

CONSTITUTION FOR
TERTIARY EDUCATION SCHOLARSHIP TRUST (TEST)
FOR GHANA

PREAMBLE:

Tertiary Education Scholarship Trust (TEST) for Ghana is a statutory registered entity under the Ghana Company Law.

TEST for Ghana was created by the family of Dr Keith and Mrs Marjorie Lloyd of Guernsey, Channel Islands in collaboration with Ghanaian Scholars who have completed scholarships to study at Linacre College in the University of Oxford between 1998 and 2007 under Norman & Ivy Lloyd African Scholarship, and with the help of Professor George Hagan, an alumnus of Linacre College, Oxford. The Trust will offer its first scholarship to Ghanaian Universities and Polytechnics from the 2008/2009 academic year.

We do hereby enact, adopt and give to ourselves the Constitution which is written on this 15th day of January 2008 in Accra, Ghana.

ARTICLE 1 NAME OF ASSOCIATION

- i. The name of the Trust shall be known and called **Tertiary Education Scholarship Trust (TEST) for Ghana** OTHERWISE KNOWN as **TEST for Ghana**.

ARTICLE 2 AIMS AND OBJECTIVES

- i. The main objective of the Trust is to provide funding for tertiary education at public Universities and Polytechnics in Ghana for bright and financially needy students and thereby support the socio-economic development of the country;
- ii. The funding shall be full or partial and apply to both new and continuing students and will be provided on an annual renewable basis in consideration of the needs of recipients (students) and the level of their academic performance;

To achieve these, the Trust aims to:

- a) Encourage all recipients to reside in Ghana and contribute to the social and economic development of their community and country;
- b) Bond beneficiaries for a period of five years, including national service;

- c) Require all recipients wishing to pursue further postgraduate studies outside Ghana, but within the bonding period, to secure permission from the Trustees, and immediately following such studies to commit to return to Ghana to serve out such non-utilised bonding period;
- d) Request all recipients to work during vacation times for their local community and/or fund raising for the Trust.

ARTICLE 3 SOURCES AND MOBILISATION OF FUNDS

The Trust shall:

- i. Seek to raise a minimum of GH¢ 40,000 annually from the Lloyd family, hereinafter referred to as "Donors";
- ii. Have a responsibility of seeking to raise additional sponsorship from third party individuals and Corporations, hereinafter also collectively referred to as "Donors";
- iii. Honour all Donors offering Scholarship support by providing naming opportunities for their respective donations;
- iv. Liaise with collaborating Donors to maintain goodwill and continuing support;
- v. Operate on a minimum cost basis such that fund raisers can validly state that 100% of all donations will be disbursed to Scholars.

ARTICLE 4 SCHOLARSHIP AWARDS

Financial support by the Trust shall be offered on the following basis:

- i. Selection of beneficiaries shall be biased towards women with a minimum 60/40 ratio;
- ii. Distribution of funds shall be biased to northern Ghana with a minimum 60/40 ratio and equal share of the remaining 40% to the regions in the south;
- iii. Financial award shall be biased towards 60/40 ratio for universities over polytechnics;
- iv. The Trust shall seek to make awards to physically handicapped students;
- v. The Trust shall retain 1% of the Lloyd's family donation for disbursement by the Trustees to any Scholars in the event of unforeseen emergencies.

ARTICLE 5 ACADEMIC AREA OF FOCUS

The Trust shall provide financial support to students who have been offered admission to Ghanaian public universities or polytechnics in the following academic disciplines:

- i. Medicine, Nursing, Optometry, Dentistry and Pharmacy

- ii. Agricultural Sciences and Engineering
- iii. Mining and Petroleum Engineering
- iv. Geological/Earth Sciences
- v. Civil, Mechanical, Electronic and Electrical Engineering
- vi. Computer Science
- vii. Biological, Biomedical sciences, Chemistry and Physics
- viii. Natural Resources and Environmental Management
- ix. Arts and Humanities (specifically Social Science, African Studies and African Crafts)
- x. Economics and Business Studies (including Accountancy and Marketing)
- xi. Hotel Management
- xii. Construction, Architecture, Surveying and Planning

ARTICLE 6 SELECTION OF BENEFICIARIES

- i. The Trust shall advertise and call for applications on annual basis;
- ii. Universities and Polytechnics shall recommend applicants by submitting their completed internal documentation together with the Trust's due diligence forms to the Trustees for examination and assessment;
- iii. The Trust shall make its own analyses as it deems appropriate;
- iv. Trustees shall themselves make their final decision on selection of recipients in accordance with this constitution.

