

26 NOVEMBER 2022.



***CONSTITUTION OF THE
NATIONAL ASSOCIATION OF
NIGERIAN STUDENTS IN
DIASPORA – 2022
NANS-D.***

PREAMBLE

WE, the Nigerian Students in Diaspora having been inspired by the desire to firmly and solely change the society through intellectualism, do hereby collectively resolved to provide for a constitution recognizing our inalienable right(s) as enshrined in the 1999 Constitution of the Federal Republic of Nigeria which include but not limited to freedom of conscience, expression, movement, religion, assembly and association. We therefore formed this association and the need to consolidate ourselves into a truly autonomous National, Active, Progressive and Democratic Association in order to assert the rights of students and discharge our responsibilities as informed members of the society.

Realizing the need to support by possible means the fundamental freedoms of thought and expression, association and movement and appreciating the problems of our students and the role we must play in the maintenance of a democratic, open and progressive National Education System whereby, every Nigerian student in Diaspora shall have an unlimited opportunity to education.

We are committed to harnessing the enthusiasm of students for dynamic National development in the political economic, technological and social spheres and dedicated to the total liberation of the Nigerian people from all forms of foreign domination and to the attainment of globe Unity and determined to engage our members in Diaspora Scheme of Social Progress aimed at the total mobilization of the Nigerian students towards realizing National ideals and to oppose at all times and in all places any form of exploitation, discrimination and oppression amongst the people around the world and to work for the realization of world peace and total disarmament.

This is however without compromising the primary aim of being in the University in Diaspora and being conscious and mindful of our career objectives, we do hereby, in and through the Congress solemnly ENACT AND ADOPT this CONSTITUTION and swore to abide by, respect, uphold and defend it for ourselves and our posterity.

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CHAPTER 1

Name, Supremacy and Objectives

Article 1: Name and Motto:

Name: The Association shall be called “**NATIONAL ASSOCIATION OF NIGERIAN STUDENTS IN DIASPORA (NANS-D)**”.

Motto: The Motto of the Association shall be “**ACADEMIC EXCELLENCE AND UNITY**”.

Article 2: Mission and Vision:

Our Mission: To expose members of the Association to intellectual challenges with the sole purpose of broadening their intellectual horizon and give members equal platform to showcase and develop their talent without limitation to gender or choice of academic career or course of study which is consistent with the mission of their respective host countries.

Our Vision: To create an enabling environment for her members for intellectual growth, sagacity and exposure without compromising academic objectives and standards.

Article 3: Supremacy and Independence:

- a. This constitution shall be the supreme law governing the Association and shall be the guiding principle of every member of the Association. NANS-D shall not be governed except in accordance with the provisions of this constitution.
- b. In times of conflict of interpretation and inconsistency between it and the Nigerian or the member countries constitution and laws, the constitution and laws Nigeria and that of the various member countries shall prevail.
- c. Upon issuance of certificate of registration, the Association shall be a corporate body with the power to sue and be sued before any competent court.
- d. Subject to the provisions of this Constitution, the Association shall conduct its programs independently, but putting into consideration the workings and the laws of the host countries and any other registered Association in order to achieve any objective(s) of the Association.
- e. Any respective Committee of the Association, constituted for any program may conduct or carry out its functions independently.
- f. Notwithstanding, clause (e) the Committee may from time to time be called upon to answer, clarify any question of doubt, present any plan, account or stand corrected before the Executive Body or the General Assembly.

Article 4: Languages:

The Language of the Association shall be **English** and shall be the language written and spoken within the Association but the adaptation of other languages is permitted to foster the freedom of expression as the need may arise.

Article 5: Aims and Objectives:

NANS-D is a friendly and democratic body which does not adhere or affiliates with any political party or religious group and maintains the following objectives;

- a. To promote the general welfare of its members and have other activities.
- b. To promote better relationships between the host Countries and Nigerians.
- c. To encourage interpersonal and personal growth through sharing of information and ideas.
- d. To establish and maintain healthy relationships with every other Associations or groups sharing similar goals with the Association.
- e. To unite Nigerian students in diaspora so as to help each other in time of need.
- f. To promote mutual relationship among the members.
- g. To be able to tackle and solve the challenges among the members of the Association.
- h. To promote developmental activities among the members of the Association.
- i. To encourage a singular voice amongst Nigeria students all over the world.
- j. To provide equal platform for members to discuss and share ideas of common interest and which is beneficial to all members; through report, accountability, debate, hot seat discussion, and conducting Research.
- k. To organize any social event which is in accordance with the Association's objectives and Mission.
- l. To engage in any other activity that is in consonant with the Mission and Vision of the Association.

CHAPTER II **Membership**

Article 6: Types of Membership:

- a. The association is composed of Active Members and Honorary Members.
- b. For the purpose of this Article;
 - i. Active Members shall be every Nigerian student duly registered in any higher institution globally outside Nigeria has the right to be an active member and active members are those whose respective chapters (country of residence and studies) is affiliated to NANS-D and has paid its annual contribution.
 - ii. Honorary Members are members as it may be conferred to an individual(s), a Nigerian or non-Nigerian who have rendered exceptional and noteworthy services to the Association and such a member shall not be entitled to vote or hold any executive office.

Article 7: Qualifications and Disqualifications of Members:

1. A person is qualified to be a member of the Association if that person –
 - i. Is a duly registered student in Diaspora.
 - ii. Is a fully registered member of the Association.

