MANGORONGONDO DAM RECONSTRUCTION TRUST

CONSTITUTION

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CONSTITUTION FOR THE MANGORONGONDO DAM RECONSTRUCTION

1.0 Preamble:

We, the residents and stakeholders of the Chief Sogwala rural area, recognise the critical importance of sustainable water management, agricultural development, and environmental conservation. In line with the objectives of the Government's Vision 2030 and the Sustainable Development Goals (SDGs), we hereby establish this constitution to guide the reconstruction, maintenance, and management of MANGORONGONDO Dam and related projects.

2.0 Name of the Organization

The Organisation shall be called **the MANGORONGONDO DAM RECONSTRUCTION TRUST (**hereinafter referred to as the **"TRUST")**

3.0 Address of the Trust

The Trust's address shall be Sogwala Primary School, Whata Village, Madikane Ward, Sogwala, Gweru, Zimbabwe.

4.0 Establishment of the MANGORONGONDO DAM RECONSTRUCTION TRUST

The existence and continuity of the **MANGORONGONDO DAM RECONSTRUCTION TRUST** is hereby recognized by this **Constitution** as by Law established, and **MANGORONGONDO DAM RECONSTRUCTION TRUST** shall have rights, interests, duties, and aspirations which shall not be inconsistent with any law or laws in force in Zimbabwe as from the date of its coming into force.

5.0 Purpose and Objectives

5.1 **The MANGORONGONDO DAM RECONSTRUCTION TRUST** shall be an independent, voluntary, non-partisan, non-discriminatory foundation**.**

5.2 The initiative's purpose is to empower the Community and assist the Government in achieving its Vision 2030 goals by restoring and enhancing the MANGORONGONDO dam for the community's benefit and ensuring access to water for domestic use, irrigation, livestock, dip tank, fish farming, water sports and ecosystem sustainability.

5.3 In the furtherance of the foregoing purposes, but not further or otherwise, the Trust may:

- 5.3.1 Raise funds to hire equipment, purchase necessary resources and utilities, and reimburse service providers.
- 5.3.2 Engage various government departments and the local Rural Council for direction and guidance.
- 5.3.3 Submit development proposals to the local councillor, MP and the traditional leadership.
- 5.3.4 Provide capital and skills training to women, youth, and other vulnerable groups to empower them and eliminate poverty.
- 5.3.5 Build the capacity of the girls and women by training them in building, fish farming, water sports, skills development and entrepreneurship.

5.3.6 Assist in providing self-help initiatives with capital, material and technical assistance for sustainable livelihood.

5.3.7 Collaborate with other stakeholders, agencies, registered non-political donor organisations, and associations involved in similar activities or activities consistent with the Trust's objectives and goals.

6.0 Governing Body

6.1 The Trust shall be governed by **the MANGORONGONDO DAM RECONSTRUCTION STEERING COMMITTEE (the "Committee").**

6.2 The **Committee** shall be composed of not less than five and not more than twelve elected members who shall include:

6.2.1 The Chairperson
6.2.2 The Vice Chairperson
6.2.3 Secretary
6.2.4 Vice Secretary
6.2.5 Local Treasurer
6.2.6 External Treasurer
6.2.7 Committee Members

6.3 The Trust should also include or coopt any ex-officio members from the following Community Leaders depending on the project worked on:

6.3.1 The MP or his representative.
6.3.2 The local Councillor or his representative.
6.3.3 The Traditional leadership (The Chief, the Headman or their representatives)
6.3.4 The Agricultural Extension officer.
6.3.5 Health representative
6.3.6 Water authority representative

6.4 The **Committee** may co-opt additional members. Any such co-opted member shall hold office until the end of the financial year following that in which the member was co-opted or until the Committee is dissolved, whichever comes first.

6.5 Members of the Committee are eligible for re-appointment for successive periods of five years.

6.6 The Chairperson of the Committee shall be such person as may be designated by the Committee in consultation with the Community. The Chairperson shall serve for a period of five years and shall be eligible for re-appointment for successive periods of two 5-year terms.

