

**CONSTITUTION  
OF THE  
GHANA ASSOCIATION OF  
UNIVERSITY  
ADMINISTRATORS  
(GAUA)**

## **PREAMBLE**

Senior Members: Non-Teaching (Administrative and Professional) of the Public Universities in Ghana not below the rank of Junior Assistant Registrar or its equivalent, constitute membership of this Association. Senior Members: Non-Teaching (Administrative and Professional ) of the Public Universities in Ghana, mindful of the significant contributions that an effective Association of University Administrators could make to the development and orderly progress of higher education; and also mindful of the benefits in terms of experience and expertise that such an Association could confer on University Administrators; and convinced of the need to establish such an Association in Ghana, with a view of fostering the development of an International Association of University Administrators, do hereby resolve that an Association be constituted to be known as the Ghana Association of University Administrators (GAUA). In its bid to regulate its members according to its aims and objectives, GAUA, DO HEREBY enacts this CONSTITUTION by adoption and promulgation of same as a binding document on its members at all branches.



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# **CHAPTER ONE**

## **THE CONSTITUTION**

### **Article 1: Supremacy of the Constitution**

1. The independence of the Association resides in the members in whose names and for whose welfare, the powers of the Executive are to be exercised in a manner and within the parameters laid down in this Constitution.
2. This Constitution shall be the supreme law for GAUA, hence any Executive decision, regulation, policy or bye-law found to be inconsistent with any provision in this Constitution shall, to the extent of the inconsistency, be void.
3. Without prejudice to article 1(2), the supremacy of this Constitution is however subject to the laws of Ghana.

### **Article 2: Enforcement of the Constitution**

1. A member who alleges that –
  - i. An enactment or anything contained in or done under authority of that or any other enactment;

or

- ii. Any act or omission of any person; is inconsistent with or is in contravention of a provision of this Constitution, may bring an action to the National Executive Committee (NEC) for a declaration.
2. The NEC shall, for the purpose of declaration under clause 1 of this article, make such orders and give such directions as it may consider appropriate for giving effect, or enabling effect to be given, to the declaration to be made.
3. Failure to obey or carry out the terms of an order under clause 2 of this article shall constitute a serious offence, and shall constitute enough ground for removal from office or expulsion from the Association.

### **Article 3: Defence of the Constitution**

1. All members shall have the right and duty, at all times, to defend this Constitution and in particular, to resist any person or group to suspend, withdraw or abrogate this Constitution.

2. Any person or group of persons who suppress or resist the suspension of this Constitution commit no offence.

## **CHAPTER TWO**

### **THE ASSOCIATION**

#### **Article 4: Name and Membership**

1. The name of the Association shall be Ghana Association of University Administrators hereafter referred to as GAUA or the Association.
2. Every Senior Member (Administrative and Professional) in the Public Universities in Ghana not below the rank of Junior Assistant Registrar or its equivalent shall be eligible upon appointment to be a member of the Association.
3. Membership shall be open to Senior Members: Non-Teaching (Administrative and Professional) of Public Universities whose Executive Heads are members of Vice Chancellors Ghana.
4. Without prejudice to article 4(3), affiliate membership may be granted to Senior Members: Non-Teaching (Administrative and Professional) of other Tertiary Institutions whose Institutions are Corporate Affiliates.

5. Admission of Affiliated Corporate members shall be based on an MoU and criteria developed by NEC but approved by General Assembly.
6. A Senior Member (Administrative and Professional) ceases to be a member of the Association upon Retirement or Resignation or Dismissal from the service of a member Institution.

### **Article 5: Aims and Objectives**

The aims and objectives of the Association shall be:

1. To seek, promote and protect the economic and social interest of our members.
2. To promote the advancement of higher education management and administration in Ghana.
3. To stimulate professional development of members.
4. To promote the forging of links with relevant bodies for the exchange of ideas and resources.
5. To seek the welfare and interests of members.
6. To promote and enhance the visibility of GAUA

## **Article 6: Functions**

In pursuance of the aforesaid aims and objectives, the Association shall;

1. Organize seminars, conferences and workshops for its members;
2. Issue from time to time publications of interest to its members;
3. Seek avenues to exchange ideas on higher education administration and development with counterpart associations locally and abroad.

