the authority of the Executive Secretary.

14. ACQUISITION OF PROPERTY

The Network shall have the power to acquire, hold and dispose of property both movable and immovable.

15. INTERPRETATION

The Members' Assembly shall have the final power to interpret the provisions of this Constitution, whose interpretation shall be final and binding on the members. The Members' Assembly's ruling shall be supported by two-thirds majority of the members present and voting at the Members' Assembly.

16. REPLACEMENT OF OFFICE HOLDERS

- a. Any vacancy in the membership of any of the organs of the Network caused by death, resignation, expiry of term of office, incapacitation or ill health shall be filled by the Executive Council until the next Members' Assembly of the Network. Vacancies caused by the suspension or revocation of the membership of any member of the Network pursuant to Article 11 shall be filled by persons elected at the Members' Assembly resolving the suspension or revocation.
- b. Any vacancy in the membership of the Network shall not affect the powers of any organ of the Network to transact any of its business.

17. DISSOLUTION

- a. The dissolution of the Network may be proclaimed by the Members' Assembly convened for this purpose, through a vote of three-fourths of the total number of corporate and individual members.
- b. In the event of dissolution, the assets of the Network remaining after discharge of all liabilities shall be disposed of by the Executive Council in such a manner as the Members' Assembly may determine by ordinary resolution, **PROVIDED** that no property whatsoever shall be given or transferred to or distributed amongst the members of the Network **BUT** shall be given or transferred to some other institution or institutions having similar aims and objectives as APS-HRMnet, and whose constitution also prohibits the distribution of its assets amongst its members.

18. ARBITRATION

- a. Disputes or disagreements between members shall be referred to and resolved by the Executive Council. If the dispute or disagreement is between members of the Executive Council, it shall be resolved by a panel consisting of the members of the Executive Council who are not party to or in any way involved in the dispute or disagreement. Alternatively, such members may refer the matter to an arbitrator of their choice whose judgment shall be final and binding.
- b. Voting by proxy shall be allowed.

19. RULES

The Executive Council shall lay down the rules for implementation of the Constitution on the advice of the Executive Secretary.

20. SCHEDULE: SUB-REGIONAL CHARACTER OF AFRICA

The sub-regional character of Africa shall comprise:

- a. **West Africa:** Benin, Burkina Faso, Cape Verde, Cote d' Ivoire, Ghana, Gambia, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo, and Western Sahara.
- b. **East Africa:** Burundi, Comoros, Eritrea, Ethiopia, Kenya, Rwanda Somalia, Sudan, Tanzania, and Uganda.
- c. **Central Africa:** Cameroon, Central Africa Republic, Chad, Congo, Democratic Republic of Congo, Gabon, Equatorial Guinea, and Sao Tome.
- d. **North Africa:** Algeria, Djibouti, Egypt, Libya, Morocco, and Tunisia.
- e. **Southern Africa:** Angola, Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, Swaziland, South Africa, Zambia, and Zimbabwe.

RULES

1. DEFINITION

In these Rules unless the context indicates otherwise,

- a. **“The Network”** means the Africa Public Sector Human Resource Managers' Network
- b. **The “Members’ Assembly”** means the Assembly constituted under Article 7 of the Constitution.
- c. **“The Executive Council”** means the Executive Council constituted under Article 7 of the Constitution.

2. MEMBERSHIP

The Network shall consist of Corporate Members and Individual Members whose names stand on its register at the date of the coming into operation of these Rules and such members as may hereafter be admitted.

3. FULL MEMBERS

- a. The following shall be eligible to join as full members subject to the approval of the relevant authority of the Network:

- i) Any person who has made some significant contribution (literary or practical) to the progress of human resource management in the public sector
 - ii) Any person of good standing in his/her community whose profession and activities would serve to promote the interests of the network.
- b. The following shall be eligible to join as Corporate member:
 - i) Any public sector Institute or School of Public Administration in any African country.
 - ii) Any ministry, department of government, public service commission in an African country.
 - iii) Any public sector institution, local government/authority, organization, association or group whose objectives and activities would serve to promote the interests of the Network.
 - iv) Any public enterprise.
 - v) Donor agencies or development partners and international organizations or associations with similar goals and objectives as APS-HRMnet shall also be eligible to join as members of the Network.
 - vi) Regional, national and local government human resource management associations are eligible for membership of the Network.