- iii. Has a minimum Cumulative Grade Point Average of three point five plus (3.5+)
 - iv. He or she shall be from at least second year first semester.
 - v. Has served as an active member of the Association for a period of at least one year.
 - vi. Has not been found guilty by the Committee on ethics and legal affairs for any misconduct in Nigeria or his or her host country.
2. Notwithstanding the provision of 7 (1) above, a person is disqualified as member of the Committee if that person –
- i. Dies
 - ii. Unsound mind
 - iii. Vote of no confidence passed by a two third majority of the General Assembly over misconduct,
 - iv. Has been convicted of a criminal offence in Nigeria or host country or elsewhere.
 - v. Loss of membership from the Association.
 - vi. Has a retake or crossover or academic deficiency in any course unit;
 - vii. Failure to effectively carry out their functions, account, report, or take the right decisions or omit to do anything mentioned herein which is deemed decisive for the Association.
3. An active member shall:
- a. Abide by this constitution and to participate in the realization of the aims and objectives of the Association mentioned in **Article 5** of this constitution.
 - b. **REGULARLY** pay the annual contribution to the association.
 - c. The Executive Council has the right to modify the annual dues to suit the needs of the association and in line with current realities with the approval of the General Assembly.
 - d. For the purpose of Article 7 (3)(ii) above, Annual dues shall be 20 USD.

Article 8: Rights and Duties of members:

It shall be the rights and duties of members of the Association to:

- a. Uphold the Constitution, Rules and Regulations or any other procedure put in place to realize the objectives of the Association.
- b. Respect the motto, mission, vision, and objectives of the Association.
- c. Respect the rights and freedom of members of the Association.
- d. Protect, defend and analyse all resolutions or decisions for the Association.
- e. Protect and preserve programs and assets of the Association.
- f. Cooperate or participate together for peace and academic excellence.
- g. Combat corruption and misuse of assets of the Association.
- h. Create and protect a healthy environment for social interaction and academic excellence.

- i. Attend all sessions or meetings of the General Assembly or respective Committees.
- j. Actively participate in the day to day activities of the Association.
- k. Vote and be voted to any Committee of the Association.
- l. Attend all social interactions which is directly or indirectly for the interest of the Association.
- m. Volunteer to offer services where and when called upon.
- n. It is the duty of all members to undertake research, personal development programs, skill training and any other orientation deemed necessary to achieve academic excellence.

CHAPTER III

Organs and Functions

Article 9: The Organs:

There shall be established under this Constitution the structure for administration of the Association to include: The General Assembly, The Executive Council, The Senate, The Advisory Council, the Electoral Committee, Committee on Ethics and Legal Affairs and an Ad-hoc Committee and The Patron and Matron.

Article 10: Composition of the General Assembly:

- a. The General Assembly shall consist of: all incumbent Presidents of the various Chapters who are duly elected or appointed by means to be decided by the respective Chapters and whose yearly dues have fully been paid and the current NANS-D Executive Council and Senators. However, the Executive Council and the Senators shall not have the right to vote on a decision to be taken by the General Assembly.
- b. A Chapter shall notify the Association of its election not less than two weeks from the schedule date and shall notify the Association of the winners of the election. This notification shall be in written.
- c. The General Assembly shall subject to this constitution carry out the functions or have powers over the following;
 - i. The General Assembly shall respect, abide by, uphold and defend this Constitution and any Rules and Regulations made thereto or continued in force by this Constitution.
 - ii. The General Assembly shall hold its meeting at least twice in an academic year.
 - iii. It shall also meet at any time decided by the Executive Council, the Senate or requested by at least 51% of its members.
 - iv. The General Assembly shall agree on any decision by a vote of simple majority of the members in attendance.
 - v. Decisions of the General Assembly is to be voted upon. In case of equal votes on opposing opinions, the President has the veto power to take the final decision with the interest of the association at heart.

- vi. The General Assembly shall have the right to pass a censure motion against the Executive Council on condition that half of its members submit a petition to the Senate. Then, the Senate President shall call a General Assembly meeting for this purpose within one month. The censure shall not be effective until two-thirds of the members present at the meeting approve it. If the censure succeeds, the Executive Council automatically loses its legitimacy and the Senate assumes responsibility while the Electoral Committee shall organize an election to elect a new executive body within **two weeks** of the date of the censure.
- vii. At the end of the serving term of the Executive Council and the Senate, the General Assembly shall write a report duly signed by at least 51% of its members to the Electoral Committee in case of dissatisfaction with the activities and financial management of the Executives Council or the Senate which shall automatically set up a commission of inquiry to probe into the activities of the alleged body.

Article 11: The Executive Council:

- a. The Executive Council is the Executive body of the Association and it shall be answerable to the General Assembly and the Senate.
- b. The President shall be the head of the Executive Council.
- c. The seat of President shall be rotational amongst the six CONTINENTS in this order; **Africa, Asia, Australia, Europe, North America, and South America.** In the event a continent is not ready to provide contestants for the presidency either due to lack of qualified/ready candidates or due to lack of CHAPTERS affiliated to NANS-D, the next continent in line shall take the presidency without recall to the skipped continent until the completion of the rotational cycle.
- d. The Executive Council shall respect, abide by, uphold and defend this Constitution and any Rules or Regulations made thereto or continued in force by this Constitution.
- e. The Executive Council shall be fully convened and Constituted at any sitting if it consists of un-even number as being not less than three members of the Executive Council on any function(s) required by this Constitution and any other rules or regulations.
- f. The President and the members of the Executive Council shall be elected by the General Assembly in a free and fair election by means of an online secret ballot and in line with election procedures.
- g. The Executive Council shall meet once in every month. It can also hold extra-ordinary meetings as and when the need arises.
- h. Decisions of the Executive Council shall be by simple majority. In case of a tie, the President has the veto.
- i. The Executive Council shall serve as the custodians of all the assets and funds of the Association.
- j. Members of the Executive Council shall not serve in the same capacity for more than two tenures.
- k. The Executive Council shall serve for a term period of one year in office (from January to December).
- l. The Executive Council shall represent the student body at the various Embassies and other relevant agencies and Associations within and outside the shores of Nigeria and shall serve as a link between these bodies.

