



**THE COMMONWEALTH ASSOCIATION
OF TECHNICAL UNIVERSITIES
AND POLYTECHNICS IN AFRICA**

CONSTITUTION OF CAPA

**(As amended by the General Conference of the Association
on December 13, 2016 in Lilongwe, Republic of Malawi)**

Published by the CAPA Secretariat

P R E A M B L E

WE, the Heads of Technical Universities, Polytechnics and Technical Colleges in Commonwealth countries of Africa, mindful of the problems and challenges facing our institutions.

AWARE that many of the problems encountered, can be solved by developing a system under which there is effective cooperation and consultation among the institutions concerned.

CONSCIOUS of the responsibility of our institutions for achieving and maintaining world academic standards and evolving over the years a pattern of technical and vocational education and training (TVET) in the service of our countries and peoples, yet promoting a bond of kinship to the larger human society.

APPRECIATIVE of the manifest wish on our part for cooperation in various aspects of academic activity while preserving the integrity of our various institutional academic practices, procedures and methods.

EVOKING the Commonwealth Ministers of Education Conference recommendation of March 1977, in Accra, Ghana, which called for the formation of an association of polytechnics in the Commonwealth Africa countries.

ENDORSING and being appreciative of the recommendation of the Ministers of Education conference.

EXPRESSING gratitude to the Commonwealth Secretariat, London, for having taken the initiative to implement the recommendation of the Education Ministers conference.

RECALLING the consequent establishment of the Commonwealth Association of Polytechnics in Africa (CAPA) in 1978, to achieve our aims and objectives, to act always in the general interests of individual member institutions, in accordance with our collective policy.

HAVE RESOLVED to amend the name of the association to Commonwealth Association of Technical Universities and Polytechnics in Africa, while retaining the acronym, CAPA and committing itself to the same vision, aims and objectives and core values, to emphasise the inclusiveness and essential role of technical universities / universities of technology in TVET, and to adapt our practice to our requirements in whatever ways may be considered useful and desirable, within the interests of Africa in particular and the spirit of the Commonwealth in general.

ARTICLE I

1.1.0 NAME

The name of the organisation shall be The Commonwealth Association of Technical Universities and Polytechnics in Africa [CAPA].

ARTICLE II

2.1.0 AIMS AND OBJECTIVES

The aims and objectives of the Commonwealth Association of Technical Universities and Polytechnics in Africa hereinafter called the Association shall be:

- 2.1.1 To stimulate exchanges of experience and ideas by providing a forum for discussion of matters of common interest and arranging meetings, conference and seminars.
- 2.1.2 To study and improve the content and methods of teaching in technical universities, polytechnics and comparable institutions, particularly with regard to the associated curricula, syllabuses and examinations; also to study and improve the organisation and management of such institutions.
- 2.1.3 To disseminate information and publications about matters of interest to member institutions, about the member institutions themselves and about education in particular subject areas.
- 2.1.4 To facilitate the movement of student and trainees between member institutions and between countries, especially for courses not available in their own countries, and, if so agreed, to administer or help to administer a programme for fellowships, as well as to enable exchanges of students and of staff.
- 2.1.5 To study, in cooperation with governments and industry, the problems and needs associated with national development and with the transfer and development of technology.
- 2.1.6 To provide for member institutions such common services, such as a documentation or teaching equipment centre, as may from time to time be agreed.
- 2.1.7 To facilitate collaboration in any other ways agreed by member institutions to advance their common educational interests.

ARTICLE III

3.1.0 STATUS

- 3.1.1 The Association shall be a specialised organisation within its areas of competence, and in furtherance of its aims and objects. To that end, the association shall seek necessary recognition from the governments in countries from which it draws its membership.
- 3.1.2 The Association shall negotiate observer status and any other appropriate status with the African Union Commission, relevant United Nations specialised agencies, and other international agencies engaged in activities consistent with its aims and objects.
- 3.1.3 The Association shall negotiate a Headquarter agreement with the host government, being a government of an African Commonwealth country in which the Association's General Conference resolves to seat the Secretariat.
- 3.1.4 All agreements entered into on behalf of the Association must be attested to by the signatures of the Chairman and the Secretary General or officers for the time being exercising the powers of these offices. Such agreements will be deemed effective on the date of attestation, providing the negotiations are conducted in a manner not inconsistent with other sections of this constitution.
- 3.1.5 Notwithstanding any recognitions given to the Association and pending any negotiations as to its status, the Association shall continue to perform functions in furtherance of its aims and objectives as the Board may direct.