6.7 The Committee shall elect from its membership a Vice-Chairperson, a Secretary and a Treasurer.

6.8 The committee members shall receive no remuneration for their activities, but they are entitled to reimbursement of expenses incurred in exercising their committee-approved duties.

6.9 Subcommittees shall be established to handle specific aspects such as finance, environmental compliance, infrastructure development, and community engagement. Every subcommittee shall be chaired by a Committee Member.

6.10 The Committee shall be responsible for the overall execution and supervision of the foundation's activities. In the exercise of its functions, it shall be expected to make decisions based on consensus or the majority of members.

7.0 Committee Meetings

7.1 A **quorum** of half the committee members, including recorded apologies, shall suffice for the conduct of a meeting.

7.2 The notices convening the meeting shall state its place, time and agenda.

7.3 Notices convening a meeting shall be issued at least seven days before the meeting, not counting the day on which the meeting is called and the day of the meeting or at shorter notice if so, agreed by the majority of the members of the Committee.

7.4 Each member of the Committee is entitled to one vote. Any member may designate another member to represent him or her at a meeting.

7.5 The secretary shall take minutes of the proceedings of meetings, or one of the other members present if requested to do so by the Chairperson. The minutes shall be approved and signed by the Chairperson and Secretary of the meeting.

7.6 When the votes are equally divided the person chairing the meeting shall have the deciding vote.

8.0 Powers of the Committee

8.1 To achieve its objectives, the Committee has the power to:

8.1.1 raise funds and receive grants and donations for the purposes of the Trust.

8.1.2 Judiciously apply funds to carry out the work of the Trust.

8.1.3 Co-operate/Collaborate with and support other charities/foundations/trusts with similar purposes.

8.1.4 Do anything which is lawful and necessary to achieve the aims and objectives of the Trust

9.0 Membership and Responsibilities

9.1 The Committee shall convene two General Meetings in the year, and the Secretary shall give notice of such meetings to the Trustees. The Committee may also conduct its meetings through teleconferencing, the Internet, or any other means that enables all the Trustees to communicate.

9.2 All residents, landowners, and key stakeholders in the region are considered members of the initiative.

9.3 Members shall participate in decision-making processes and contribute to the sustainability of the dam through community service or financial contributions where applicable.

9.4 The committee shall be responsible for securing funding, ensuring environmental compliance, and engaging with governmental and non-governmental organizations.

9.5 Annual elective meetings shall be held to review progress, elect new committee members, and address community concerns.

9.6 When necessary, or as requested by the Committee, or by the Trust, the Committee shall develop a detailed Elections Policy to be adopted by the Trust before the Annual Elective General Meeting.

9.7 The complete Elections Policy should be annexed to Appendix 23.0 at the bottom of this document.

10.0 Termination of Committee Membership

10.1 Membership of the Committee shall terminate:

10.1.1 with the death of a member.
10.1.2 with resignation in writing.
10.1.3 with dismissal by virtue of Zimbabwean Criminal Law.
10.1.4 with dismissal by virtue of a committee resolution adopted by a two-thirds majority of members present or represented, provided that such majority constitutes an absolute majority of the members of the Committee. Reasons for the adoption of the resolution shall be stated.
10.1.5 when the period of appointment of a member expires under Article 6.5 without that member having been reappointed.

11.0 Dissolution of the Trust

11.1 The vision is for the Trust to go on forever and ever. The dissolution of the Trust shall be effected using the following procedure:

11.1.1 The Trust shall be dissolved where TWO THIRDS of Individual members agree, at a General Meeting, to its dissolution.
11.1.2 If, upon the dissolution of the Trust, any assets and monies remain after the satisfaction of all debts and liabilities of the Trust, such remains shall be transferred to another non-profit organisation having the same or similar aims and objectives as MANGORONGONDO DAM RECONSTRUCTION TRUST.
11.1.3 Individual Members will vote on which NGO, Charity or Non-Profit Organisation will get the remaining assets of MANGORONGONDO DAM RECONSTRUCTION TRUST in the event there is more than one eligible NON-PROFIT CHARITABLE ORGANISATION that can receive the remaining assets of the MANGORONGONDO DAM RECONSTRUCTION TRUST after it is dissolved.