- m. The Executive Council shall be responsible for organizing meetings concerning the student body and shall have the power to invite leaders and individuals with capacities relevant to issues to be discussed to attend these meetings.
- n. The Executive Council shall be responsible for the creation of other permanent and ad-hoc committees deemed necessary and allocation of resources to the various committees. The reasons for the creation of a committees must be in line with the objectives of the Association.
- o. The Executive Council may meet, adjourn and run its meetings or business as it provided by this Constitution.
- p. On any question (s) or decision arising from any meeting or business of the Executive Council that requires a decision, the decision shall be decided by a simple majority vote. Every member shall have one vote including the President.
- q. The Executive Council shall upon expiration of its term, hand over all documents, assets, reports or any other item whatsoever and instruments of power to the newly elected Executive member upon their swearing in.
- r. The executive members have the power to dismiss one or more executive members, if supported by at least half of the other executive members. A written note with reasons, facts and if need be proofs endorsed by the executive members in support of such a motion shall be forwarded to the Senate who shall determine whether the sanction is founded. The conditions for this dismissal may be;
 - i. Abuse of office
 - ii. Treason
 - iii. Corruption
 - iv. Under performance
 - v. Lack of adherence to duties assigned to him/her by the President
 - vi. Other fraudulent acts
- s. However, the final decision to approve the dismissal of an executive member shall come from the General Assembly by a vote of at least 51% of its members.

Article 12: The Composition and Functions of the Executive Council:

There shall be established under this Constitution the structure of the Executive Council for administration of the Association to include;

- 1. The President
- 2. The Vice President 1
- 3. The Vice President 2
- 4. The General Secretary
- 5. The Assistant General Secretary
- 6. The Treasurer
- 7. The Public Relation Officer (P.R.O)
- 8. The Assistant Public Relation Officer (P.R.O)
- 9. The Legal Officer

The President

The President shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall carry out the task with providing strong leadership for the association by working hand- in-hand with his fellow executives and the members of the Senate.
- ii. He or she shall maintain contact with the association's Alumni, the various Embassies and other Agencies to foster good relationship for unforeseen future opportunities for its members.
- iii. He or she shall be head the Association and the Executive body.
- iv. He or she shall strife to make sure the goals and objectives of the Association are reached.
- v. He or she shall act as a face and overall; the representatives of the Association when dealing with the various Embassies, the Federal Government and its Ministries and Agencies, and any other Governmental or Non-Governmental organization/institution found within or outside the shores of Nigeria.
- vi. He or she shall preside over the entire workforce, manage the Association's budget, and make sure resources are managed and allocated properly.
- vii. He or she shall convene and chair both Executive and General Assembly meetings.
- viii. He or she can also delegate his power to the Vice President or any other member of the executive body.
- ix. He or she shall develop a comprehensive annual plan for the Association.
- x. He or she shall maintain the rule of law and monitor the smooth running of the Association.
- xi. He or she shall perform other function in accordance with this constitution for the good of the Association.
- xii. He or she shall approve the appointment of all permanent and Ad-hoc committees on the decision of the Executive Council and all ad-hoc committees loses its legitimacy at the completion of the tenure of the Executive Council.
- xiii. He or she shall be a signatory to the Associations account(s).
- xiv. He or she shall ensure the renewal of the registration of the Association.
- xv. He or she shall issue through the secretary, summons for the Executive Body meetings and through the PRO summons the General Assembly meetings.

The Vice President 1

The Vice President 1 shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall ensure that the goals and objectives of the Association are achieved in case of unforeseen circumstances that may interrupt or disturb the availability or presence of the President.
- ii. He or she shall be considered as a transformative leader.
- iii. He or she shall have the primary function of collaborating with the President and members of the esteemed Association to raise one another to higher levels of morality, equity and motivation.

- iv. He or she shall assist the President in the performance of his duties and assumes the duties of the President in his or her absence.
- v. He or she shall remain fair and impartial during organizational decision-making processes.
- vi. He or she shall perform other lawful duties as directed by the President.

The Vice President 2

The Vice President 2 shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall assume the duty of the President in the absence of the President and Vice President 1.
- ii. He or she shall perform other function in accordance with this constitution for the good of the Association, as assigned by the President.
- iii. He or she shall assist the President in carrying out his duties.

The General Secretary

The General Secretary shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall be a member of the Executive Council;
- ii. He or she shall write or take minutes and prepare record of all meetings of the Executive Body and the General Assembly.
- iii. He or she shall prepare agenda for meetings of the Executive Council and the General Assembly in conjunction with the President.
- iv. He or she shall institute a body responsible for scrutiny of members to the Association.
- v. He or she shall confirm all membership subscription to the Association.
- vi. He or she shall ensure that agendas and all documents necessary to effect meetings for the Executive Council and the General Assembly, are prepared and distributed in time for the meetings.
- vii. He or she shall be one of the signatories to the accounts of the Association.
- viii. He or she shall avail all records or documents or updates to any member of the Association where necessary
- ix. He or she shall be the custodian of records, reports, documents and any other property whatsoever, of the Association.
- x. He or she shall perform any other function as may be directed or required of him or her by the Executive Council or General Assembly.
- xi. He or she shall have the primary function of supporting the Executive Council in ensuring the smooth function of the Association.
- xii. He or she shall be responsible for roll calling during annual meetings.
- xiii. He or she shall keep track of attendance at meeting for both members and pledges.
- xiv. Responsible for sending and receiving letters and emails.
- xv. He or She shall welcome and integrate new members.