ARTICLE IV

4.1.0 MEMBERSHIP

- 4.1.1 'Technical Universities, Polytechnics and Technical Colleges' are defined for the purpose of the Association as post-secondary institutions, approved by Ministries of Education or any other Ministries responsible for such institutions, and offering courses of a technical, vocational, business, entrepreneurial and general nature, with a substantial obligation to practical skills acquisition (often leading to diploma or degree certification as technicians, technologists and engineers), shall be eligible for membership.

- 4.1.2 Institutions which fulfil all the eligibility conditions for membership shall be provisionally admitted to the Association by the Finance and General Purposes Committee. Confirmation of membership shall require two thirds majority of the Executive Board members present at a meeting, where the requisite quorum is established.
- 4.1.3 In circumstance where there is no institution satisfying all the eligibility conditions in a Commonwealth African country, one technical or vocational institution closest to being qualified may be admitted to full membership.
- 4.1.4 Institutions engaged in technical, vocational and business training which are generally not eligible for membership of the Association but which are desirous of participating in the programmes of the Association may be admitted to Associate membership.

ARTICLE V

5.1.0 RIGHTS AND DUTIES OF MEMBERS

- 5.1.1 Member institutions of the Association shall enjoy the same rights and privileges, and have the same duties.
- 5.1.2 The rights accorded to members of the Association by this Constitution, may be suspended by a decision of the Executive Board in the case of those members who do not fulfil their obligations with regard to payment of their subscriptions.
- 5.1.3 Associate member institutions shall enjoy such rights and duties as shall from time to time be prescribed by the Executive Board. Such rights may include participation in training activities and enjoyment of the services of the Association as are deemed beneficial to the Associate members. The duties may include payment of reduced dues and subscription. Associate members shall have no voting rights during a General Conference.
- 5.1.4 Members and Associate members shall automatically lose their privileges and voting rights if they are at least two years in arrears with their subscriptions. In exceptional circumstances, beyond the institutions control, the Executive Board may retain the privileges of the institution, if convincing evidence shall have been presented to the Board.

ARTICLE VI

6.1.0 FINANCIAL CONTRIBUTIONS

- 6.1.1 The annual subscription to be paid by each member of the Association at least one year in advance, shall be set by the Executive Board, in accordance with a scheme approved by the General Conference of the Association.
- 6.1.2 The Board may collect the subscriptions triennially in advance or over such periods as may be deemed convenient.
- 6.1.3 Within guidelines approved by the General Conference, the Executive Board, may accept subventions and donations for purposes which are consistent with the objects of the Association.
- 6.1.4 Contributions may be paid into CAPA Account in any Commonwealth African country designated by the Board.

ARTICLE VII

7.1.0 ORGANS AND INSTITUTIONS

- The Association shall have the following principal organs:
- 7.1.1 The General Conference
- 7.1.2 The Executive Board
- 7.1.3 The Finance and General Purposed Committee of the Board
- 7.1.4 The Secretariat
- 7.1.5 Specialised or Regional Committees as established by the Executive Board.

ARTICLE VIII

8.1.0 THE GENERAL CONFERENCE

- 8.1.1 The General Conference shall be the highest authority of the Association. It shall:

- (a) Determine the general policies of the Association;
- (b) Approve the programmes and budget of the Association;
- (c) Set out general policy directives to be executed by the Executive Board;
- (d) Receive a report from the Executive Board on the activities of the Association since the last ordinary session of the General Conference;
- (e) Elect the Chairman of the Association, and the members of the Executive Board;
- (f) Approve the terms, conditions and procedure for the appointment of a Secretary General by the Executive Board;
- (g) Direct the Executive Board to undertake such other tasks as are compatible with the aims and objects of the Association.

8.1.2 The General Conference shall be composed of one representative of each member institution. Associate members may send non-voting participants to the Conference. The quorum at a General Conference shall be one-third of the registered voting members of the Association. The General Conference may be open to observers; each such observer may speak with the consent of the Chairman, but shall not vote.