ARTICLE 7 DISBURSEMENT OF FUNDS

- i. All payments for recipients shall be made to the appropriate Universities and Polytechnics;
- ii. The administration of the Universities and Polytechnics shall retain all academic user fees of the students;
- iii. The administration of the Universities and Polytechnics shall pay living cost (rent, feeding, and other) direct to students on monthly basis;
- iv. All administrative transactions provided by Universities and Polytechnics shall be made on pro-bono basis;
- v. Universities and Polytechnics shall furnish all academic and accounting records on Scholars to the Trust on bi-annual basis.

ARTICLE 8 MEMBERSHIP

- i. The Trust shall embrace
 - a) Ghanaian Oxford University alumni.
 - b) Ghanaian Lloyd African and Norman & Ivy Lloyd Scholars of Linacre College at University of Oxford in particular.
 - c) Scholars of TEST for Ghana
 - d) Donors

ARTICLE 9 SECRETARIAT

- i. The Secretariat of the Trust shall be located in Accra
- ii. Contact addresses are as below:
Number 4 Giffard Road
37 Military Hospital
Accra, Ghana

ARTICLE 10 ORGANS

- i. There shall be a General Assembly which shall be the highest decision making body of the Trust that meets annually, to prepare work programmes and financial reports, and shall be composed of:
 - a) Board of Trustees
 - b) Advisory Board
 - c) Others Members

ARTICLE 11 RESPONSIBILITIES OF GENERAL ASSEMBLY

- i. The Chairman of Board of Trustees or in his absence, the Vice Chairman shall preside over all meetings;
- ii. In the absence of the Chairman and his Vice at a properly convened meeting, the other members present shall appoint one of their members to occupy the Chair and preside over the meeting;
- iii. In the absence of the Chairman and his Vice there shall be no executive meeting

ARTICLE 12 BOARD OF TRUSTEES

- i. The Trust shall be run by Board of Trustees, hereinafter called " Trustees"
- ii. The Trustees shall comprise six (6) members, plus a Chairman, whose membership shall be elected in accordance with the nomination and direction of the Donors, and shall include at least three women. Moreover, such composition shall be geographically balanced between north and south Ghana;
- iii. The Trustees shall comprise The Chairman, The Vice-Chairman, The Secretary, and Members. The Chairman shall preside over meetings of General Assembly;
- iv. The Chairman shall be an eminent Ghanaian Oxford University graduate;
- v. All such Trustees shall be Ghanaian;

- vi. Three of the Trustees shall be Ghana resident Linacre College, Oxford University alumni;
- vii. In the event of more than three such alumni, the Chairman shall decide on which persons to appoint as Trustees from the pool;
- viii. The Chairman and the Trustees shall hold office for a period of 3 years and may be re-elected thereafter for successive 3 year periods;
- ix. All Trustees shall work on a pro-bono basis.

ARTICLE 13 RESPONSIBILITIES OF BOARD OF TRUSTEES

- i. The Trustees shall act as the governing body and shall see to all matters relating to the Trust in general;
- ii. Decisions on allocation of funds and selection of applicants shall be left to the discretion of the Trustees in accordance with the stated Aims and Objectives of TEST for Ghana;
- iii. The Trustees shall ensure that the Trust's accounts are audited annually by a certified audit firm and request the auditors to present the audited accounts to the General Assembly annually;
- iv. The Trustees shall cause the annual budget to be presented by the General Assembly at the end of the year for approval;
- v. The Trustees shall ensure that each Scholar is provided with a moral mentor and employment counseling programmes;
- vi. The Trustees shall keep minutes, records and reports of the Trust;
- vii. The Trustees shall liaise between the Trust and other collaborating agencies;
- viii. The Chairman of Trustees in consultation with the Donors shall appoint the Advisory Board of the Trust;
- ix. The Trustees shall appoint other ad hoc committees as and when the need arises;
- x. The Trustees shall meet on an as required basis, but at least once every quarter
- xi. The Trustees shall ensure transparency in running of the Trust by preparing an Annual Report;
- xii. The Annual Report should be completed a month after the General Meeting;
- xiii. The Annual Report will be distribution to the all stakeholders especially Ministry of Education, Universities and Polytechnics, National Union of Ghana Students (NUGS), Donors and The Press (newspapers and radio/television)
- xiv. Do any other lawful thing that is necessary and desirable for the achievement of the Aims and Objectives