The Assistant General Secretary

The Assistant General Secretary shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall perform all the duties of the secretary and such other duties as shall be assigned to him/her by the secretary or Executive Council whether the secretary is present or not.
- ii. He or she shall perform other function in accordance with this constitution for the good of the Association, as assigned by the President or General Secretary.

The Treasurer

The Assistant General Secretary shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall be a signatory to the account(s) of the Association.
- ii. He or she shall write requisitions for money for all projects and transactions for the Association.
- iii. He or she shall jointly with the Secretary General and the President, develop program or daily operational budget for the Association.
- iv. He or she is responsible for financial and daily transactions of the Association.
- v. He or she shall receive and maintain all records of financial transaction of the Executive Council and the General Assembly.
- vi. He or she shall account and prepare progressive financial reports on all programs for the Association.
- vii. He or she shall be responsible for custody for all assets of the Association.
- viii. He or she shall identify other income generating sources for the Association.
- ix. He or she shall perform any other functions as may be directed or required of him or her by the Executive Council or General Assembly.
- x. He or she shall serve as a watchdog of the finances of the Association and is charged with the financial management of the association's funds.

The Public Relation Officer (P.R.O)

The public relation officer (P.R.O) shall subject to this Constitution, carry out the functions of, and have the power to affect the followings:

- i. He or she shall be the image and as well perform as the official spokesperson of the Association.
- ii. He or she shall serve as an intermediary between the Association, its members and the entire public.
- iii. He or She shall give notice and inform members about meetings of the General Assembly as directed by the President.
- iv. He or she shall be responsible for marketing and general publicity for the Association.

- v. He or she shall be the link for communication between the Executive Council and the public.
- vi. He or she shall create awareness to the public about the new developments from the executive or Association.
- vii. He or she shall be in charge of the Association correspondences in the social media platforms.
- viii. He or she shall be in custody of the Association's properties like banners.
- ix. He or she shall perform any other function as may be directed or required of him or her by the Executive Council or General Assembly.

The Assistant Public Relation Officer (A.P.R.O)

The Assistance Public Relation Officer (P.R.O) shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall in the absence of the P.R.O, perform all the duties of the P.R.O.
- ii. He or she shall carry out other duties as shall be assigned to him/her by the P.R.O or the Executive Council whether the P.R.O is present or not.

The Legal Adviser

The legal Adviser shall subject to this Constitution, carry out the functions of, and have power to affect the followings;

- i. He or she shall give legal advice and legal services to the Association on any subject.
- ii. He or she shall Chair the Committee on Ethics and Legal Affairs.
- iii. He or she shall draw and pursue agreements, contracts, and documents by whatever name called to which Association is a party or in respect of which Association has an interest
- iv. He or she shall represent the Association in courts of law or any other legal proceedings to which Association is a party and,
- v. He or she shall perform any other lawful functions as may be assigned to him or her by the Association.

Article 13: The Senate:

There shall be Senate which shall be subject to this Constitution; and

- i. The Senate shall be made up of 2 (two) elected members from each continent; Asia, Africa, Europe, North America, South America and Australia/Oceania.
- ii. The Senate are voted in by members General Assembly from their respective continents.
- iii. The Senate members shall elect within itself its principal officers; President of the Senate, Deputy President of the Senate, Chief whip and Clerk.
- iv. The President of the Senate shall come from a different region from that of the Association's President.

- v. The Senate shall serve for a term of one-year (February to January) and maybe re-elected for a period not more than 2 (two) terms with no option to be re-elected.
- vi. The Senate shall meet at least once a month, emergency meeting maybe held as and when the need arises.
- vii. The quorum shall be 2/3 and the decisions are to be taken by the 2/3 members present.
- viii. The Senate may refer to the Executive Council for review and consensus within the council where there is conflict of opinions.
- ix. There shall be the Senate President Veto power where the Executive Council failed to resolve the conflict.
- x. The Senate shall represent the Parliament of the Association and be the depository of the Association's constitution.
- xi. The Senate shall have the power to deliberate on matters referred to it by the Executive Council and make appropriate recommendations to the Executive Council.

The President of the Senate

The Senate President shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. The President shall summon meetings of the Senate.
- ii. He or she shall preside over and direct the proceedings of the Senate without fear or favour.
- iii. He or she shall have no voting rights in Senate meetings except in the event of a tie.
- iv. He or She shall on behalf of the Congress ensure that all the Committees and Commissions formed submit their reports on or before the stipulated time.
- v. He or she shall do any other functions as may be prescribed by this Constitution.

The Deputy President of the Senate

The Deputy Senate President shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. He or She shall assist and advice the Senate President in all his duties and performed all other duties as may be assigned or deemed incidental to his office.
- ii. He or She shall act in the absence of the Senate President.

The Chief Whip of the Senate

The Senate Chief Whip shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. He or she shall be a person who gives command of silent in the Chamber of the Senate
- ii. He or She shall be a discipline officer of the Senate

- iii. He or She shall be an officer of given an order to the House, whenever the hullabaloo may arise and any other duties recommended by the Senate President.

The Clerk of the Senate

The Senate Clerk shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. He or she shall record the proceeding of the Senate Meetings.
- ii. He or she shall handle the correspondence of the Senate.
- iii. He or she shall perform other duties as may be assigned by the President of the Senate.

