

# **CONSTITUTION**

**For the**

**AFRICAN CONFERENCE**

**Of**

**CATHOLIC CLERGY AND RELIGIOUS IN**

**The**

**UNITED STATES (ACCCRUS)**

**August 9, 2008**

## Article I – Name, Legal Status, Power, and Mission

### 1.01 Name

The organization shall be known as the African Conference of Catholic Clergy and Religious in the United States (ACCCRUS)

### 1.02 Legal Status

The African Conference of Catholic Clergy and Religious in the United States (ACCCRUS) shall be a non-profit religious entity, organized and operated exclusively for charitable and educational purposes in line with section 5.01 (C)(3) of the Internal Revenue Code.

### 1.03 Power

The organization shall have such powers as are now, or may hereafter be, granted by the General Not-For-Profit Corporation Act of the State where the organization may be headquartered at any point in time, *and in accordance with what is allowable in the US Church and the Universal Church*

### 1.04 Mission

The mission of the organization shall include, but not be limited to:

- I. The provision of a forum for African Clergy and Religious to meet, be united, and be provided with each other's spiritual and social support.
- II. The promotion of understanding and cooperation among members who come from various parts of the African continent, with her rich and diverse cultural heritage.
- III. The encouragement and promotion of welfare, education, and economic *and religious advancement* of the African people both on the African continent and in the United States.
- IV. The promotion and preservation of the integrity of our collective and individual ministries in the United States.
- V. The provision of counsel to African Bishops and Major Superiors and the United States Conference of Catholic Bishops on logistics that will make our ministry as African clergy and religious in the United States fruitful and fulfilling.

- VI. The provision of logistics for the orientation of incoming clergy and religious, so that they can better serve the people of God in the United States.
- VII. Serving as a platform for promoting the ongoing dialogue on solidarity between the Church in the United States and the Church in Africa
- VIII. Enhancing a stronger understanding and collaboration between Africans in the United States and African Americans.

## **Article II –Membership and Admission Process**

### **2.01 Membership**

Membership is open to all African Catholic Clergy and religious who are incardinated, working, or studying in the United States, and who are in good standing with their ordinaries or Major Superiors.

### **2.02 Process of Application and Admission**

All who fall under the category mentioned in 2.01 become members of the Organization by signification of intent and payment of requisite dues, with rights of voice and vote. Each person shall apply to the organization, either in writing or orally, through his or her Regional Chapter. Membership in a Regional Chapter confers automatic membership and admission to the National Conference. Members in non-functional Regional Chapters shall register via the General Assembly.

### **2.03 Members In Good Standing**

Members shall be considered to be in good standing if they maintain their financial obligations to the organization through the Regional Chapters, where available.

### **2.04 Members Not in Good Standing**

A member will no longer be in good standing if he/she:

- I. Is owing more than 10% of all contributions
- II. Resigns from the Regional Chapter and continues to live in the United States
- III. Is expelled from the Regional Chapter

**2.04.1** Membership shall be suspended for members who lose the blessing of their Ordinaries or Major Superiors.

**2.05 Honorary Membership**

Upon approval by the General Assembly, Clergy and Religious who are not of African descent, but who may have ties with Africa, perhaps by missionary activity or some other pertinent reason, shall be admitted as honorary members of the organization. Honorary members shall have the rights of voice but not of vote, and shall not be eligible to run for any Office at the national level.

**2.06 Emeritus Membership**

An *emeritus* membership (membership from/by merit) shall be accorded to all members whose educational and/or missionary activity in the United States have ended and who no longer reside in the United States. Such members, when visiting the United States, shall be welcome to register and attend the National Convention. They shall have the right of voice, but not the right to vote.

**2.07 Registration and Annual Dues**

All members shall be deemed registered after paying a one time fee of \$10 (Ten Dollars) each, either through the Regional Chapter or the General Assembly. Annual dues of \$20 (Twenty Dollars), \$10 (Ten Dollars) for fulltime students, or such dues as may be set by the organization from time to time, shall be levied on members.

