CDMD
Cambodian Development Mission for Disability

STATUTES

Address: Wat Sarawoan, st.178, Norodom. Blvd
Daun Penh, Phnom Penh
Cambodia

Revised and adopted by CDMD's board on the 2nd September 2006
Preamble

Cambodia is a country with a high numbers of people with disabilities. However, to date there has not been any satisfactory study to provide accurate figures of people with disabilities in Cambodia. The United Nation (1997) estimates approximately 1.4 million or 15 percent of total population having disabilities. But using international averages of WHO is more than 10 percent of total population having disabilities.

As consequences of chronic war for more than two decades in Cambodia contributes the country to poverty and disability. Most of people with disability are among the poorest of the poor, women and children with disability are among the most vulnerable. Their standard of living falls far below the poverty line and capacity for participating in economic activities can be limited by disability. People with disabilities are limited access to basic social services such as: health, education, skills/vocational training, job placement, and income generation opportunity etc. People with disabilities face social and economic marginalization, discrimination and have very limited access to resources.

Poverty and disability in Cambodia are directly linked, poverty cause disability. Many disabled children do not attend school. Restricting the full participation and equality of people with disabilities is prevalence of perceptions and practices that prevent them from functioning as full members of society.

In order to contribute in the development and rehabilitation of people with disabilities, other vulnerable people, their family and community; Community Based Rehabilitation Programme (CBR) was developed as a strategy for poverty alleviation working with people with disabilities, which run by Maryknoll International started in 1993 until 2000. CBR programmme was handed over to Caritas Cambodia organization started from 2001 until 2006.

The basis of the request of CBR staffs that think we are already to manage and responsible the work and being Cambodian we also need independent and self-reliance. Therefore, the several meeting was made for discussion and Caritas Cambodia decided to allow the CBR programme to be a local NGO on the 20th of April 2006, and it will be became a local NGO from January, 2007.

Phnom Penh
April, 2006
Chapter I

Name, Logo, Official address, Background of Organization

Article 1:
The name of this organization is ក្រុម អភិធនិកជីវវិចិត្រណាស់ការពេ សហគមន៍ កម្ពុជា ក.ដ.ម.ដ which means Cambodian Development Mission for Disability and the organization’s acronym, is called CDMD.

Article 2:
The symbol of the CDMD is blue rectangle and inside the blue rectangle has blue oval that has the name of CDMD in Khmer above and English below in blue, acronym name in Khmer and English in green color located middle of oval. And other space of logo is filled by white color.

i. 4 sides of rectangle symbol means working with disability, we have to work with disabled person, family of disabled person, Community, and civil society.

ii. Oval symbol means solidarity and integrate disability in society.

iii. Blue color means development

iv. Green color means good environment with barriers free for disabled person.

v. White color means honestly, neatly.

vi. Size of logo with wide 3 and long 4 (3x4)

Article 3:
The official address of the organization is at Wat Sarawoan, street 178, Norodom Blvd. Daun Penh, Phnom Penh. Cambodia

Article 4:
CDMD is a non-political, non-profit, non-religious, Cambodian non-government organization devoted to furthering poverty alleviation through working with disabled and other vulnerable people, their family and community in term of development.

Article 5:
CDMD is a former Community Based Rehabilitation programme (CBR) of Maryknoll International cooperates with Christian Blind Mission International (CBMI) from 1993 – 2000. In 2001, Maryknoll handed over CBR project to Caritas Cambodia and in 2007 this project is localized to be a local NGO called CDMD.
Chapter II
Organization Characteristic

Article 6: The vision of CDMD is to ensure a society where people with disabilities live in peace with justice, dignity, and equal opportunities with prosperity and sustainable development.

Article 7: The mission of CDMD is to empower people with disabilities and other vulnerable people through providing quality and effective services towards socio-economic, political, cultural, educational inclusion for all.

Article 8: The goal of CDMD is to provide opportunity for people with disabilities and other vulnerable people to fully and equality participates in family, community, and society from free discrimination and barriers that enable them to actively contribute to the development.

Chapter III
Source and Funds Management

Article 9: The source of funds for the organization may consist of grants, donations, contributions, gifts, bequest and other transfers from individuals, organizations, government and non-government bodies local, national and international or any other legal source. Additional sources of income may include: income from client contributions, training courses, income generation projects, publication, and sale of assets or other activities.

Article 10: Management of funds will be under the responsibility of Executive Director with the supervision of board.

Article 11: All funds or budget given to the CDMD organization will go into the bank account and be under the control of the Executive Director and Finance/Administration Coordinator.
Article 12:
Every fund withdrawal from the bank needs to be signed by two of three named signatories. The signatories are to be identified at a full board meeting.

Article 13:
The quarterly, annual financial report will be under taken by Executive Director with the approval from board before sending to donors and other stakeholders.

Article 14:
The fiscal period of CDMD will be from 1 January to 31 December. It can be changed depending on the need of the organization and donor. External audit will be conducted every year.

Article 15:
All funds of CDMD shall be the organization's property and no staff or board member shall misuse the same. All funds shall be used for its intended purposes that will bring maximum benefit to the intended beneficiaries. The funds of the organization shall be deposited in a stable and reputable bank and cash vaults or location. Appropriate internal controls, procedures and policies will be in place to safeguard from any form of loss or misuse. Financial systems, documents records and reports shall be prepared and maintained for the organization.

