

# MINING INDUSTRY FEDERATION OF EAST AFRICA (MIFEA)

## CONSTITUTION & BY-LAWS

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### PREAMBLE

We, the founding members of the **Mining Industry Federation of East Africa (MIFEA)**, united by our shared vision to promote sustainable, ethical, and economically beneficial mining in the East African region, hereby adopt this Constitution and By-Laws as the supreme governing framework of the Federation.

We commit to:

- Upholding principles of **integrity, transparency, inclusivity, and environmental stewardship.**
  - Advancing the mining sector as a driver of socio-economic development and regional integration.
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### PART I: CONSTITUTIONAL PROVISIONS

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#### ARTICLE 1 – NAME AND IDENTITY

1.1 **Official Name:** The organization shall be known as the *Mining Industry Federation of East Africa (MIFEA)*.

1.2 **Acronym:** “MIFEA” may be used in all official communications, provided it complies with national and regional laws.

1.3 **Symbols:**

1.3.1 The Federation shall adopt an official logo, seal, and motto, approved by the General Assembly.

1.3.2 Unauthorized use of MIFEA’s symbols is prohibited and may attract legal action.

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#### ARTICLE 2 – HEADQUARTERS AND AREA OF OPERATION

2.1 **Headquarters:** MIFEA shall maintain its principal office in **Kampala, Uganda**, within an East African Community (EAC) member state.

2.2 **Branch Offices:** The Federation may establish branch or liaison offices in any EAC partner state with Executive Committee approval.

2.3 **Operational Scope:**

2.3.1 MIFEA shall operate within all EAC partner states: Burundi, Kenya, Rwanda, South Sudan, Tanzania, Uganda, and the Democratic Republic of Congo.

2.3.2 MIFEA may collaborate internationally with mining-related organizations, investors, and research institutions.

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### ARTICLE 3 – LEGAL STATUS

3.1 MIFEA is a **non-profit, non-political, and non-partisan** regional federation.

3.2 The Federation shall have:

3.2.1 Perpetual succession.

3.2.2 The right to own property.

3.2.3 The right to enter into contracts.

3.2.4 The right to sue and be sued in its own name.

3.3 **Registration:** MIFEA shall be registered under the laws of the host country and recognized under EAC protocols on regional associations.

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### ARTICLE 4 – OBJECTIVES

#### 4.1 Advocacy & Policy Engagement:

4.1.1 Represent the mining industry before national, regional, and international bodies.

4.1.2 Advocate for fair taxation, transparent licensing, and investor-friendly regulations.

4.1.3 Contribute to the development of mining legislation and policy.

#### 4.2 Sustainable Development:

4.2.1 Promote environmental best practices, including mine rehabilitation and biodiversity protection.

4.2.2 Encourage corporate social responsibility (CSR) initiatives benefiting host communities.

4.2.3 Integrate renewable energy into mining operations.

#### 4.3 Economic Growth & Investment:

4.3.1 Position East Africa as a prime mining investment destination.

4.3.2 Facilitate investor–project matchmaking.

4.3.3 Promote local value addition and mineral beneficiation.

#### 4.4 Capacity Building:

4.4.1 Organize training, workshops, and technical exchanges.

4.4.2 Partner with educational institutions for mining sector skill development.

4.4.3 Support artisanal and small-scale miners with training and formalization.

#### 4.5 Research, Data & Innovation:

4.5.1 Commission geological surveys and feasibility studies.

- 4.5.2 Maintain a regional mineral resources database.
- 4.5.3 Promote technological innovation in mining processes.

#### **4.6 Regional Integration:**

- 4.6.1 Advocate for harmonized mining codes, safety standards, and tax regimes.
- 4.6.2 Facilitate cross-border mineral trade by reducing transport and customs barriers.

#### **4.7 Dispute Resolution:**

- 4.7.1 Offer mediation, arbitration, and conciliation services for members.

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### **ARTICLE 5 – MEMBERSHIP**

#### **5.1 Categories:**

- 5.1.1 Corporate Members
- 5.1.2 Associate Members
- 5.1.3 Affiliate Members
- 5.1.4 Honorary Members

#### **5.2 Admission:**

- 5.2.1 Applications must be submitted in writing with relevant documentation.
- 5.2.2 Executive Committee approval by simple majority is required.

#### **5.3 Rights:**

- 5.3.1 Voting rights in the General Assembly (except affiliates and honorary members).
- 5.3.2 Access to Federation services and programs.
- 5.3.3 Eligibility for leadership positions (where applicable).