**Article III – Organizational Structure**

**3.01 Organizational Units**

The African Conference of Catholic Clergy and Religious in the United States (ACCCRUS) shall consist of *three* permanent organizational units:

- a). The General Assembly (GA)
- b). The Regional Chapter (RC)
- d). The National Executive Council (NEC)

**3.02 The General Assembly**

The General Assembly shall consist of duly registered members of all Regional Chapters. The General Assembly shall meet once a year in a National Convention. While all duly ordained or professed African Catholic Clergy and Religious can

participate in the deliberations of the Assembly, only members in good standing shall participate in the voting activities during the National Convention. Anyone who is aware of a member who is not in good standing is obligated in good conscience to report the same to the NEC or at least to the National president. The General Assembly shall review and ratify all decisions of the NEC.

### **3.03 The Regional Chapter**

Regional Chapters are to be organized according to States, but depending on local circumstances, States could merge to form Regional Chapters.

Regional Chapters are to be formally constituted, and not by volunteer action. By the approval of the General Assembly, Regional Chapters can be reorganized, if need be, to better suit members. The election and term of office of the Regional officials are to be conducted and determined respectively by the individual Regional Chapters.

Every Regional Chapter is to have at least one meeting before the General Assembly (i.e. the National Convention). In incorporating the national body, Regional Chapters shall be incorporated as subsidiary organizations of ACCCRUS. Membership dues to ACCCRUS shall be paid through the Regional Chapters or the General Assembly.

### **3.04 National Executive Council (NEC)**

The following points are to be noted regarding the National Executive Council:

- I. The following Officers shall constitute the NEC:
  - a). National President
  - b). Vice President
  - c). General Secretary
  - d). Assistant General Secretary
  - e). Financial Secretary
  - f). Assistant Financial Secretary
  - g). Treasurer
  - h). Provost
  - i). Publicity Secretary
  - j). Assistant Publicity Secretary
  - k). Regional Presidents
- II. The NEC shall formulate policies for ACCCRUS, and shall be responsible for executing the policies formulated.
- III. The NEC shall be free to request, when necessary, the service(s) of non

member professionals, to perform duties, form sub-committees, conduct studies and/or make recommendations to the NEC concerning activities, projects, or ventures.

- IV. In the case of a vacancy in the office of treasurer or provost before the General Convention, a simple majority of the NEC shall elect a replacement from amongst the NEC, pending the next convention of the GA. The replacement shall be communicated to the Regional chapters. At the next General Convention the officer may then be confirmed or replaced by the GA. However, if the vacancy is of any other office, the Assistant or Vice shall ascend to the position. At the next convention, the officer may then be confirmed and any other vacant office(s) filled.

### **3.05 Limit of Powers**

All powers not herein assigned to any of these organizational units belong entirely to the General Assembly.

## **Article IV – Elections and Processes**

### **4.01 Elections**

Elections will be held triennially.

### **4.02 Processes**

- I. **Nominations shall happen at the national conference.**
- II. Only registered and financially up-to-date members of the organization, who are in good standing, shall be eligible to participate in the electoral process.
- III. Before the NEC is dissolved, the GA shall elect three Returning Officers to run the election by secret ballot. The three officers shall appoint from amongst them a Chairperson.
- IV. The incumbent Financial Secretary shall further verify eligibility, and then forward the nominations to the Chairperson of the Returning Officers after announcing the eligible candidates for offices as well as rules governing the elections.
- V. The incumbent President shall present an end-of-tenure address and then declare the National Executive Council dissolved.
- VI. Each office shall be voted for with one individual ballot paper. Offices with a vice /Assistant shall be filled by nominating four individuals; the two with

the highest number of votes shall fill the offices accordingly. If there is a tie, between the two, another round of voting shall be conducted for the two; the one with the highest number of votes shall become the principal officer while the other becomes his/her assistant/vice.

- VII. The Coordinator of the USCCB's Office for Pastoral Care for migrants, Refugees and Travelers (PCMRT) shall become member *ex-officio* of the NEC, without the right to vote at its meetings.
- VIII. The president-elect shall give a brief inaugural address to the GA.
- IX. After the elections, the outgoing officers shall thereby carry out all necessary handovers to the newly elected officers. They shall work closely with the newly elected officers for a period of 180 days.
- X. The newly elected officers must be sworn-in before the end of the convention in which they are elected.