## **CHAPTER THREE**

### **RIGHTS AND RESPONSIBILITIES**

#### **Article 7: Protection of Rights of Members**

1. The rights of members enshrined in this Constitution shall be respected and upheld by the Executive and all members and shall be enforceable by the NEC as provided for in this Constitution or a court of competent jurisdiction in Ghana.
2. All members of the Association whatever the age, gender, sex, designation, colour race, ethnic grouping, political opinion or religion shall be entitled to the rights of members contained in this Constitution.

#### **Article 8: Rights of Members**

##### **1. Right to membership**

- i No eligible Senior Member (Administrative and Professional) shall be denied membership for any reason based on age, gender, sex, designation, colour, race, ethnic grouping, political opinion, religion, and disability.

## **2. Right to freedom of speech and expression**

- i No member of the Association shall be restrained from speaking or expressing himself or herself on matters affecting membership welfare as well as the affairs and operations of the Association.

## **3. Right to contest in democratic election**

- i Each member shall have the right to contest in free, fair and transparent democratic elections of the Association at all levels. Due notice of nominations and elections as well as equal opportunity for competing candidates shall be ensured as long as these do not contradict electoral procedures as spelt out in the Internal Regulations or this Constitution.

## **4. Right to participate**

- i Members shall have equal rights to full participation in the decision-making process of the Association through discussions and right to a vote on matters affecting the Association.

## **5. Right to due process**

- i. In accordance with natural justice, where an allegation is made against a member under this Constitution, such a member shall have the right to a fair hearing including the right to call witnesses and to be presumed innocent until otherwise proven.

## **6. Right to hold office**

- i Subject to the qualifications provided for in this Constitution or in the Internal Regulations, all members shall have the right to run for and hold office in the Association accordingly.

## **7. Right to withdraw**

- i. Any member shall have the right to withdraw membership of the Association.
- ii. Loss of membership rights and other penalties shall be as provided for in this Constitution or in the Internal Regulations.

## **Article 9: Responsibilities of Members**

1. In accessing and enjoying the rights provided by this Constitution, it shall be the responsibility of members to:
  - i. promote the prestige, integrity and the good name of the Association;
  - ii. uphold, defend and respect the provisions of this Constitution whilst striving to achieve the aims and objectives of the Association;
  - iii. individuals shall not be admitted as Affiliate members unless their Institutions are admitted as Corporate Affiliates of the Association;
  - iv. an Affiliate member shall have the right to attend the Association's general meetings and other prescribed meetings/events;
  - v. an Affiliate member shall participate in discussions and activities of the Association but shall not have a voting right and shall not be eligible to hold any Executive position in the Association

- vi. accept the authority of this Constitution and to implement the decision of the Association through its governing bodies;
- vii. foster unity within the Association and live in harmony with all members;
- viii. attend all general meetings and be active in the affairs of the Association;
- ix. ensure that all properties of the Association are protected from damage and losses;
- x. vote in a democratic election to select officers for the Association;
- xi. Pay dues, fees, levies and other contributions as stipulated in this Constitution or imposed by Congress or NEC.

## **CHAPTER FOUR**

### **FINANCE AND AUDIT**

#### **Article 10: Dues and Levies**

1. Every member shall contribute monthly dues as agreed at a general meeting (Congress or NEC).
2. Proposal for special levies shall be approved by NEC or Congress.
3. Membership dues and all levies shall be received from the branch institutions.
4. Affiliate members shall pay affiliation fee determined by NEC subject to periodic review.

#### **Article 11: Honoraria and Allowances**

1. Honoraria and allowances paid by the Association shall be approved by the NEC/Congress.

#### **Article 12: Funds**

1. Funds of the Association shall be obtained from monthly dues, levies, voluntary contributions, donations and from projects.
2. All funds shall be paid into the Association's Bank Account. The dues and contributions may be reviewed from time to time at NEC meetings or at Congress.

3. All funds of the Association, which are not required for immediate use, shall be deposited into the Association's Bank Account within 48 hours of collection.
4. The following Officers shall, at all times, act together as signatories to the Association's Bank Account (s)- (a) The President (Principal Signatory); (b) The Vice President; (c) The Secretary; and (d) The Treasurer. In the absence of the President, the Vice President shall be the Principal Signatory to the Association's Bank Account (s).

### **Article 13: Investment of Funds**

1. All funds of the Association shall be invested subject to ultimate approval of Congress

### **Article 14: Auditing and Books of Account**

1. Proper books of account shall be kept by the Executive Committee. Income and Expenditure Account and Balance Sheet shall be prepared, audited and circulated in accordance with the provisions of this Constitution.