#### **5.4 Obligations:**

- 5.4.1 Compliance with the Constitution and By-Laws.
- 5.4.2 Upholding professional and ethical standards.
- 5.4.3 Payment of dues and contributions.

#### **5.5 Termination:**

- 5.5.1 Grounds include misconduct, non-payment, or actions against MIFEAs' interests.
- 5.5.2 Expulsion requires a two-thirds Executive Committee vote.

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### **ARTICLE 6 – ORGANS OF THE FEDERATION**

6.1 **General Assembly** – Supreme decision-making body.

6.2 **Executive Committee** – Strategic leadership and oversight.

6.3 **Secretariat** – Administrative and operational body.

- 6.4 **Technical Committees** – Specialized expert groups.
  - 6.5 **Advisory Council** – Eminent persons providing expertise.
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## ARTICLE 7 – FINANCIAL PROVISIONS

- 7.1 Sources of income include membership dues, grants, donations, service fees, and investments.
  - 7.2 All expenditures must have Executive Committee approval.
  - 7.3 Accounts shall be audited annually by an independent certified auditor.
  - 7.4 Financial year runs from **[Start Month]** to **[End Month]**.
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## ARTICLE 8 – AMENDMENTS

- 8.1 Requires at least thirty (30) days' written notice.
  - 8.2 Adoption requires a two-thirds (2/3) vote of the General Assembly.
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## ARTICLE 9 – DISSOLUTION

- 9.1 Requires a three-fourths (3/4) General Assembly vote.
  - 9.2 Remaining assets shall be transferred to a non-profit organization with similar objectives within the EAC.
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## PART II: BY-LAWS

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### BY-LAW 1 – MEETING PROCEDURES

- 1.1 **Annual General Meeting (AGM):** Held within three (3) months after the end of the financial year.
- 1.2 **Extraordinary Meetings:** Convened by:
  - 1.2.1 The President;
  - 1.2.2 The Executive Committee; or
  - 1.2.3 Written request from at least one-third of voting members.
- 1.3 **Notice Periods:**
  - 1.3.1 AGM: Sixty (60) days' written notice.
  - 1.3.2 Extraordinary Meetings: Twenty-one (21) days' written notice.
- 1.4 **Quorum:**
  - 1.4.1 AGM: 50% + 1 of voting members.

1.4.2 Executive Committee: Four (4) of seven (7) members.

1.5 **Voting:** By show of hands unless a secret ballot is requested by any member.

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## BY-LAW 2 – ELECTION PROCEDURES

2.1 Elections are held every three (3) years at the AGM.

2.2 Nominees must be members in good standing for at least twelve (12) months.

2.3 Voting is by simple majority; in case of a tie, a run-off vote is held immediately.

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## BY-LAW 3 – FINANCIAL CONTROLS

3.1 **Bank Accounts:** Operated in MIFEAs name; at least two authorized signatories required (President + Treasurer or President + Secretary General).

3.2 **Expenditure Limits:** Any single expense above USD 10,000 requires full Executive Committee approval.

3.3 **Auditing:** Annual independent audit; report presented to AGM.

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## BY-LAW 4 – DISCIPLINARY PROCEDURES

4.1 Grounds for action: misconduct, constitutional breach, non-payment of dues.

4.2 Process: written notice → opportunity to respond → hearing before Executive Committee.

4.3 Sanctions: warning, suspension, expulsion.

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## BY-LAW 5 – COMMITTEES

5.1 Technical Committees include (but are not limited to):

5.1.1 Health, Safety & Environment;

5.1.2 Legal & Regulatory Affairs;

5.1.3 Investment & Finance;

5.1.4 Research & Innovation.

5.2 Each committee operates under terms of reference approved by the Executive Committee.

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## BY-LAW 6 – SECRETARIAT OPERATIONS

6.1 Headed by the Secretary General as chief administrative officer.

6.2 Responsibilities include preparing annual work plans, budgets, and reports.

6.3 Maintains official records, correspondence, and databases.

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## PART III: ANNEXES

- **Annex A:** Code of Ethics (Members must act with integrity, avoid conflicts of interest, comply with environmental laws, and maintain transparency.)
- **Annex B:** Membership Fee Schedule (Updated annually by General Assembly resolution.)
- **Annex C:** Official Forms (Membership Application, Election Nomination, Dispute Resolution Request.)

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## SIGNATORIES

Adopted by the founding members on this **[Day]** of **[Month, Year]** in **[City, Country]**.

**President (Founding):** \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Vice President (Founding):** \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Secretary General (Founding):** \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Treasurer (Founding):** \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Witness (Legal Representative):** \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_