12.0 Funding and Resources

12.1 The Trust's finances shall be subject to proper Accounting and Auditing regulations, and all books of Account shall be kept in accordance with the directives of the Committee that may be issued from time to time.
12.2 No payment shall be affected from the funds of the Trust without the prior approval of the Chairperson and the Treasurer. Furthermore, all authorised payments shall be subject to proper voucher/invoice/receipt records and budgeted expenditure controls.
12.3 The Chairperson shall ensure that accounts are prepared at the end of each financial year.
12.4 The treasurer shall chair a financial subcommittee that is responsible for budgeting, expenditure tracking, and fundraising activities.
12.5 When necessary, or as requested by the Treasury, the Committee or the Trust, the financial subcommittee shall develop a detailed Finance Policy to be adopted by the Trust before is used.
12.6 The complete Financial Policy should be annexed to Appendix 21.0 at the bottom of this document.
12.7

13.0 Selection of Service Providers

13.1 As the project develops, we will rely more and more on internal and external service providers.

13.2 The treasurer and the finance subcommittee will design a detailed policy, which will be appended to this Constitution. The policy will suggest techniques that can facilitate the process by which the Committee conducts due diligence and selects the best service provider.

13.3 The selection process should also be cost-effective, efficient, and appropriate for the nature of the activities that the Trust is seeking to outsource.

13.4 The policy shall set a realistic timeline for completing the contract negotiation process and empower local providers.

13.5 The complete Selection of Service Providers Policy should be annexed to Appendix 22.0 at the bottom of this document.

14.0 Environmental and Social Considerations

14.1 The reconstruction process shall comply with local, national and international environmental protection laws.

14.2 Sustainable construction practices aligned with impact assessment reports shall be prioritized, ensuring minimal ecological disruption and long-term sustainability.

14.3 The rights and livelihoods of residents, including farmers and fishermen, shall be safeguarded throughout the project.

14.4 Environmental impact assessments shall be conducted before, during, and after construction to mitigate negative effects.

14.5 Community education programs shall be developed to promote sustainable and safe water usage and conservation efforts.

15.0 Conflict Resolution

15.1 Any disputes arising from the project shall first be addressed through mediation within the Committee.

15.2 If unresolved, conflicts shall be referred to the local government or traditional leadership for arbitration.

15.3 Legal action shall be a last resort after exhausting internal resolution mechanisms.

15.4 A grievance redress mechanism shall be established to allow community members to formally register complaints, provide feedback and receive timely responses.

16.0 Disciplinary Policy

16.1 A disciplinary subcommittee chaired by the Vice Chairperson should be instituted.

16.2 The subcommittee should develop a disciplinary policy that the committee will adopt and append to this Constitution, if necessary or if requested by the Committee or the Trust.

16.3 The policy should describe the method and steps of discipline.

16.4 It should include as much detail as possible as to what steps will be taken during discipline and what types of infractions apply to which step of the disciplinary process.

16.5 The policy shall also describe the appeal process by which a member can challenge a disciplinary decision.

16.6 The complete Disciplinary Policy should be annexed to Appendix 20.0 at the bottom of this document.

17.0 Monitoring and Evaluation

17.1 A periodic review of the project's progress shall be conducted by independent experts in collaboration with the Committee.

17.2 Performance indicators, including water quality, community access, and environmental impact, shall be used to assess the success of the initiative.

17.3 Adjustments to policies and practices shall be made based on evaluation outcomes and community feedback.

17.4 Reports shall be published semi-annually and made accessible to all stakeholders.

18.0 Amendments

18.1 Amendments to this constitution may be proposed by any member of the Committee or the broader community.

18.2 Amendments shall require a two-thirds majority vote in a general meeting involving all stakeholders.

18.3 Any changes shall be documented and made publicly available.

18.4 A constitutional review shall be conducted every five years to ensure relevance and effectiveness.

19.0 Adoption Clause:

This constitution is hereby adopted by the members of the **MANGORONGONDO DAM RECONSTRUCTION TRUST** on this ___ day of __________, 20_.

Signatories:

Chairperson - ______________________

Secretary - ______________________

Treasurer - ______________________

Community Representatives - ______________________