



THE CONSTITUTION OF LESOTHO MUSIC RIGHTS ASSOCIATION.

1. NAME OF ASSOCIATION

This association shall be called the Lesotho Music Rights Association.

2. ADDRESS

All communications and notices directed to the association shall be sent to following address;

P.O.Box 10155

Maseru 100

Lesotho

Tel: +266-58406999 or +266-57981040

3. PURPOSE

The object of this association is to;

- 3.1. Represent the Authors, Composers and Producers of musical works,
- 3.2. Protect and promote musical works of musicians in Lesotho.
- 3.3. Advocate for the protection of musical rights for the musicians in Lesotho.
- 3.4. Be an organization that will serve musical interests of musicians in all genres in Lesotho jointly.

4. POWERS

The association will be an autonomous body and thus may do all lawful things as may be incidental or conducive to the attainment of its objectives and to that end it may, inter alia, but without affecting the generality of the foregoing:

- a) . Buy, take on lease or in exchange any property necessary for the achievement of the objects and maintain equipment for its use.
- b) Employ such staff (who shall not be members of the association) as are necessary for the proper pursuit of the Objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for them.
- c) Co-operate with other charities, voluntary bodies and statutory bodies either local or international in furtherance of the objects or of similar charitable purposes and to exchange information with them.
- d) Sue and be sued in any court of law within Lesotho in its own name and be represented in any legal proceedings by the legal officer for the time being.
- e) Establish or support any charitable trusts associations or institutions formed for all or any of the objects.

5. MANNER OF RAISING FUNDS

The associations shall through the facilitation of the committee;

- a) Raise funds by inviting contributions including sale of tickets to members of the association and members of the public for concerts promoted by the association provided that in raising funds the committee shall not undertake

any substantial permanent trading activities and shall conform to any requirements of law.

b) Seek and acquire donations, grants in aid and financial guarantees or assistance in furtherance of its objects.

c) Accumulate funds through payment of subscriptions by members. The subscriptions will be used in the management of the association and in furtherance of its objects as may be determined by the committee.

6. DISPUTE RESOLUTION

a) Any disputes arising among members shall be detailed to the secretary by way of writing.

b) The executive committee shall sit as a resolution panel in all disputes arising between members.

c) Where dispute arises between committee members, such disputes shall be detailed in writing to the secretary and shall be brought before a resolution panel of four members of the committee including the President or Vice President.

d) If the any of the committee members or ordinary member is not satisfied with the outcome of their dispute resolution, they may file a notice of appeal with the secretary within seven days from the delivery of the resolution judgement.

e) Two representatives from all three regional committees including the President will sit as an appellate resolution panel.

f) Decision of the disciplinary panel shall be of immediate effect and binding to members.

g) Members may resort to seeking a resolution from the court of law in Lesotho as a last resort upon exhausting all the resolution stages provided in this section.

7. MEMBERSHIP

- a) . Membership of the association shall be open to all persons interested in music, including but not limited to authors, composers, and performers of musical works.
- b) There shall be an annual subscription which may be adjusted by unanimous decision of all members of the committee. The membership subscription for the time being shall be M100.00 per member.
- c) Members of the association shall be classified as follows;
 - i. Professionals; members with international accreditation.
 - ii. Semi-professionals; locally established members without international accreditation.
 - ii. Developing: neither a member who is professional nor semi-professional.

8. FINES AND FORFEITURES

- a) A person's membership of the association shall terminate if he/she is more than three months in arrears with his/her subscription.
- b) If a member fails to pay subscription fee for two months respectively, there shall be a fine of 20% the amount of the subscription fee at that time.

9. MANAGEMENT

a) EXECUTIVE COMMITTEE

The entire management of the association shall be vested in the executive committee which shall take a term of five years consisting of;

- i) President,
- ii) Vice- President,
- iii) Treasurer,
- iv) General Secretary
- v) Vice- secretary
- vi) Spokes person
- vii) Legal officer and four members.

10. ROLES AND DUTIES

1. PRESIDENT

The President shall;

- a) Be leader of the association and have overall responsibility for its administration.
- b) Set the overall annual committee agenda (consistent with the views of the members), help prioritize the committee goals and keep it on track by working within that overall framework.
- c) Facilitate effective committee meetings.

- d) Manage the committee, and chair all committee general, special and annual General Meetings.
- e) Coordinate activities within the committee and ensure that the association activities accord with this constitution.
- f) Ensure the planning and budgeting for the future is carried out in accordance with the wishes of the members
- e) Be a supportive leader for all case association members, plan and coordinate the association.
- f) Exercise his administrative powers for the running of the association.

2. VICE-PRESIDENT

- a) Assume the responsibilities Chairperson of the committee in the absence of the President;
- b) Acting as a member of the Executive Committee; facilitating collaborative decision making by the committee;
- c) Performing other duties as directed by the committee; automatically assuming the office of President and if that position becomes vacant between Annual General Meetings.

3. GENERAL SECRETARY

- a) Organize meeting times, dates and book meeting rooms.
- b) Receive agenda items from committee members.
- c) Circulate agendas and reports.
- d) Send adequate notice of the meetings to all association members.

e) Take the minutes of the meetings, and then circulate these minutes to all members.

f) Keep all association records, and maintain registers of members' names, addresses, and contact details

e) Respond to general duties as directed by the committee.