2. A three-member professional Audit Team shall be appointed at a general meeting to audit the accounts of the Association as agreed at NEC meeting.
3. The books of account shall be audited within one month after the end of the financial year.
4. The audited accounts shall be circulated to all members who shall have the right to inspect the books of account.

#### **Article 15: Financial Year**

1. The financial year of the Association shall be from 1<sup>st</sup> August to 31<sup>st</sup> July the following year.

## **CHAPTER FIVE**

### **STRUCTURE OF THE ASSOCIATION**

#### **Article 16: Structure of the Association**

The Structure of the Association shall comprise the following:

1. General Assembly/Congress
2. National Executive Committee (NEC)
3. National Officers (Executive) Committee

#### **Article 17: General Assembly or Congress**

1. The General Assembly or Congress shall be the supreme authority of the Association and shall have the power to review, revoke or amend the decisions of any other body or person in the Association.
2. The General Assembly or Congress shall be made up of all members of the Association.
3. The Association shall hold a biennial congress at a place to be decided upon at a previous congress.
4. All members of the Association shall be eligible to attend.

## **Article 18: Special Meetings (SM)**

1. The Executive Committee may convene special meetings as it deems fit.
2. At least 50% the members of NEC may request a special meeting. The request shall:
  - i state the nature of the business to be conducted at the meeting;
  - ii be signed by at least 50% of the members of NEC;
  - iii be submitted to the Secretary.
3. Where a special meeting is duly requested, the Executive Committee shall, within two weeks, set a date for the meeting.
4. The meeting shall consider only the matter for which it was requested.

## **Article 19: Emergency Meeting**

1. The Executive Committee may convene an emergency general meeting of the Association as the occasion may require. Upon the request in writing of not less than one-third of the member institutions stating the purpose for which the

meeting is to be called, the Executive Committee shall summon an emergency general meeting of the Association within twenty-one days of the receipt of the request. The notice summoning such meeting shall specify the business to be transacted.

#### **Article 20: Rules and Procedures of General Meetings**

1. Conduct of general meetings shall be prescribed in the Internal Regulations.

#### **Article 21: National Executive Committee (NEC)**

1. The NEC shall be composed of all elected officers, namely Presidents, Secretaries and Treasurers or their representatives from the branches and the National Officers/Executive Committee. The National President and the General Secretary shall serve on NEC for a term of one year after the end of their tenure. NEC may be expanded to include all branch officers to deal with situations when the need arises.

#### **Article 22: Functions and Powers of the NEC**

1. The NEC shall be responsible and thus supervise activities of the Executive Committee and all the affairs and business of the Association at all times

and especially in between General Meetings/Congress.

2. The NEC shall determine any matter relating to the interpretation, construction and enforcement of this Constitution, the Internal Regulations and any other matter not covered by this Constitution or the Internal Regulations.
3. The decision of the NEC on any matter shall be binding on all members until revoked, modified or reviewed at a General Meeting/Congress.
4. The NEC shall establish standing committees to deal with specific functions or **ad hoc** committees to deal with particular issues as and when the need arises.
5. The NEC shall have the power to determine and fix allowances to the Executive Committee, NEC and all appointed members and committees.
6. The NEC shall have residual powers to deal with matters that are not specifically covered by this Constitution or the Internal Regulations.
7. The NEC shall see to it that all policies, projects, programmes and plans are executed.

8. The NEC shall have the power to suspend or caution any member on grounds of gross misconduct or acts detrimental to the interests of the Association.
9. The NEC shall consider financial proposals and general conditions of service of the Association.
10. The NEC shall consider the agenda for the Biennial General Congress of the Association.
11. The NEC shall submit a full report of its activities to the Biennial General Congress of the Association.
12. The NEC shall raise funds for the activities of the Association.
13. The NEC shall convene an expanded NEC Meeting to consider any pressing issue or matter that needs an immediate attention and decision to be taken on.
14. The NEC shall have vested in them as a body, the funds as well as property that may be acquired by the Association, and shall deal with them as directed by the Biennial Congress.

15. The NEC shall ensure the implementation of such policies and programmes as approved by the Biennial Congress.
16. The NEC shall perform such other duties as may be delegated to it by the Biennial Congress.