Chapter IV
Organizational Structure

Article 16:
The organizational management system of CDMD exists:
1. Governing Board
2. Executive Director
3. Management Committee (Role, Responsibility, and membership will be defined in term of references).
4. Staff

Article 17:
The organizational structure of CDMD (appendix 1)
Chapter V
Governing Board

Article 18:
The governing Board comprises a group of selected volunteers with responsibility for legal representation of the organization. The Governing Board is responsible for governance and provides strategic direction, develop policies, and guide organization. The board is accountable to donors and the Royal Government of Cambodia.

18.1 – The board is composed of 5 members from government and non-government organizations, academic institutions and private sectors. The majority of the board would be Cambodian national. People with disabilities and women are encouraged to be selected.

18.2 – The candidate for board may be nominated by any member of the Management Committee, or by current voting members of the board. The candidate will be presented to the board for approval by the quorum of two-thirds of the current board members.

18.3 – The board members must meet most of the following knowledge and experiences:
- Strong managerial skills
- Institution development and networking
- Policy development
- Programme planning, controlling and monitoring
- Personal availability to devote time and energy.
- Interest in working with people with disability and vulnerable people.
- Resident of Cambodia
- Reputable person

18.4 – Mandate: The board members mandate is 3 years. The selected 5 board members will serve for 3 years and board member replacement should be made in different time. The board members may seek re-selection for a maximum of 2 consecutive terms.

Article 19:
The officers of the governing board will be Chairperson, Vice-chairperson, and Treasurer. The Governing board will vote for these positions.
19.1 – Duties and responsibilities of Chairperson
- Develop agenda with Executive Director for board meeting.
- Seek full participation of all board members.
- Organize and facilitate the meeting, lead in making decisions to reach mission and goals of CDMD.
- Represent CDMD in public relations.
- Follow up and ensure board decisions are implemented.
- Signatory for board documents and other CDMD official documents.
- Liaison between board and Executive Director.
- Lead the recruitment, appointment, termination, supervision, and performance evaluation of the Executive Director.
- Performing mediation and conflicts resolution.
- Delegate powers and tasks to Vice-chairperson.

19.2 – Duties and responsibilities of Vice - chairperson
- Replace Chairperson when s/he is absence.
- Work closely with chairperson.
- Attend the board meeting regularly.
- Acting-chairperson has the powers and duties the same as Chairperson.

19.3 – Duties and responsibilities of Treasurer
- Oversee the accounts and ensure that there are proper systems for budgeting, financial control and reporting.
- Reviews and evaluates the annual budget with a recommendation to the full board.
- Monitors budget implementation and financial procedures, and review quarterly financial report.
- Ensure that auditors are appointed, discuss with auditor any problems found, and recommend solutions and present to the board.
- Ensure that all payments to staff comply with the requirements for deducting income tax.
- Accountability for financial management of CDMD.

19.4 – Termination
The board member may be asked to resign if they behave in away that are not the organization interest, involvement in criminal acts, and absence from three consecutive meeting without a valid reason. Majority vote of board members may remove them.
Article 20: Executive Director
20.1 – The Executive Director who implements the policy of the organization and carries out the board’s directives is appointed by and is responsible to the Governing Board. Executive Director may participate in the board meetings but cannot vote when decisions are made.

20.2 – The Executive Director recruits, appoints and dismisses staff following the procedures laid down in internal regulation.

20.3 – Duties and responsibilities of Executive Director
  • Turn the mission and goals of CDMD into a reality.
  • Facilitate the Management Committee and provides direction for programme operations.
  • Facilitate the Management Committee in decisions making.
  • Develops organizational policy in conjunction with the Management Committee and Governing Board as appropriate.
  • Ensure effective financial monitoring and accountability concerning expenditure of funds.
  • Assists the Management Committee member in personnel management.
  • Support management Committee member in programming aspects.
  • Represent the organization to programme donors and other stakeholders.
  • Manage programme advisory and consultancy support.
  • Attend board meetings as required and act as the secretary of the Governing Board, except for secret meeting.

Chapter VI

Meeting

Article 21:
The governing board shall hold quarterly meetings, on a designated place and day to be coordinated by the chairperson. The meeting of board with all staffs of CDMD will be conducted at least one a year.

Article 22:
In case of emergency, the board may hold a special meeting called upon by the Chairperson or Executive Director.
Article 23:
A quorum of 50% + 1 (fifty percent plus one) of current board member is required to run a valid meeting. Decisions shall be taken by a simple majority vote.

Article 24:
If required, the board meeting may be closed to deal with confidential issues. Meetings may exclude a board member in case wherein the issues to be discussed concerns that member.

Chapter VII
Additional Provision

Article 25:
CDMD will adhere to all provisions of the labor law in its transactions with the employees.

Article 26: Language
Both the Khmer and English language versions of these statutes are equal in value. In case of dispute the Khmer version will be prevailed.

Article 27: Amendments
These statutes may be amended by the Governing Board upon concurrent of at least two third of the members.

Article 28:
These statutes shall take effect from 1st January 2007 and will be binding until the organization is declared dissolved.

Article 29: Dissolution
CDMD organization can be dissolved any time if necessary. All assets will be transferred prior to dissolution in consultation with donors. Both cases will need approval of the board to any like-minded organizations.
CERTIFICATION

These Statutes was approved and promulgated by the following members of Cambodian Development Mission for Disability's Governing Board:

1. Mr. Nuth Sam Ol (Chairperson)
2. Mr. Ngy San (Vice-chairperson)
3. Mr. Hort Seila (Treasurer)
4. Mr. Kong Vichetra (Member)
5. Mr. Phon Yut Sakara (Member)

Have seen and approval by:

[Signature]

Mr. Nuth Sam Ol
Chairperson of Board

Date: 13th September 2006