8.1.3 (a) The General Conference shall ordinarily meet once in a year. The member institutions shall be responsible for financing the attendance of their representatives. Where it is not possible for a meeting to be realised within a year, the Board shall direct the Secretariat to transact the business of the Conference by post as provided for in Section 8.1.4 of this Constitution.

(b) The General Conference shall be held at a place it shall have appointed during a preceding CAPA international conference. In case of necessity, the place of meeting may be changed by the Executive Board at the request of the Secretary General and the Chairman.

(c) An extraordinary session of the General Conference shall be convened on written request, addressed to the Secretariat by a majority of the members of the Association, or following a decision of the Executive Board taken by a two-thirds majority.

(d) Notice convening the General Conference shall be issued by the Secretary General at least two months before the Conference.

- 8.1.4 (a) All decisions of the General Conference shall be taken by simple majority of those present and voting except where otherwise provided for in this Constitution.
- (b) The business of the General Conference, including amendment to Constitution, may be conducted by post if the Executive Board directs by a specific minute. In that case, a decision shall require two-thirds of the registered members of the Association.
- 8.1.5 (a) The General Conference shall elect the Chairman of the Association from amongst the Heads of its member institutions by an absolute majority of membership, in rotation among the three CAPA regions. He shall normally remain in office for a tenure of two years, except as provided for in subsection (b) below.
- (b) Where the Chairman ceases to exercise his functions by resignation, transfer from Headship of a member institution or any other circumstance making it impossible for him to carry out his duties, the Vice Chairman in the region where the Chairman resides, shall take over the duties of the Chairman. He shall arrange for a special Board Meeting within six months to appoint an acting Chairman who shall hold office until the next ordinary General Conference.
- (c) Nomination shall be on a prescribed form which shall be circulated by the Secretariat at least four months before the General Conference. Nomination duly proposed and seconded on the prescribed form shall be submitted to reach the Secretariat at least three months before the Conference. Notification of the candidates nominated for the Chairmanship shall be circulated to member institutions at least two months before the General Conference.
- (d) The Chairman shall not be eligible for immediate re-election.
- (e) The Chairman of the Association shall also be the Chairman of the General Conference, and of the Executive Board.

ARTICLE IX

9.1.0 THE EXECUTIVE BOARD

9.1.1 The Executive Board shall be elected by the General Conference from amongst the heads of its member institutions.

- (a) It shall consist of the Chairman, three Vice Chairmen who shall be chosen from the different CAPA regions, and the head of a national association of TVET institutions in each member country or the head of a CAPA member institution in each of the countries where there are no national associations.
- (b) The General Conference shall elect, in addition, the following members of the Executive Board, chosen by the Chairman, in consultation with the Secretary General:
 - i. Regional Administrative Representative
 - ii. Regional Funds Mobilisation Coordinator
 - iii. Regional Gender Representative
 - iv. Chairman, Editorial Committee
 - v. Chairman, Projects Committee
 - vi. Seat of CAPA Representative
 - vii. Technical Universities' Representative
- (c) A Board member absent from two executive meetings of the Board without reasonable cause and without prior apology and explanation shall be replaced by a member selected by the Chairman in consultation with the Secretary General. Such appointments shall be subject to ratification or variation by the Board at its next ordinary meeting, pending the elections at the General Conference
- (d) Members of the Board shall hold office for a period of two years and shall be eligible for re-election for another term of two years, with the exception of the Chairman whose tenure is limited by the provisions of Article 8.1.5 (d). Board members may not, however, serve for more than two consecutive periods in the same capacity.
- (e) Member institutions of one country shall not hold more than four seats on the Board, and each region of the Association shall have at least three members of the Board.
- (f) Where a vice-chairman ceases to hold office by virtue of resignation, transfer or any other valid reason, the Chairman shall appoint an acting vice-chairman from amongst the Board members in the affected region. In his discretion and

bearing in mind special circumstances, the Chairman may appoint the successor of the vice-chairman at the institution to be the acting vice-chairman in the region. The vacancy created in the Board through these appointments shall be filled by a Board member or any other head of institution as decided by the Chairman in consultation with the Secretary General. Such appointments shall be subject to ratification or variation by the Board at its next ordinary meeting, pending the elections at the General Conference.