Article 14: Functions of the Senate:

The Senate shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. As the Continental Representatives, members of the Senate are charged with the responsibilities of creating unity and cooperation amongst its continental chapters.
- ii. Serve as a neutral monitory body which shall oversee all the activities of the Executive Council in order to ensure conformity with the objectives of the Association.
- iii. The auditing of all Financial Records of the Association shall be the responsibility of the Senate in conformity with the rules and regulations of the Association.
- iv. The Senate shall be an independent body and shall serve as the Legislative Body of the Association to checkmate the activities of the Executive Council.
- v. They shall make appropriate financial demands from the Executive Council for the day to day running of its constitutional duties. The Executive Council shall however make provisions for such in line with its current financial state of the Association.
- vi. The Senate shall have powers to move a motion for the amendments of this constitution in line with the provisions of this constitution.
- vii. They shall have the powers to set committees within its members for the smooth running of its constitutional duties.
- viii. Shall have the powers to confirm all permanent committees' members brought before it by the Executive Council. Members of such committees can be rejected on grounds of incompetence or other fraudulent acts.
- ix. They shall have the power to summon any Executive Council member or the Council at large to provide details its activities or answer to petition/allegations. Should the Senate find any Executive Council member(s) or the Council at large, they shall proceed with disciplinary actions in line with the provisions of **Chapter VII**.
- x. The decision to impeach an executive member must be supported by a two-third joint vote of the Senate and the Executive Council and approved by a vote of at least 51% of the members of the General Assembly as stated in **Chapter VII, Article 33** of this constitution.
- xi. In terms of dissatisfaction with the performance of the Executive Council in its dealings with the various Nigerian Embassies in Diaspora or other relevant Agencies

by the General Assembly, the Senate shall go ahead to sort for more information or present the students demands from the agency concern. Such dissatisfaction shall however be expressed in written form to the Senate and signed by at least 51% of the members of the General Assembly.

- xii. Should the results of any election of the Association be challenged by a candidate or member(s) of the Association, the Senate shall determine the validity of such a challenge. Such a challenge must be on the grounds of rigging, ineligibility of candidate or lack of adherence to the electoral processes stated in **Chapter V** of this constitution. If these conditions are met the Senate shall pronounce the results of the elections null and void and therefore calling for fresh elections otherwise the elections results were considered fair or legitimate. Such challenge must, however, be in a written form with facts and proofs and be submitted to the Senate within **48 hours** following the announcement of the results otherwise such a challenge will not be considered.

Article 15: The Composition and Functions of the Advisory Council:

The Advisory Council shall subject to this Constitution carry out the functions of and have power to affect the following.

- i. The Advisory Council otherwise refers as the Elders Council is made up of 7 members from the founding members and the former executives of this Association.
- ii. They shall be appointed by the Executive Council subject to the approval of the Senate.
- iii. This shall lose its legitimacy at the completion of the tenure of the Executive Council.

Article 16: Functions of the Advisory Council:

- i. The Advisory Council shall work to promote the developmental activities and empowerment programs of the Association.
- ii. The Advisory shall also work with the Executive Council and the Senate as well as other permanent or ad-hoc committees of the Association to foster unity and healthy relationships among members.
- iii. To act as the primary liaison between the members and the Nigerian government and collaborate with other Associations within and outside the shores of Nigeria.
- iv. As the Elders Council and experienced leaders of this Association. The Advisory Council shall be the ‘go-to’ council by all other elected and permanent/ad-hoc bodies of the Association for guidance and advise.
- v. They shall be the conflict resolution body and shall intervene in terms of crises.

Article 17: The Patron and Matron:

The Association shall be guided by a Patron and Matron, they shall have functions or powers to effect, but not limited to the following:

- i. They shall be the adviser of the administrative body of the Association.

- ii. They shall address Association as a whole or have meetings with any Committee for the smooth running and administration for the Association.
- iii. They shall carry any other functions or powers where necessary for the Association.
- iv. For the purpose of the Article, The Patron and Matron shall have and be well known persons, well respected, persons of unquestionable character, influential and public figure Nigerians or non-Nigerians who are in positions to help the development of this Association.
- v. The Patron and Matron shall be appointed by the Executive Council subject to approval by the Senate and confirmation by the General Assembly.
- vi. The Patron and Matron shall continue to serve in this capacity except when the need to change them arises. Such needs maybe on the grounds of dead, loss of office/influence, criminal charges/conviction or any other fraudulent activities.

Article 18: Functions of the Patron and Matron:

- i. The Patron and the Matron shall advice the Association.
- ii. The Patron and the Matron shall provide financial support or any other form of support to the Association.
- iii. Shall be the link between the Association all Government Agencies and Parastatals within and outside the shores of Nigeria.
- iv. Shall be consulted in times of all protests to be embarked by the Association.
- v. Shall be informed and dully notified in times of election and change of the Executive Council.
- vi. They shall be the godfather and the godmother of the Association.

Article 19: Resignation/Vacancy:

- a. Subject to other Articles in this Constitution, where a vacancy by resignation, censure or any other reasons, the vacant post shall be filled by a by-election.
- b. The Executive Council shall be entitled to accept or reject the resignation, with genuine reasons, of any of its members.
- c. The Senate shall be entitled to review the resignation, with genuine reasons, of any of its members.
- d. In terms of the resignation of the Executive Council as a whole. The General Assembly shall be entitled to accept or reject the resignation, with genuine reasons, if such a resignation is accepted, the Senate shall act in accordance with the provisions of this Constitution.
- e. In terms of the resignation of the Senate as a whole. The General Assembly shall be entitled to accept or reject the resignation, with genuine reasons, if such a resignation is accepted, the Electoral Council shall conduct a by election within two weeks from the acceptance of the resignation.
- f. All resignations shall be in written form and addressed to the Executive Council of the Association for approval or rejection.
- g. In the case of a resignation of any member of the Senate, a written letter of resignation shall be forwarded to the Senate President for approval or rejection by the other members of the Senate.