### **Article 23: Tenure and Meetings of the NEC**

1. Members of the NEC shall serve a two-year term to coincide with tenure of Executive Committee/National Officers.
2. The Tenure of Office shall commence from 1<sup>st</sup> August and shall be terminated on 31<sup>st</sup> July subject to article 24(1) of this Constitution.
3. The NEC shall meet at least four times in a year.
4. The NEC may invite any member or representative of any Committee set up to attend its meetings.

### **Article 24: National Officers (Executive) Committee**

1. There shall be a National Officers (Executive) Committee of the Association comprising all the National Officers, i.e. President, Vice President, General Secretary, Assistant General Secretary, Treasurer, the Editor and the appointed Online/Assistant Editor.

- i. The National Officers (Executive) Committee shall have oversight responsibility for the funds as well as the properties of the Association and shall deal with them as directed by members at a general meeting or by the NEC.
- ii. The National Officers (Executive) Committee shall ensure the implementation of such policies and programmes as approved at a General Meeting or meetings of the NEC.
- iii. The National Officers (Executive) Committee shall have the power to fill any vacancy arising from death, resignation or incapacitation. The person so appointed shall complete the tenure of the officer of his/her predecessor.
- iv. Any member holding an office shall, on being elected or appointed into office, undertake to swear an oath.
- v. The National Officers (Executive) Committee shall, upon consultation and

approval of NEC, appoint an Online/Assistant Editor and any other officers when the need arises.

- vi. The National Officers (Executive) Committee shall meet at least four times in a year.

**Article 25: Tenure of Office of National Officers  
(Executive) Committee**

1. The Elected/Appointed Officers shall, except otherwise provided in this Constitution, hold office for a term of two (2) years and shall be rotational among all branches until otherwise changed by Congress or by Constitutional amendment.
2. The tenure of office shall commence immediately after the Annual General Meeting/Congress at which the officers concerned shall be inducted into office.

**Article 26: Duties of the President**

The President shall:

- i in consultation with the General Secretary agree on agenda for meetings;

- ii preside over Annual General Meetings/Congress and all meetings of the NEC, and Executive Committee;
- iii ensure proper conduct of all meetings he/she presides over;
- iv ensure compliance with the provisions of this Constitution, the Internal Regulations and all other rules and regulations of the Association;
- v sign cheques and documents of the Association;
- vi be a principal signatory to the accounts of the Association and shall be the chairperson for Executive Committee, NEC and Congress.
- vii shall have no power to dismiss any elected National Officer of the Association.
- viii any other duties that may be assigned by NEC/Congress.

### **Article 27: Duties of the Vice-President**

The Vice-President shall:

- i assist the President in the performance of all his/her functions;
- ii perform the functions of the President in his/her absence;

- iii perform such other functions that are assigned to him/her by this Constitution or the Internal Regulations and from time to time by the President, the Executive Committee or the NEC;
- iv provide working support to help the work of the Treasurer and directly supervise same;
- v take oversight responsibility in the absence of the treasurer;
- vi have oversight responsibility over welfare issues of the Association.
- vii any other duties that may be assigned by NEC/Congress

### **Article 28: Duties of the General Secretary**

The General Secretary shall:

- i in consultation with the President, set the agenda for meetings and publish notification of same;
- ii convene Annual General Meetings/Congress, and meetings of the Executive Committee and NEC;
- iii sign with the President all approved minutes of meetings of the Executive Committee, NEC and General Assembly/Congress;
- iv receive and deal with correspondences;

- v document and report on the activities of the Association to the NEC and Congress;
- vi sign cheques and documents of the Association;
- vii keep a register of membership of the Association
- viii record minutes of all meetings and publish;
- ix any other duties that may be assigned by NEC/Congress

### **Article 29: Duties of the Assistant General Secretary**

The Assistant General Secretary shall;

- i assist the General Secretary in the performance of all his/her duties;
- ii perform the functions of the General Secretary in his/her absence;
- iii on behalf of the General Secretary organise all functions of the Association;
- iv perform all such other functions as are assigned by this Constitution and the Internal Regulations and from time to time by the General Secretary, Executive Committee, NEC or General Assembly/Congress;
- v assist in recording minutes of all meetings;

- vi any other duties that may be assigned by  
NEC/Congress

### **Article 30: Duties of the Treasurer**

The Treasurer shall;