#### **4.03 Swearing in of Officers**

- I. Newly elected officers shall be sworn-in at the convention and shall read as follows:

*I \_\_\_\_\_, do solemnly swear and affirm, that I shall faithfully execute the Office of \_\_\_\_\_ and, to the best of my ability, preserve, protect, and defend the constitution of the African Conference of Catholic Clergy and Religious in the United States. So help me God.*
- II. All documents and other properties of ACCCRUS shall be handed in to the newly elected officers upon being sworn in.

#### **4.04 Term and Tenure of Office**

The term of office is three straight years. All nationally elected officers shall be limited to two consecutive terms in the same office. One may be eligible for re-election for the same office having been out of the office for at least three straight years.

### **Article V – Offices, Duties, and Responsibilities**

#### **5.0 Offices in General**

The duties and responsibilities of the various officers are as follows:

### **5.01 Office of National President**

The National President shall:

- a). Preside over all the meetings of the NEC and the GA
- b). Summon and preside over all emergency meetings of the NEC.
- c). Vote only at motions in which voting ties occur
- d). Present an account of his stewardship to the GA at every convention.
- e). Approve the disbursement of funds
- f). Be signatory to all accounts of the national body of ACCCRUS
- g). Communicate with the leaders of various Regional Chapters on regular basis
- h). Implement the decisions of the GA
- i). Coordinate the convention program and planning in conjunction with the NEC, and the host region.

### **5.02 Office of Vice President**

The Vice President shall:

- a). In the absence of the President have powers to perform all the duties of the President
- b). Shall assist the President at all times
- d). In the case of disability, incapacitation, or resignation of the President, assume the office of President (Cf. art. 3.05, IV)

### **5.03 Office of General Secretary**

The General Secretary shall:

- a). Coordinate and maintain the organization's secretariat
- b). Record and present minutes of all the organization's meetings
- c). Keep members informed of all significant developments involving the organization and/or its members
- d). Be the custodian of all documents belonging to ACCCRUS with the exception of financial records
- e). Keep an up-to-date and comprehensive directory of all members

### **5.04 Office of Assistant General Secretary**

The Assistant General Secretary shall:

- a). Assume the duties and the responsibilities of the General Secretary in his/her absence
- b). Assist the General Secretary at all times.
- c). In the case of incapacitation or resignation of the General Secretary, assume the office of General Secretary (cf. art. 305, IV).

### **5.05 Office of Financial Secretary**

The Financial Secretary shall:

- a). Collect funds on behalf of the organization at general meetings and from Regional Chapters, and transfer such funds to the treasurer for deposit
- b). Keep proper records of the finances and, if possible, issue receipts for applicable transactions and for all dues collected on behalf of the organization
- c). Provide financial report at the annual convention.
- d). Write the organization's checks
- e). Notify members of their debts.

### **5.06 Office of the Assistant Financial Secretary**

The Assistant Financial Secretary shall:

- a). Assume the responsibilities of the Financial Secretary in his/her absence
- b). Assist the Financial Secretary at all times
- c). In the case of incapacitation or disability of the Financial Secretary, assume the office of Financial Secretary (cf. art. 3.05, IV)

### **5.07 Office of Treasurer**

The Treasurer shall:

- a). Be the custodian of all funds, securities, and financial records of the organization
- b). Collect through the Financial Secretary revenues of the organization and properly acknowledge and document such collections
- c). Deposit funds and securities in the proper accounts of the organization within 7 (seven) days of receiving such funds
- d). Be signatory to all the accounts of ACCCRUS
- e). Render proper and accurate account of the organization's financial status at the GA and NEC meetings.

### **5.08 Office of Provost**

The Provost shall:

- a). Be responsible for maintaining order and discipline during the organization's annual conventions
- b). Recommend difficult or dissident members to the NEC for proper disciplinary measures.