4. THE MEMBERS' ASSEMBLY

The Members' Assembly shall meet at least once in every three years.

5. THE EXECUTIVE COUNCIL

- a. The quorum for the Executive Council shall be four.
- b. The President, the Deputy President, the Sub-Regional Vice-Presidents shall be elected by the Members' Assembly every three years.
- c. Each candidate for election to the Executive Council, except the office bearers, must be nominated by at least two other members. Such nominations should be received by the Executive Secretary four weeks before the date of election.

- d. Membership of the Executive Council shall be for three years and such members shall be eligible for re-election for a second term of three years provided that no member of the Executive Council shall exceed a period of six years in office.
- e. The Executive Council shall meet at least twice a year.
- f. Decision of the Executive Council shall be taken by a majority of the members present and voting.
- g. The President of the network shall preside at all meetings of the Members' Assembly and the Executive Council, and in the absence of the President, the Deputy President shall preside. In the absence of both the President and the Deputy President, one of the five (5) Sub-Regional Vice-Presidents' shall be nominated to preside at any meeting of the Network.
 - (i) In carrying out its functions, the Executive Council may, at its own discretion, establish committees and sub-committees to handle, on its behalf, certain specialized functions. (A sub-committee may include one or more members of the Executive Council, but where more people are required; the Executive Council shall have the power to co-opt persons who are not members of the Executive Council to be members of the sub-committees.) Members of the committees or sub-committees will be appointed on the basis of their skills and experience relevant to the committee to which they are appointed.
 - (ii) Appointment to any sub-committee pursuant to paragraph (i) above shall not, under any circumstances, make such person a member of the Executive Council.
 - (iii) All land, buildings and other immovable property and all investments and securities of the Network shall be vested in the Executive Council. The properties vested in the Executive Council shall be managed, on behalf of the Executive Council, by the Executive Secretary of the Network.

6. THE SECRETARIAT

- a. The Executive Council shall appoint an Executive Secretary who shall be the head of the Secretariat.
- b. The Executive Council shall determine the terms, conditions and tenure of service of the Executive Secretary.
- c. The Executive Council may, from time to time, appoint such number of staff to the Secretariat as are necessary for the proper discharge of

the functions of the Network on such terms and conditions as the Executive Council may determine.

7. THE EXECUTIVE SECRETARY

The Executive Secretary shall be responsible to the Executive Council for:

- a. The administration of the affairs of the Secretariat;
- b. The execution of the decisions and instructions of the Executive Council;
- c. The co-ordination of the activities of the Network
- d. Preparation for the meetings of the Network
- e. Communications and correspondence of the Network
- f. The preparation and submission of a detailed annual report on the activities of the Network
- g. Submitting to the Executive Council a draft strategy and work plan for the coming financial year
- h. Maintaining the Register of the Network
- i. Managing, on behalf of the Executive Council, the property and other resources of the Network
- j. Liaising with collaborating agencies and donor partners
- k. Facilitating comparative analyses, visits and co-operative exchange activities between the members of the Network, Government Ministries and Department as well as relevant international bodies
- l. Preparing background documentation for review by the Executive Council
- m. Any other matters assigned to him/her by the President
- n. Any other matters considered by the Executive Council or the Executive Secretary to be in furtherance of the objectives of the Network.

8. ROLE OF THE EXECUTIVE SECRETARY

The Executive Secretary shall be the Accounting Officer of the Network and shall be responsible to the Executive Council for:

- a. The safe custody of the property and other assets of the Network other than funds which shall be under the custody of the Financial Officer

- b. Submitting to the Executive Council for its approval in advance the draft budget estimates for the coming financial year.
- c. Submitting to the Executive Council at the annual meeting a statement of the audited accounts for the past financial year.