ARTICLE 14 ADVISORY BOARD

- i. The Trust shall have an Advisory Board composed of at least seven (7) members hereinafter called " Advisory Board"
- ii. The Advisory Board shall comprise two members of the Lloyd family or their nominees, two Norman & Ivy Lloyd Scholars, and three prominent Ghanaian businessmen and women;
- iii. The Advisory Board shall aim to have gender neutrality;
- iv. The Advisory Board shall meet twice annually (once following selection of Scholars, the other at the time of publication of the Annual Report.
- v. All Advisory Board members shall work on a pro-bono basis

ARTICLE 15 RESPONSIBILITIES OF ADVISORY BOARD

- i. Shall have an advisory role over all activities undertaken by the Trust

ARTICLE 16 THE SECRETARY

- i. Shall be responsible for the general administration of the Secretariat
- ii. Convene meetings in Consultation with the Chairman
- iii. Record minutes of meetings
- iv. Circulate notices and minutes of meetings
- v. Prepare reports and perform any other duties normally performed by a Secretary
- vi. Should be a volunteer with limited compensation, if deemed necessary by the Trustees

ARTICLE 17 ACCOUNTANT

- i. Shall be responsible for all finances of the Trust
- ii. Shall ensure proper books of accounts to be kept, prepared and submit comprehensive financial report to General meetings
- iii. Shall perform any other duties that are normally performed by a treasurer
- iv. Shall work in absentia and on a pro-bono basis.

ARTICLE 18 TRUST LAWYER

- i. Shall be responsible for all legal matters of the Trust
- ii. Shall report legal issues to General meetings
- iii. Shall perform any other duties that are normally performed by a lawyer
- iv. Shall work in absentia and on a pro-bono basis.

ARTICLE 19 REMOVAL

- i. A member of the Trust or Associate shall be removed from office on the grounds of misconduct, impropriety, inactivity, or any behaviour/conduct which is likely to put the Trust into disrepute;

ARTICLE 20 WITHDRAWAL OF GRANT

The Trustees shall terminate the award of a student on the grounds of:

- i. Poor academic performance;
- ii. indiscipline

ARTICLE 21 MEETINGS AND QUORUM

- i. Board of Trustees
 - a) shall meet once every quarter
- ii. Board of Advisors
 - a) shall meet bi-annual
- iii. General Assembly
 - a) Once a year
- iv. Emergency meeting shall be called at the instance of the Chairman of Trustees
- v. The Trust shall organize meetings for alumni association of past Scholars
- vi. The quorum for these meetings shall be one-third of the members
- vii. Decisions must be made by a majority of the Trustees present and voting on the question. The Chairman shall have the casting vote whether or not he or she has already voted previously on the same question but no Trustee in any other circumstances shall have more than one vote.

ARTICLE 22 BANKERS

- i. The bankers of the Trust shall be the ECOBANK Ghana Limited and any other Banks deemed appropriate by the Trustees
- ii. All payments made by the Trust shall be authorized the signatures of all three of the following persons:
 - a) Chairman of Trustees or in his absence, the Vice-Chairman
 - b) The Accountant
 - c) One other Trustee.

ARTICLE 23 AMENDMENTS TO THE CONSTITUTION

- i. Notice of a proposed amendment to this Constitution shall be given in writing, signed by the proposer and at least three (3) of the Trustees as

seconders. The notice should reach the Secretariat 21 days before the commencement of a General Assembly

- ii. Amendment to the Constitution shall be supported by two thirds of all members of the General Assembly
- iii. Any validly agreed amendment to the Constitution shall come into force 30 days after the end of the General Assembly;
- iv. Any validly agreed amendment to the Constitution shall be registered and communicated to all members of the Trust by the Secretariat.