### **5.09 Office of Publicity Secretary**

The Publicity Secretary shall:

- a). Be the public relations officer of the organization
- b). Be responsible for all internal and external publicity relating to ACCCRUS.

### **5.10 Office of Assistant Publicity Secretary**

The Assistant Publicity Secretary shall:

- a) Assume the responsibilities of the Publicity Secretary in his/her absence
- b) Assist the Publicity Secretary at all times.
- c) In the case of disability, incapacitation, or resignation of the Publicity Secretary, assume the office of Publicity Secretary (cf. art. 3.05, IV).

## **Article VI – Conduct, Removal or Resignation of Officers/Members, Vacancies**

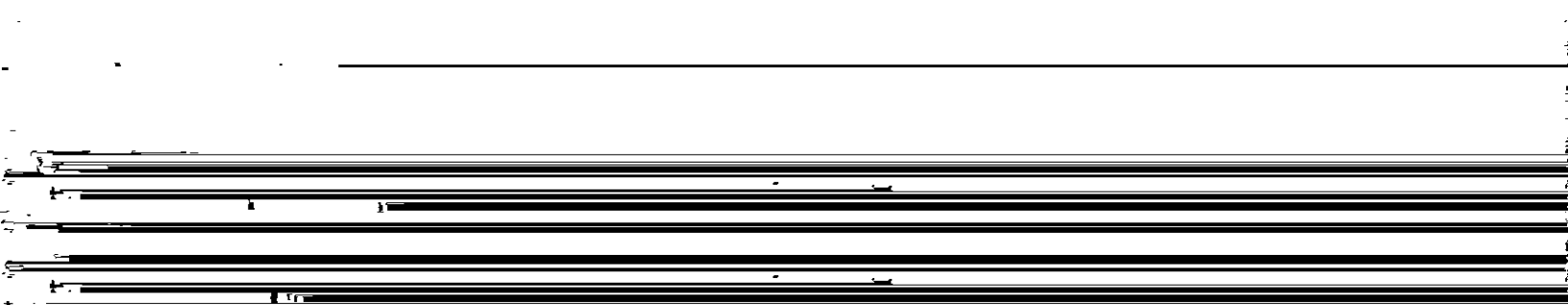
### **6.01 Conduct of Members**

The organization shall expect all her members to abide by the local, State, and federal laws of the United States, and the rules and regulations of this organization. Offending members can be suspended or removed by the vote of a simple majority of the General Assembly.

### **6.02. Suspension or Removal of Members**

- I. Grounds for suspension or removal of members shall include, but not be limited to the following:
  - a). Verifiable gross misconduct, or actions deemed to be detrimental to the good name and reputation of the organization.
  - b). Persistent refusal by a member to abide by the organization's constitution.
  - c). A canonical dismissal from the clerical state or the religious life shall warrant an automatic dismissal from the organization.
- II. In a contentious case such as enumerated in sub-paragraphs (a) and (b) above, a member shall be suspended for cause only after reasonable notice has been sent and the opportunity to be heard granted to him/her by NEC.

### **6.03 Suspension or Removal by a Regional Chapter**



## **Article VII – Source of Funds, Approval of Working Instruments, Banks, and Investments**

### **7.01 Source of Funds**

- I. The activities and general secretariat of ACCCRUS are to be financed through registration dues, membership dues, special levies, donations, promotions, and/or participation in fundraising activities, as may be approved by the NEC and the GA.
- II. ACCCRUS may solicit or accept funds from outside sources in keeping with authentic Christian moral principles, and in accord with the laws of United States of America.
- III. The NEC shall decide the percentage of the balance to give back to the Regional Chapter that provided most of the fund.
- IV. ACCCRUS may undertake, promote, co-promote, sponsor or co-sponsor social and cultural activities deemed to be in the best interest of the organization.

### **7.02 Approval of Working Instruments**

- I. The National President, Financial Secretary, and Treasurer shall sign checks, notes, drafts, orders for payment of money, obligations and all contracts of the organization. The President, and any one of the other two above, may sign already approved checks, with the knowledge of the third person.