- i prepare and present annual financial report and financial statements to members at
- ii Executive Committee, NEC and General Meetings/Congress;
- iii ensure that dues of the Association received are deposited into the account of Association;
- iv keep an accurate record of members of the Association and collect prescribed dues and levies;
- v keep financial documents and records of all transactions;
- vi Any other duties assigned by the Executive Committee/NEC and General Assembly/Congress;
- vii any other duties that may be assigned by  
NEC/Congress

### **Article 31: Duties of the Editor**

The Editor shall;

- i be in charge of and manage the publications of the Association.
- ii ensure that the Website of the Association is always active with information from all the branches
- iii any other duties that may be assigned by NEC/Congress

### **Article 32: Duties of the Online/Assistant Editor**

The Online/Assistant/Editor shall;

- i directly assist the Editor and step in his/her stead anytime the Editor is absent.
- ii ensure that the Website of the Association is always active with information from all the branches.
- iii any other duties that the Executive Committee, NEC or Congress may assign him/her.

### **Article 33: Removal or Resignation from Office**

1. NEC reserves the right to remove from office, any officer by two-thirds majority of the

- members present and voting at the well constituted meeting convened for that purpose.
2. An Officer shall be removed from office on grounds of proven incompetence, expiration of term of office, dishonesty, gross misconduct, abuse of office, infirmity of mind or other ill-health or wilful breach of this Constitution, the Internal Regulations and any other rules of the Association.
  3. Subject to article 8 (5) of this Constitution, no elected officer shall be removed from office unless he/she has been given fair hearing. An appointed officer MAY summarily be removed by NEC if he/she misconducts himself/herself.
  4. An officer removed from office shall maintain his/her membership with the Association.
  5. Any of the officers may resign his/her position by one-month notice in writing to the NEC through the Executive Committee.

## **CHAPTER SIX**

### **MISCELLANEOUS PROVISIONS**

#### **Article 34: Quorum**

1. The quorum at both general and emergency meetings at the local branches shall be 30% of members including the Executive Committee.
2. The quorum at both general and emergency meetings at the National level shall be 60% of member institutions including the Executive Committee.
3. The quorum at the meeting of the NEC shall be 50% of member institutions excluding the Executive Committee.

#### **Article 35: Standing Orders**

1. The Association shall enact and regulate its own procedures, taking into consideration, relevant articles of this Constitution.

#### **Article 36: Committees**

1. The Congress/NEC as well as the Executive Committee may appoint ad hoc or standing committees as and when necessary.

### **Article 37: Representation on Boards and Committees**

1. The President shall, in consultation with National Officers and NEC, nominate members to represent the Association on boards and committees when the need arises.

### **Article 38: Editorial Board**

1. There shall be a 5-member editorial board consisting of the National Editor, the Online/Assistant Editor, a Consulting Editor, Managing Editor and an Associate Editor. In addition, each institution shall appoint a Sub-Editor whose duty shall be to feed the Editorial Board with relevant material.
2. The members of the Editorial Board other than the National Editor shall be appointed by the Executive Committee.
3. The Editorial Board shall produce and publish on behalf of the Association such magazines and journals as the Association may decide to establish.
4. The Editorial Board shall be responsible to the Association through the Executive Committee.

The Board shall hold regular consultations with the Executive Committee and shall clear with it all matters of major Policies and Copyrights.

5. There shall be an Advisory Board appointed by NEC to advise and direct the Editorial Board on their work.

### **Article 39: Internal Regulations**

1. The General Assembly shall enact a body of rules and regulations which shall be known as “Internal Regulations” for the purpose of bringing into functional, operational, the provisions of this Constitution.
2. Provisions in the Internal Regulations shall not contravene the provisions of this Constitution.

### **Article 40: Amendment of the Constitution**

1. Any member may make proposal for the amendment or repeal of any provision of this Constitution.
2. Proposals for amendment or repeal of any provision of this Constitution shall be submitted to the Executive Committee before Annual General Meeting/Congress.

3. The Executive Committee upon receipt of the proposal shall circulate it together with the notice of Annual General Meeting/Congress as motion for amendment at least three (3) weeks before the meeting to deal with the amendment.
4. Motion for amendment shall be moved and seconded at the meeting.
5. Motion for amendment shall be debated at the meeting and shall itself be amendable to amendment by a simple majority.
6. Motion for amendment shall be put to vote and shall be deemed to have been passed where two-thirds (2/3) of members present vote in favour of the motion.
7. Notwithstanding the above, the NEC shall have the power to amend a portion or review the Constitution and submit same to Congress for ratification.