- (g) Where a Board member ceases to be the Head of a member institution, his successor at the institution shall automatically become a member of the Board until the next General Conference.

9.1.2 The Executive Board, in addition to the powers and authority expressly conferred upon it, shall be responsible for the management of the business of the Association, and of the income and property thereof for the uses, purposes and benefit of the Association and shall give effect to the decisions of the General Conference. It shall:

- (a) Appoint the Secretary General in accordance with the terms, conditions, and procedure laid down by the General Conference.
- (b) Prepare the agenda for the General Conference from the draft agenda prepared and circulated by the Secretary General at least two months before the General Conference. Also prepare the budget and the working programme to be followed until the next ordinary sessions of the Conference.
- (c) Direct and control the activities of the Secretariat.
- (d) Appoint, on the recommendation of the Secretary General, the senior members of the Secretariat.
- (e) Accept subventions and donations on behalf of the Association.
- (f) Appoint appropriate representatives of the Association to attend conferences, meetings and other functions.

9.1.3 The Executive Board shall not enter into any commitment for which provision is not made in the budget.

9.1.4 In performing its duties, the Executive Board shall be subject to such directives or guidelines as may be issued from time to time by the General Conference to which it shall report on all its activities.

- 9.1.5 (a) The Executive Board shall meet on the occasion of each session of the General Conference, and shall ordinarily meet at least twice in one year, at such time and place as it shall decide.
- (b) It may be convened in extra-ordinary Session by the Chairman, provided two thirds of the members so agree in writing.
- (c) It may constitute commissions or working groups.
- (d) The quorum required for valid meetings shall be eight persons representing at least three countries and including the Chairman or one of the three Vice Chairmen.
- 9.1.6 The Executive Board may, if necessary transact any business by the circulation of papers, and a decision approved in writing, by a majority of its members, shall have the same effect as if it had been made at a meeting of the Executive Board.

ARTICLE X

10.1.0 THE FINANCE AND GENERAL PURPOSES COMMITTEE

- 10.1.1 (a) The Finance and General Purposes Committee of the Board shall be constituted soon after the General Conference.
- (b) The Committee shall be composed of the Chairman, the three Vice Chairmen, and Board Member in the country for the time hosting the Secretariat and the Secretary General or the Officer of the Association for the time exercising the functions of the Secretary General.
- (c) The quorum for the Committee meetings shall be three members provided that at each meeting there must be at least the Chairman and the Secretary General or their representatives.
- 10.1.2 (a) The Finance and General Purposes Committee shall make decisions and execute regular business on behalf of the Board.
- (b) Actions taken by the Committee shall be notified to Board members in a regular manner for further directions, and shall be subject to ratification at the next Board meeting.

- (c) The Committee shall meet as the need arises and as convened by the Secretariat, with the approval of the Chairman, or if so requested by three members of the Committee.

ARTICLE XI

11.1.0 THE SECRETARIAT

11.1.1 The headquarters of the Association shall be seated in a town or city in an African Commonwealth country, selected by the Executive Board. The Secretariat of the association shall be at the headquarters. The Secretariat shall negotiate for the association with the host country for such privileges, immunities and exemptions as are considered desirable for the efficient execution of its duties and functions. Such negotiations shall be as directed by the Executive Board.

11.1.2 The Secretariat shall be the Permanent Executive Organ of the Association, and in that capacity shall fulfil all tasks assigned to it by the Executive Board, in accordance with general policies laid down by the General Conference.

11.1.3 (a) The Secretary General shall be the executive head of the Secretariat.

(b) The Secretary General shall be the Secretary of the General Conference and of the Executive Board. He may participate in the deliberations and discussions of the General Conference and of the Executive Board but shall not have the right to vote.

(c) The appointment of the Secretary General shall be for an initial period of three years, but may be extended for such further period as the Executive Board may determine. His duties shall normally be considered incompatible with the performance of any other duties, national or international, except where the Board grants special permission to him to do work not inconsistent with the objectives of the Association. Such permission shall be granted if the performance of the work will not interfere with the normal duties of the Secretary General.