### **7.03 Banks**

The NEC shall be authorized to select such banks or depositories, as it shall deem proper for the funds of the organization.

### **7.04 Investments**

The organization shall have the right to retain all or any part of any properties or securities acquired by it in whatever manner, and to invest and re-invest any funds held by it, according to the judgment of the NEC, without being restricted to the class of investments which a House Member is or may hereafter be permitted by law to make, or any similar restriction; provided, however, that no action shall be taken by or on behalf of the organization, if such action is prohibited by Canon law (Church Law), State/Federal law, or would result in the denial of the tax exemption privileges of the organization, as stated in section 503 or 507 of the IRS code and the Treasury Regulations as they now exist or may hereafter be amended.

## **Article VIII – Annual Conventions and Convention Programs**

### **8.01 Annual Conventions**

The following points are to be noted regarding all national conventions of the organization:

- I. The NEC chooses the venue of the next convention.
- II. The national convention shall serve as the General Assembly for all ACCCRUS deliberations.
- III. A simple majority shall be required for all decisions of the national conventions.
- IV. The National Convention shall also resolve issues or disputes brought to its attention by the NEC, Regional Chapters, or any registered member of ACCCRUS.
- V. In the case of a tie in votes, the National President shall cast the tie-breaking vote.
- VI. No quorum shall be required for convention deliberations, provided that such deliberations are conducted at scheduled and publicized times.
- VII. The convention shall be open to all registered members and their invited guests who may be either clergy or religious.
- VIII. Regional Chapters that desire or volunteer to host the annual conventions should notify the NEC.
- IX. The national convention shall be held annually between the first and second weeks of the month of August, or any other time that the GA may approve.
- X. The banquet or gala on the eve of the last day of the convention shall be open to the clergy and religious only, no other persons allowed.

### **8.02 Convention Programs**

- I. The NEC and the hosting Regional Chapter shall formulate the agenda for the convention.

- II. An invitation to contribute to the agenda shall be published by email or regular mail, at least 90 (ninety) days prior to the convention. Individual contributions to the agenda are to be forwarded to the leaders of the various Regional Chapters. Every Region shall be required to submit its contributions to the General Secretary of the ACCCRUS within 30 (thirty) days.
- III. The final agenda shall be produced and distributed to all Regional Chapters latest four weeks prior to the convention.

## **Article IX – Projects**

### **9.0 Process for the Approval of Projects**

The following is to be noted regarding projects that the organization chooses to embark on:

- I. All projects to be undertaken in the name of the organization must be communicated to the GA and be researched and further discussed by an *ad hoc* committee of the NEC.
- II. Once approved, all Regional Chapters shall then be required to contribute towards the project.
- III. The members of the NEC shall be responsible for discussing the project(s)

## **Article X – Code of Conduct for All Members of ACCCRUS**

**10.01** The following shall constitute a direct violation of the ACCCRUS code of conduct:

- I. Physical fighting and other forms of disorderly conduct. Such unholy and disorderly conduct may attract a fine to be determined by the organization.
- II. Use of alcoholic beverages. Alcohol may be used at dinners or the gala night, but shall never be tolerated during meetings. Defaulters will be reprimanded and fined in an amount to be determined by the organization. No one shall come to the meeting drunk
- III. English is the official language of the conference and is to be spoken during all communal exercises of the convention. The use of any form of vernacular shall be viewed with utmost consternation.

## **Article XI – Death and Benefits**

### **11.01 Death of a Member**

In the event of the death of a member:

- a). The National President and General Secretary are to be immediately notified;
- b). All members of the ACCCRUS are to be notified of the obituary by email and, possibly, telephone; the email must be sent by the General Secretary;
- c). A funeral (or memorial) mass is to be organized by the Regional Chapter to which the deceased belonged; Mass is to include the *Office of The Dead*;
- d). Members of the Regional Chapter where funeral is to be held are obliged to attend; all other members are encouraged to attend;
- e). Each priest member shall offer two masses for the repose of the deceased;
- f). At the commencement of every national convention, a minute of silence is to be observed in memory of members who died since the previous convention. A concelebrated mass is also to be offered on any day of the convention for all deceased members.