3. VICE- SECRETARY

a) Assist the General Secretary in the carrying of his/ her duties.

b) Assume the responsibilities of the General Secretary in their absence.

c) Perform any other duties as may be required by the committee.

4. TREASURER

a) Shall be an accountant or an individual with an accounting background.

b) Prepare a budget demonstrating income and expenditure.

c) Authorize all cash transactions and be accountable for its safe keeping.

d) Be prepared to present a current financial report to the committee upon request.

e) Prepare an annual budget report for funding purposes.

d) Collect and bank the association's money.

e) Keep all receipts to provide proof of general spending as well as a current list of all financial members.

5. SPOKESPERSON

- a) Responsible for setting up public appearances, handling conflicts and keeping the public updated on vital information of the association.
- b) Handle press releases and address the media.
- c) Market and promote the association to the general public.
- d) Execute any other duties that the committee may require of him/her.

6. LEGAL OFFICER

- a) Review and draft contracts on behalf of the association
- b) Provide general legal counsel to the committee and the association.
- c) Represent the association and committee in settlements, negotiations and all disputes outside the court.
- d) Perform any other duty within this scope of duties as the committee may require.

7. ADVISORY MEMBERS

The duty of the advisory members shall be to advise the committee on the effective running of the association and ensure the smooth running of elections.

11. REGIONAL COMMITTEE

There shall be three regional committees, one from each region of Lesotho which will constitute Regional President, Vice-regional President, treasurer, secretary, spokesperson 5 members.

12. ELECTIONS

The members of the Executive committee shall be elected at the Annual General Meeting in the manner set out in the next succeeding clause.

- a) Elections will begin at the regional level and nomination must be signed by two fully paid members of the association and shall be handed over to the secretary seven day prior to the last quarterly meeting of the regional committee.
- b) If insufficient nominations have been received, nominations for the remaining number of committee members can be received from the floor at the quarterly meeting.
- c) The election of all members may be by a secret ballot.
- d) After election of the regional committee 12 members from regional committees will come to vote at the Annual General Meeting.
- e) The elected executive committee will have the power to co-opt to the committee not more than five members in addition to those elected at the Annual General Committee.
- f) The committee shall regulate its own procedures which shall, however, as far as practicable adhere to the normally accepted procedures of committees.
- g) Vacancies on the committee during the year may be filled by the committee.

13. CONTRACTS AND DOCUMENTS

- a. The association shall enter into and be bound by contracts in its own capacity.

- b. The decision to enter into contracts will be taken collectively by the committee and the president shall sign on behalf of the association.
- c. In the event that the president is unable to sign, the vice-President or the secretary may sign through a written authorization from the President.

14. FINANCE

- a) The committee, both regional and executive shall maintain full and proper books of accounts and shall present an audited balance sheet and accounts of the previous financial year at the Annual General Meeting.
- b) The committee shall, at its first meeting after its election, appoint an auditor through a collective consideration.
- c) The secretary and treasurer shall send accounts for membership and accumulated fees to all members at least two weeks prior to the date of the Annual General Meeting.
- d) The funds of the association shall be banked in the name of the association in a bank to be nominated by the committee and the accounts shall be operated under the signatures of the President and the treasurer.
- e) The financial year of the association shall start on the 1st April and end on the 30th March of every year.
- f) Cheques shall be signed by the treasurer and the President and In the event where the President is unable to sign, the vice-president may sign through his/her written authorization.

15. MEETINGS

- a) Annual General Meeting shall be held at the end of every financial year and at least fourteen days of notice of date, time and place of the meeting

shall be given by posting a copy of the notice every member of the association.

b) The agenda of the Annual General Meeting may contain the following:

- i. Presentation of progress report
- ii. Audited financial Report
- iii. Proposals for the amendment of the constitution.
- iv. Proposals for changes in the registration fee.
- v. Proposals for a plan of action.
- vi. Election of the executive committee.

c. There shall be General Monthly meetings held every month and every committee shall be served with a notice of the meeting by the Secretary General seven days prior to the meeting indicating, the date, time and place of meeting.

- i. The business of the monthly general meeting shall be to address and consider any issues concerning the administration of the association in furtherance of its objects.
- ii. Members of the committee shall attend at least two thirds of the monthly general meetings, failure of which consequences shall be determined by the committee.
- iii. Members of the committee shall file notices of non-attendance with the General Secretary seven days before the meetings stating reason why they shall not be able to attend.

d. SPECIAL MEETINGS

There shall be special meetings regularly on the times determined by the committee and the purpose of these meetings shall be to attend to urgent matters of the association.

15. BREACH OF THE CONSTITUTION

a) The president and the committee shall deal accordingly and appropriately as the circumstances may require with any breach or non-compliance with the specific clauses of this constitution by any members.

16. AMENDMENT OF THE CONSTITUTION

a) No amendments of this constitution may be made except by resolution passed at a general Meeting and carried by at least two thirds of thirds of those members present.

17. DISSOLUTION OF THE ASSOCIATION

- a) The association shall be dissolved upon through a motion passed by two third of the members of the committee.
- b) The association shall also be dissolved only if it unable to fulfil the objects in section three (3) in their entirety.