CHAPTER IV

Working Committees

Article 20: The Working Committee:

1. The Working Committee shall subject to this Constitution carry out the functions and have powers as maybe prescribed by this Constitution.
2. The Working Committee shall comprise of the Electoral Committee, the Media Committee and the Committee on Ethics and Legal Affairs.
3. They shall be appointed by the Executive Council subject to confirmation by the Senate and shall lose its legitimacy at the completion of the tenure of the Senate.

Article 21: The Electoral Committee:

The Electoral Committee shall subject to this Constitution carry out the functions of, and have power to affect the following;

- i. The Electoral Committee shall consist of five (5) members appointed by the Executive Council subject to confirmation by the Senate.
- ii. They shall be non-partisan and not serving in any elective position.
- iii. They shall serve for a period of five (5) months and shall conduct electoral processes through an online secret balloting or in a more continent and cost-effective way.
- iv. It will scrutinize all applicants contesting for any post in the Association in accordance with the provisions of this constitution.
- v. The Electoral Committee shall elect or through unanimous consensus appoint their Electoral Chairperson.

Article 22: Functions of the Members of the Electoral Committee:

The Electoral Committee shall be independent of control and subject to this Constitution carry out the functions of, and have power to affect the following;

- a. The Electoral Committee shall ensure free and fair elections or bye election within the Association.
- b. The Electoral Committee Organize voter registration list for the Association.
- c. The Electoral Committee make rules and regulations with the approval of the General Assembly for smooth running of election for the Association.
- d. The Electoral Committee shall supervise and receive nominations and applications respectively from applicant for various post in different administrative board for the Association.
- e. The Electoral Committee shall make report and accountability for any matter of interest for the Association.
- f. The Electoral Committee shall publish and declare in writing the result of elections.
- g. The Electoral Committee shall where necessary cancel or nullify any election; nomination, application or results due to any irregularities in the election processes or procedures.

- h. The Electoral Committee shall determine dates or schedules and venues for holding elections for the Association.
- i. The Electoral Committee shall hear and resolve complaints or petitions arising from elections before and during polling for the Association as a first instance.
- j. The Electoral Committee shall confirm from the Treasurer that Chapters of all contestants have duly paid their dues as stipulated in this constitution.
- k. The Electoral Committee shall verify the authenticity and validity of the contestant documents and have the mandate to disqualify candidates who do not conform to the electoral regulations mentioned in this constitution.
- l. The Electoral Committee shall however, shall allow these disqualified candidates to re-apply if they remedy their situations before the deadline of nominations. The documents to be verified are;
 - i. Letter of credence/good character from the Nigerian Embassy in the country of residence or by the dean of the faculty or head of department of the school of studies.
 - ii. Receipt of current year registration or current year registration slip.
 - iii. Certificate of service as a chapter president or evidence of election where one is voted as a chapter president for incumbent chapter president.
 - iv. Valid Resident permit.
 - v. Valid Student ID.
 - vi. Valid international passport.

Article 23: The Media Committee:

The Media Committee shall consist of 5 members *chaired by the P.R.O* and deputized by the Assistant P.R.O.

Article 24: Functions of The Media Committee:

- a. Shall be the administrators of all the social media handle(s) and website(s) of the Association.
- b. Shall be responsible for creating educative and innovative contents for the consumption of the Association and its members.
- c. Social media platforms meant for chatting and exchange of views by members shall regulated by them. Communication in such platforms must be respectful, civil, and non-political, non-ethnically or religiously affiliated. Articles or comments shared that contravenes this provision shall be taken down. In terms of uncontrollable conflicts or the passage of information to these platforms for the consumptions of members, the administrators may lock the group for not more than **24hours**.
- d. Shall be responsible for adding and integrating new members.

Article 25: The Committee on Ethics and Legal Affairs:

The Committee on Ethics and Legal Affairs shall consist of 5 members chaired by the *Association's Legal Officer* and deputized by any member of the committee decided upon by the Legal Officer in consultation with the Executive Council.

Article 26: Functions of The Committee on Ethics and Legal Affairs:

The Committee on Ethics and Legal Affairs shall subject to this Constitution carry out the functions of and have power to affect the following;

- a. The Committee shall serve as the Legal body of the association and have the powers to advise and make recommendations to any organ of the association.
- b. The Committee shall in association with the association's legal counsel represent the association before any court of competent jurisdiction for any legal issues that may arise.
- c. All legal matters shall be referred to the committee for proper advice and recommendations.
- d. Responsible for constitutional interpretation as it pertains to gross miss conducts and ethics of members.
- e. The Committee may write a report backed with evidence on the ethics and behaviour of member of the association that contravenes the code of conduct of members as stated in this constitution to the Executive Council for proper actions.

CHAPTER V **Election Procedures, Eligibility and Handing-Over**

Article 27: Eligibility:

Every Nigerian student is eligible for a post of responsibility on condition that;

- a. He or she was/is a Chapter President affiliated to NANS-D and whose has paid its annual dues.
- b. He or she is a legal residence in a country outside Nigeria with a valid resident permit.
- c. He or she is a student pursuing his or her first or postgraduate degree.
- d. He or she is an active member with no financial imbalance.
- e. The mandate of the Executive Council will last for a period of one year (from January to December) and any executive member can only serve for a maximum period of two terms in same capacity for any given post in the executive body.
- f. The mandate of the Senate members will last for a period of one year (from February to January). The Senate are re-elect-able for a maximum of two terms.
- g. Positions are open to all members regardless of their country of residence.
- h. An aspiring candidate for any elective position shall not contest for more than one elective posts.
- i. Candidates for elections shall be required to pay a contesting fee to the Association's account through the Treasurer of the Association, the amounts are;

i. President and Vice Presidents	20USD
ii. General Secretary and Its Assistant	15USD
iii. Treasurer	15USD
iv. Public Relation Officer (P.R.O) and its assistant	10USD
v. Legal Officer	10USD
vi. The Senate Members	10USD

These fees can be modified by the Electoral Committee to suit the need of the General Assembly.