11.1.4 The Secretariat of the Association shall operate under the direction of the Secretary General. It shall:

- (a) Organize a centre for documentary materials, on matters of educational and general interest to technical universities, polytechnics and technical colleges and the TVET systems in African countries.
- (b) Provide appropriate means for the resources of the documentation centre, to be made available to member institutions and to other interested educational bodies in African countries.
- (c) Establish for African Commonwealth countries in particular and Africa in general, a basis for comparative "TVET" statistics; and collect and periodically publish such statistics.
- (d) Establish machinery for facilitating the interchange of students and teachers notably within Commonwealth countries in Africa, and in particular administer a programme of fellowships.
- (e) Coordinate and develop arrangements for facilitating recruitment and training of academic staff needed in Commonwealth countries in Africa.
- (f) Facilitate cooperation between the member institutions of the Association to make fuller use of their human and material resources.
- (g) Subject to prior approval by the Executive Board, render to member institutions such individual services as they may request.
- (h) Undertake such other tasks as are compatible with the aims of the Association.

11.1.5 The Secretary General shall:

- (a) Make recommendations to the Executive Board for the appointment of senior staff of the Secretariat and recruit other Secretariat staff to the posts provided for.
- (b) Exercise disciplinary powers over the staff of the Secretariat in accordance with such regulations as may be established by the Executive Board.
- (c) Present every year to the Executive Board a working programme and a report on the activities of the preceding year.

- (d) Submit every year a detailed draft budget for the forthcoming year to the Executive Board for approval and provide it with the duly audited accounts for the preceding year.

ARTICLE XII

12.1.0 AMENDMENTS, REVISION, RULES AND REGULATIONS

12.1.1 The Constitution may be amended by two-thirds majority of the members of the Association present and voting at any ordinary session of the General Conference, provided that the total number of votes cast in favour of the amendment is equal to at least a simple majority of the entire membership of the Association.

12.1.2 (a) Proposals for the amendment or revision of this Constitution shall be submitted in writing to reach the Secretary General not less than four months before the opening date of the General Conference at which they are to be considered, and copies shall be sent by the Secretariat to all member institutions, by registered air mail, not less than two months before such opening date.

(b) An amendment or revision of this Constitution shall take effect on the date of the amendment unless the effective date is specified in the amendment.

12.1.2 Rules and regulations which are consistent with this Constitution may be adopted by the Executive Board, and shall come into force immediately. Such rules and regulations shall be submitted to the next General Conference for ratification.

ARTICLE XIII

13.1.0 LINKS, MERGERS

13.1.1 The Association shall maintain close links with the relevant local associations in various countries of the Commonwealth, and with similar association, or single institutions where only one appropriate institution exists, in non-Commonwealth countries in Africa. It shall also maintain regular contact with similar national bodies elsewhere.

13.1.2 (a) The Association shall maintain close links with the Commonwealth Secretariat.

- (b) It shall also maintain regular contact with other appropriate international bodies.
- 13.1.3
- (a) The Association shall keep open options for a merger with an association of institutions in a wider range of countries in Africa or Commonwealth countries outside Africa.
 - (b) A proposal for such a merger shall be submitted as a substantive motion to a session of the General Conference and must reach the Secretary General not less than twelve months before the date of the General Conference at which the motion is to be considered.
 - (c) A motion for a merger shall be carried by a two-thirds majority of the members of the Association present and voting at the particular session of the General Conference, provided that the total number of votes cast in favour of the motion is equal to at least a simple majority of the entire membership of the Association.

ARTICLE XIV

14.1.0 DISSOLUTION

- 14.1.1
- (a) A proposal for Dissolution shall be submitted as a substantive motion to a session of the General Conference and must reach the Secretary General not less than twelve months before the date of the General Conference at which the motion is to be considered.
 - (b) A motion for Dissolution shall be carried by a two-thirds majority of the members of the Association present and voting at the particular session of the General Conference, provided that the total number of votes cast in favour of the Dissolution is equal to at least a simple majority of the entire membership of the Association.
- 14.1.2
- In the case of Dissolution the net assets of the Association shall be paid to the Commonwealth Secretariat and expended to such educational purpose in Commonwealth Africa as the Commonwealth Secretary General for the time being may decide.