9. ACCOUNTS OF THE NETWORK

- a. All monies of the Network shall be paid into an account in the name of the Network at the banks approved by the Executive Council and withdrawals from such account or accounts shall be authorized by the Executive Secretary and/or the President.
- b. There shall be three signatories to the Bank Accounts of the Network namely, President, Executive Secretary and Finance Officer, provided that the signature of the Finance Officer and that of either the President or the Executive Secretary shall be sufficient and valid for any withdrawal.
- c. An Auditor shall be appointed by the Executive Council. He/she shall audit the Network's financial records and documents and his/her report shall be presented to the Executive Council. The auditor may be paid such honorarium as the Executive Council may determine.
- d. A copy of the Auditors' report on the accounts and statement together with such accounts shall be furnished to all members annually not later than three (3) months after the report and accounts have been received by the Executive Council.
- e. No Auditor shall be an office bearer or member of the Executive Council, or a relative, friend or associate of a member of the Executive Council.

10. THE MEMBERS' ASSEMBLY

The Members' Assembly shall be convened by the Executive Council at least once every three years. The business of the Members' Assembly shall be:

- a. To receive the Executive Secretary's report of the activities of the Network during the preceding three years' period.
- b. To receive and consider reports from the Executive Council
- c. To elect officers and members of the Executive Council
- d. Approve the policies of the Executive Council for implementation by the Executive Secretary.

11. SPECIAL MEMBERS' ASSEMBLY

- a. The President shall convene a Special Members' Assembly at the request of a majority of the members of the Executive Council
- b. A Special Members' Assembly shall also be called at any time by the President within 60 days of the receipt of a written request submitted by at least one third of the fully paid up members.
- c. At least 28 days' notice of a Members' Assembly Meeting or Special Members' Assembly shall be sent to all members.
- d. All decisions of the Members' Assembly Meeting or Special Members' Assembly Meeting shall be by a vote of majority of the members present and voting, except that any decision relating to an amendment of the constitution shall be by a two-thirds majority vote of members present and voting.
- e. The business of the Special Members' Assembly may be any one or more of the following:
 - i) removing all or any of the officers and members of the Executive Council of the Network and filling the vacancies thereby caused;
 - ii) altering these rules; or
 - iii) dissolving the Network and determining the distribution of its assets.

12. QUORUM

The quorum of the Members' Assembly Meeting or Special Members' Assembly Meeting shall be 25 per cent of all the fully paid up members.

13. RELATIONSHIP BETWEEN THE EXECUTIVE COUNCIL AND THE SECRETARIAT

The Executive Secretary shall, from time to time, consult the President of the Network on major issues relating to policy, finance and external relations of the Network and where the President is not domiciled in the country where the Secretariat is for the time being based, the Executive Secretary shall consult any member of the Executive Council based nearest to the Secretariat, provided that the Executive Secretary shall bring to the attention of the President and other members of the Executive Council the purpose and outcome of such consultations in the shortest time possible.

14. ANNUAL MEMBERSHIP AND SUBSCRIPTION FEES

- a. Membership fees shall be as follows as determined by the Members' Assembly from time to time on the advice of the Executive Council:

- (i) Corporate members -
 - (ii) Individual members -
- b. Annual subscription shall be as follows as determined by the Members' Assembly from time to time on the advice of the Executive Council:
 - i) Corporate members -
 - ii) Individual members -
- c. The subscription fees shall be payable in local currency unless the Executive Council decides otherwise in respect of any particular member or members. All cheques shall be transmitted to the Executive Secretary who shall issue an official receipt for every payment received by him.
- d. The annual subscription shall be due on the first day of January of each year.
- e. Membership fees in Article 15 above may be reviewed from time to time by the Executive Council.

15. AMENDMENT TO THE RULES

Amendment to the Rules shall be made by a two-thirds majority of members present and voting at the Members' Assembly of the Network on the recommendation of the Executive Council.

16. INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

The books of accounts and all documents relating thereto and a list of members of the Network shall be available for inspection at the registered office of the Network on giving not less than seven days in writing to the Executive Secretary.