Article 28: Application and Campaign:

- a. All candidates shall abide by the rules and regulations set by the Electoral Committee in line with the provisions of this constitutions.
- b. All candidates can present their candidature by written application to the Electoral Committee through means to be decided by the Committee.
- c. Election campaign is individual for each post of the elective office.
- d. The various candidates must submit their applications with the required documents stated in **Article 22-d** of this constitution to the Electoral Committee within a deadline to be decided by the Committee.
- e. After thorough study of the candidates' files by the Electoral Committee, the list of eligible candidates shall be published **two weeks** before the elections. Any vacancies shall be completed on the eve of the Elections.
- f. Candidates can freely campaign for votes but in a dignified manner devoid of insults or any behaviour likely to cause disaffection or division within the membership of the Association. However, the official NANS-D social media pages can only be used for the publication of candidates manifestoes.

Article 29: Election Procedure:

- a. The electoral procedure shall be decided by the Electoral Committee and be presented to the General Assembly and shall be in conformity with the provisions of **Article 22-a**.
- b. The votes by the General Assembly shall be done by means of an online secret ballot. Nonetheless, other procedures can be considered.
- c. Election shall be held in December every year for the Executive Council and in January of every year for the Senate, with the exact date communicated to the General Assembly by the Electoral Chairperson.
- d. The results of the elections shall be certified and signed by the Electoral Chairperson who shall have the mandate to declare the winner.

Article 30: Handing-Over:

- a. The handover ceremony for the Executive Council shall be decided by the Electoral Committee in collaboration with the outgoing Executives Council and Senate and presided over by the Electoral Chairperson not later than 31st of December of every year.
- b. The handover ceremony for the Senate shall be decided by the Electoral Committee in collaboration with the outgoing Senate and presided over by the Electoral Chairperson not later than **31st of January of each year**.
- c. Newly elected Executive Council and Senate shall be responsible for the administrative affairs of the association only after the handing-over ceremony.

- d. Newly elected members of the Executive Council and the Senate shall be sworn into office by the Electoral Chairperson through the recitation of the oath of office as provided for in this Constitution.

Article 31: Unforeseen Circumstances:

In situations where elections cannot be conducted, the Executive Council may sort to request the approval of the Senate as well as that of the General Assembly for an extension of its tenure. Such decision can only be taken by a vote of simple majority of the General Assembly members. Should such request be granted, it cannot exceed a period of **two months** within which election should be conducted and handover to the newly elected Executive Council.

In the event, the above cannot be achieved, an interim government decided upon by the Senate and approved by the General Assembly through a vote of simple majority shall take over the administrative affairs of the Association for a maximum period of **6 months** within which an election will be conducted and the new Executive Council or Senate sworn-in.

CHAPTER VI **Financial dispositions**

Article 32: The Resources of the Association:

The resources of the Association shall essentially come from;

- i. Contributions, pledges and gifts from its members.
- ii. Proceeds from its fundraising activities.
- iii. Membership fee.
- iv. External gifts.
- v. Sponsors and partners.

Article 33: Expenditures:

- a. The expenditures of the Association shall be in accordance with the objectives mentioned in this constitution.
- b. Any expenditure shall be decided and agreed upon by the Executive Council and signed by the President and the Treasurer.
- c. Any active member in need of financial assistance can make a request for help which shall be submitted for approval or rejection by the Executive Council base on its financial state and genuine legitimacy of such request.
- d. Any minor expenses in line with the objectives of the Association, incurred by a member shall be refundable by the Executive Council. Financial reports must mention these sort of expenditures, also transport fairs and any other expenditures deemed valuable.

CHAPTER VII

Sanctions, Impeachment and Amendment

Article 34: Disciplinary Sanctions:

- a. All offences against the objectives of the Association by its members shall be punished by the Executive Council with the approval of the Senate who will determine such offense is founded.

The punishment shall vary in according to the degree of the offence ranging from;

- i. An open apology.
 - ii. Warning or/with fine.
 - iii. Ineligibility to vote or to be voted, in case of non-respect of the yearly financial contributions.
 - iv. Suspension.
 - v. Impeachment.
 - vi. Expulsion.
- b. The suspension or expulsion of a member shall be announced only by the Executive Council to the General Assembly. When the expulsion takes place, the member has no right to claim his or her past contributions or any other things he or she has spent on the Association.

Article 35: Impeachment:

- a. A motion of impeachment on an executive member can be moved by any executive member in writing form to the Senate provided that it is endorsed by half of the other executive members as stated in this constitution.
- b. A motion of impeachment on an executive member can be moved by the General Assembly provided that 25% of its members endorsed it. However, such a motion must be in written form to the Senate.
- c. Reasons for such motion must include underperformance, abuse of office, lack of adherence to duties assigned to him/her by the President, lack of activities in the course of the year as well as proof of financial misconduct if available from the part of the executive concern.
- d. For an executive member to be impeached, two-third of a joint vote of the Executive Council and the Senate must be in favour of such motion and approved by a vote of at least 51% of the members of the General Assembly.
- e. In case of impeachment of an executive member, the provisions of Article-19 shall be applied.