### **11.02 Death of Family Members**

It shall be up to members who have lost family members to contact the General Secretariat of ACCCRUS with the news, either directly or through close friends. The General Secretary shall then disseminate information to all members, calling for prayers for the deceased, the bereaved member, and the rest of the family.

## **Article XII – Jurisdiction and Indemnification**

### **12.01 Jurisdiction**

The following points are to be noted regarding jurisdiction:

- I. The provisions of this constitution are severable. If a court of competent jurisdiction rules that any particular provision(s) of the constitution is/are invalid or unenforceable, such ruling will not affect the validity or enforceability of other provision(s) of this constitution; the constitution shall be deemed modified and amended so as to be enforceable to the extent permitted by laws of the Church and the State.

- II. If during the deliberations of the organization, any issue that calls for the jurisdiction of a court of law arises, the laws of the State at which the deliberations were held will apply.

### **12.02 Indemnification**

The organization may, to the fullest extent now or hereafter permitted by law, indemnify any person made, or threatened to be made, a party to any action, lawsuit, or other legal proceedings, by reason of the fact that he/she (or a person of whom he/she is legal or personal representative or legatee) is or was an Officer, employee, or agent of this organization, or of any other corporation/organization served by him or her in any capacity at the request of this organization, against judgments, fines, monies paid in settlement and reasonable expenses, including but not limited to attorneys' fees.

## **Article XIII – Amendments and Process of Amendment**

### **13.01 Amendments**

This constitution can be altered, amended or repealed by the General Assembly of the ACCCRUS.

### **13.02 Process of Amendment**

- I Any member of the association may propose amendments to the Constitution. An individual seeking an amendment should gather 10-20 signatures. These signatures are to be presented to the NEC. The Proposed amendment shall be submitted to the NEC at least 90 days prior to the meeting where this is to be considered.
- II Adoption of the proposed amendment may occur only by a 2/3 majority of the members of the GA present.

## **Article XIV – Dissolution**

### **14.01 Conditions for Dissolution**

The following conditions must be established for a possible dissolution of the organization:

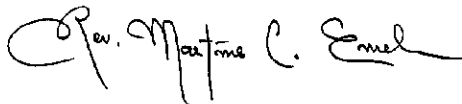
- I  $2/3^{\text{rd}}$  (two-third) + 1 (president or vice president) majority vote of members in good standing present at a GA shall be required to pass a motion calling for dissolution of the organization.
- II The minutes of the deliberation shall clearly reflect the jurisdiction for such motion as well as the full names of the attendees.

III. In the event that the above requirements are met, ACCCRUS shall stand dissolved. Upon the dissolution or winding up of the affairs of the organization, whether voluntary or involuntary, all the assets of the organization, after all obligations and liabilities are satisfied, shall be donated to organizations devoted to charitable, religious, literary, or educational causes. The appropriate office of the National Conference of Catholic Bishops of the United States.

## Article XV – Ratification and Adoption of the Constitution

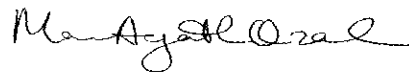
**15.01** Once ratified and adopted by a simple majority of the GA present at a national convention, this constitution shall become an instrument of the African Conference of Catholic Clergy and Religious in the United States.

**15.02** This constitution is hereby ratified and adopted this 9<sup>th</sup> day of August in the year of Our Lord, 2008.



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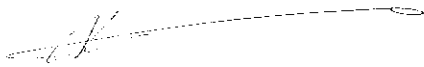
Rev. Fr. Martins Emeh, J.C.L.  
National President



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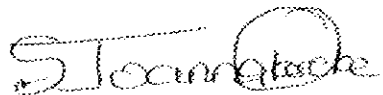
Sr. Marie Agatha Ozah, HHCJ, Ph.D.  
General Secretary

In witness whereof we have hitherto subscribed our names:



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Rev. Alexander Okoro  
Chairperson, Constitution Committee



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Sr. Joanna Okereke, HHCJ  
Assistant Chairperson, Const. Committee