#### **Article 41: Interpretation and Construction of the Constitution**

1. Unless the context otherwise permits or admits in this Constitution, interpretation of provisions of

this Constitution shall be done in the spirit and letter of the content of this Constitution.

#### **Article 42: Repeal and Transitional Provisions**

1. Upon the coming into force of this Constitution, the existing constitution of the Association and various amendments shall cease to be binding on members and shall have no legal effects whatsoever.
2. Without prejudice to article 42(1), any acts done, agreements signed and decisions taken under the repealed Constitution shall be deemed to be legal under the new Constitution.
3. A person, who immediately before the coming into force of this Constitution was a member of the Association, shall as far as it is consistent with the provisions of this Constitution, be deemed to be a member of the Association.
4. A person, who before the coming into force of this Constitution, held or was acting in an office in existence immediately preceding this Constitution shall be deemed to have been duly elected or appointed as far as it is consistent with the

provisions of this Constitution, to hold or act in the equivalent office under this Constitution for the remainder of the relevant term of office.

5. This provision shall be without prejudice to any powers conferred by or under this Constitution upon any person or body or authority to remove from office, persons holding or acting in any office.
6. Where any matter or undertaking has been commenced before the coming into force this Constitution, by any person, body or authority that has the power for that purpose, the matter or undertaking may be carried on and completed as planned by the person, body or authority and it shall not be necessary for the person, body or authority to commence the matter or undertaking afresh.
7. Pending the ratification of this revised Constitution, any compensation, gratuities and or any other allowances granted under the former constitution or any other regulation or bye-laws when it was in force shall continue to be paid.

8. Where a matter is prescribed under the former constitution, that prescription or provision shall as from the coming into force of this Constitution, have effect with such modifications, adaptations, qualifications and exceptions as may be necessary to bring it in conformity with this Constitution as if made under this Constitution or as the case may be, by the person, body or authority with the power to execute such matter.
9. All rules, by-laws, policies and regulations of the Association in force at the date of the approval of this Constitution are to be deemed to be Regulations and continue to apply unless they are inconsistent with, or have been replaced by this Constitution.

#### **Article 43: Dispute/Conflict Resolution**

1. Any differences, controversies or disputes arising or relating to the construction, interpretation, application or enforcement of this Constitution or the Internal Regulation or any powers conferred thereby or the exercise thereof, shall be resolved and settled by means of mediation and conciliation

or arbitration at that level with a right of appeal to the next level in the structure as follows:

- i Congress
  - ii NEC
  - iii National Officers (Executive) Committee
2. Where the disputes, differences, controversies or conflicts involve the NEC or the Association as a whole, the mediation or conciliation shall be conducted by an *ad hoc* Judicial committee appointed by the Congress/General Assembly.
  3. A Complaint shall be formally lodged if it is put in writing addressed to and received by the General Secretary and or the Vice President. If the complaint is against the General Secretary, it should be addressed to the Vice President.
    - i. The General Secretary/Vice President shall within one week of receipt of the complaint notify members of the Complaint Committee who shall meet within fourteen (14) days of the notification to appoint a panel to determine the complaint.

- ii. Any member of the Association may be appointed as a member of the panel.
4. A copy of the complaint shall within seven (7) days of receipt of same by the General Secretary or Vice President be sent to the member or officer against whom the complaint is lodged, requiring such member or officer to react to the complaint and answer any charges or allegations against him within fourteen (14) days.
5. Upon receipt of the response from the member or officer, the General Secretary or the Vice President shall forward it to the panel.
6. The panel shall meet within seven (7) days of its receipt of the response to determine the complaint.
7. When a *prima facie* case is established against the member or officer, a formal hearing shall be conducted at which the complaint and the member or the officer against whom a complaint is lodged shall be entitled to attend.
8. A complainant, member or officer attending a formal hearing shall have the right to call

witnesses/and or appear with a counsel of his/her choice.