Article 36: Amendment:

This constitution is subject to amendment;

- a. As the need may arise, this constitution can be modified by the Senate with the approval of the Executive Council and the approval of the General Assembly by a vote of at least 51% of its members.
- b. The motion for the amendments can be moved by any member of the Senate, or the Executive Council or 51% of the members of the General Assembly in written to the Senate.
- c. These amendments are to be made to cover loop-holes which may not have been covered by the present constitution.
- d. The decision for amendment will be taken and adopted by the General Assembly by an absolute majority vote, in case of a tie the President has veto. The revised constitution shall then be executed after its adoption.

Article 37: Oaths Deemed to Have Been Taken:

1. Notwithstanding any provision of this Constitution, any person who holds or is acting in an equivalent office under this Constitution shall be deemed to have taken the necessary oath under and in accordance with this constitution.
2. Handing over

IDO HEREBY AFFIRM AND SOLEMNLY HAND OVER ALL DOCUMENTS, ASSETS OR PROPERTY AND EVERY PORTFOLIO THERETO OF THE ASSOCIATION FOR WHICH I SERRVED AS OF THIS ASSOCIATION, TO THE CORRECTNESS OF MY KNOWLEDGE SO THANK YOU GOD.

3. Swearing in

IDO HEREBY SWEAR THAT I SHALL DISCHARGE MY DUTIES AS..... OF THE ASSOCIATION WITH ALL HONESTY AND TO THE BEST OF MY ABILITY ABIDING FULLY TO THE ASSOCIATION CONSTITUTION SO HELP ME GOD.

Article 38: Interpretation:

Except as otherwise stated therein, the following words shall have meanings attached to them as provided for under this constitution.

- a. **A.O.B** is Any Other Business; which means matters arising from members not otherwise mentioned in the agenda or memorandum.
- b. **Article** means the article(s) of this Constitution as numbered, outlined, bulleted chronically or as is stated by this Constitution.
- c. **Asset(s)** means property, clothes, computers and its accessories, documents, software, in-kind and skills acquired for direct use for a particular project, maintenance and sustainability of a project or office for the Association.
- d. **Certify** means; authorization, Locus standi, delegating, representative and others.
- e. **Committee** includes a body or any two or more persons meeting for a common program or project for the Association.
- f. **Chapter** means country affiliated to NANS-D.

- g. **Diaspora** means; a group of Nigerians who resides or study outside Nigeria.
- h. **Document** means any writing, handwriting, typewriting, printing, hand-over notes, Photostat, photograph and every recording upon any tangible thing, any form of communication or representation by letters, figures, marks or symbols or by more than one of these means, which may be used for the purpose of recording any matter provided that such recording is reasonably permanent and readable by sight.
- i. **Express** means written or in writing, printed or lithographed or partly one and partly another and include other ways of presenting and reproducing words in a visible form.
- j. **External person** means a member of the Association attending a session, meeting or sitting of a Committee he or she is not a member, or a person who is not a member of the Association.
- k. **Field** means any site, location, area, for which a particular project is planned to be implemented.
- l. **Head** means a person elected or appointed to lead a respective Committee.
- m. **Honorary patron and Matron** means a senior, lecturer, staff, public servant, senior citizen, person of integrity, distinguish scholar, reputable individual and other persons who has taken the initiative or position to support, guide, tutor and allocate the Association in conducting their programs, appointed by the Executive Body on the advice of the Committee on Ethics and Legal Affairs with the approval of the General Assembly.
- n. **Memorandum** includes Notice, memo, handout, softcopy and hard copy, legal notice, point of contention or topic and any other communication whatsoever.
- o. **N.G.O** means Non-Governmental Organisation.
- p. **Ordinary sitting** mean session, meeting or sitting of any Committee of administration for Association which is conducted once in every month and fulfil the procedure or time frame for conducting session, meeting or sitting of the Committee.
- q. **Prospectus** means brochure, notice, circular, advertisement or invitation containing, having, showing or giving information on or about the Association.
- r. **Poll** means a secret ballot where a person through a ballot paper and in a privacy make known their decision or stand on any question or matter of interest for the Association.
- s. **Programs also Project** means activity, undertaking, obligation for service or in-kind delivery and includes; moot court, research, debate, events developed by the Executive body in coordination with the Congress for the Association.
- t. **Person** means human beings and includes a registered association.
- u. **Quorum** means a two third majority, or seventy-five per-cents of all members of the meeting.
- v. **Resolution** means a formal statement of an opinion agreed upon by a Committee, especially by means of a vote to pass or adopt or carry a decision.
- w. **Special sitting** mean session, meeting or sitting of any Committee of administration for the Association which is urgent and does not fulfil the procedure or time frame for conducting session, meeting or sitting of the Committee.
- x. **General Assembly** means a congregation of the incumbent NANS-D Executive Council, Senators and the Chapter Presidents.

Article 39: Citation:

This constitution may be cited as the National Association of Nigerian Students in Diaspora, 2022.

ADOPTED ON: *this day of Saturday the 26th of November, 2022.*

.....
COMR. DALHATU TIJJANI YUSHA’U
Chairman, NANS-D Constitution
Review Committee.

.....
COMR. OPEOLUWASEUN OJEKEMI
Chairman, NANS-D Interim
Executive.

Members of the Constitution Review Committee:

- | | |
|---|----------------|
| 1. Comr. Dalhatu Tijjani Yusha’u | -Chairman |
| 2. John Ayobami Akinwumi, Esq. | -Legal Adviser |
| 3. Comr. Muhammad Abubakar | -Member |
| 4. Comr. Elizabeth Olwafunmilayo Adebitan | -Member |
| 5. Comr. Ahmed Tijani Musa | -Member |