9. A decision of the Committee shall be by simple majority and binding on all the Parties.

i. Where a person is dissatisfied with a decision of the Panel, he/she shall by a letter in writing within seven (7) days notify the General Secretary/Vice President of his/her dissatisfaction with the decision.

ii. Upon receipt of such notice, the matter shall be submitted for arbitration within one month, before a Panel which shall be constituted of three (3) members. iii. The Panel shall be composed of one member chosen by the dissatisfied member, one chosen by the other party and a third member, chosen by the National Executive Committee.

iv. A decision of the arbitration on the matter shall be final and binding on all the parties.

10. Where a member has a complaint which may affect the organisation of the Biennial Congress or

where he/she is of the view that the Congress should not be held pending the determination of the complaint, he/she shall lodge the complaint at least four (4) months before the proposed date of the Congress.

i Any member who fails to comply with the preceding shall lose the right to have his/her complaint determined until after the Congress.

11. A member shall not have recourse to the courts unless he/she has complied with the provisions of this Article.

#### **Article 44: Discipline**

1. It shall be the duty of all members and officers of the Association to uphold and protect the integrity and reputation of the Association and to defend the Constitution at all times.

i A member or officer shall be sanctioned under this Constitution if he/she breaches any of the provisions of this Constitution or does any act that may bring the Association into disrepute.

- ii A member or officer who breaches any of the provisions of this Constitution shall be guilty of gross misconduct.
2. In the case of an Officer, he/she shall be dismissed from office and shall be forever debarred from contesting for any elective office in the Association at all levels.

**Article 45: Permanent Secretariat**

1. There shall be a permanent National Secretariat to be located in Accra.

**Article 46: Branches of the Association**

1. There shall be branches of the Association in the public universities in Ghana. The composition, structure and organization must be in line with the National Association though there may be room for innovations to deal with certain unique conditions on the various campuses, such innovations shall not however contravene the dictates of the National Association and this Constitution.
2. A branch of the Association shall be organised along the lines of the National Association. To a

larger extent, the Constitutional character, structures and embodiment of the National Association shall be replicated at the Branch level. Major deviations or departures from the content and dictates (spirit & letter) of this Constitution by a branch shall be invalid, void and shall therefore not be countenanced by the National Association.

#### **Article 47: Severability of Provisions**

1. If any provision or term of this Constitution is held by a court of competent jurisdiction or other authority to be invalid, void or unenforceable, the remainder of the provisions or terms of this Constitution shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

#### **Article 48: Indemnification**

##### ***1. (Persons Covered)***

- i. The Association shall furnish all duly elected or appointed officers, a legal defence and indemnification against judgments incurred as a result of specifically authorised actions on behalf of the Association and its activities.

## **2. (*Limitation Notice*)**

- i. This Article shall have no force or effect unless the person(s) affected forwards legal process to the NEC within a reasonable time to allow a defence to be made on his/her behalf.

## **Article 49: Dissolution**

1. The Association shall be dissolved only with the unanimous consent of eighty percent (80%) of members voting at a referendum organised purposely for the purpose of dissolution.
2. In the event of the Association being dissolved, assets shall be liquidated and distributed in order of priority as follows: payment of debt, payment of benefit due members, equal distribution among all members.

## **Article 50: Ratification**

1. This Constitution is revised, adopted and promulgated at a special Expanded NEC meeting in lieu of Congress on 28<sup>th</sup> November, 2020 and becomes effective at Noon, on 1<sup>st</sup> December, 2020, Greenwich Meridian Time.

2. It supersedes any previous document duly ratified by the NEC and is the controlling document outlining the policy and procedures of the Association and its subordinate Bodies/Units and the Bye-laws, Manuals and other Documents duly adopted by NEC are subordinate to this Constitution.

***SIGNED BY***



***KWABENA ANTWI-KONADU***  
***(FChPA, FCMC, APR)***  
***(PRESIDENT)***



***FELIX ADU-POKU***  
***(APR)***  
***(GENERAL SECRETARY)***

**APPENDIX**

Any Officer/Position holder (elected/appointed) in GAUA-NATIONAL under this Constitution shall on installation, swear the following Oath of Office

"I,.....  
having been elected/appointed as.....  
.....  
do solemnly swear that I will defend and support the Constitution of GAUA at all times; that I will bear true faith and allegiance to the same; and that I will discharge, to the best of my ability, the duties of my present position; that I have read and clearly understood and abide by the guidelines of the Constitution of GAUA and such issuances by the Association; that I will obey all legal orders promulgated by duly constituted authorities. So help me God.