

**MALAWI LIBRARY AND INFORMATION  
CONSORTIUM**

# Constitution

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**MAY, 2015**

# **THE MALAWI LIBRARY AND INFORMATION CONSORTIUM CONSTITUTION**

## **Article I. Preamble**

- Section 1      The name of this organization shall be the Malawi Library and Information Consortium. The acronym MALICO shall be used to denote the consortium.
- Section 2      The Consortium combines its skills and resources intended to serve the scholarly and research communities of the member libraries and the global community. The consortium participates fully in the acquisition and delivery of relevant electronic resources. It offers leadership for library cooperation, training and development, mechanisms for improved access to information and a capacity for members to respond to the information needs of the country.
- Section 3      The status of the Consortium will be that of an unincorporated body with institutional based membership. This consortium is an information network having a formal organization and communication capability to serve the scholarly and research communities of the member libraries.

## **Article II. Purposes & Mandates**

- Section 4.      The purposes of this consortium shall be to:
- a.      Encourage national, regional and international cooperation among information stakeholders
  - b.      Influence information policy at the national level
  - c.      Work for adequate ICT infrastructure for members, especially sufficient internet bandwidth
  - d.      Assist in the development of appropriate ICT skills at all levels
  - e.      Facilitate access to electronic information resources in international databases through cooperative and coordinated purchasing
  - f.      Organise and digitise Malawian content
  - g.      Provide information consultancy
- Section 5      In pursuit of its mandate the consortium shall:
- a.      Carry out research studies, projects, consultancies and programmes leading to the availability and access of resources and services.
  - b.      Support the implementation of information systems and services that will enhance cooperation among the member institutions.

## **Article III. Membership**

- Section 6      Membership is open to all organizations in Malawi. Those interested in applying for membership should contact the Secretariat of the Consortium. Membership will include Public and Private Universities, Financial Institutions, National Library Services, Education Institutions, Research Institutes, Vocational Training Institutions, National Archives, and Science and Technology Institutions.

- Section 7 Membership to the Consortium will be based on membership agreement to be determined by the Executive from time to time.
- Section 8 Membership shall be on annual basis upon payment of an agreed annual membership fee.

#### **Article IV. Contributions**

- Section 9 Contributions, grants, or gifts may be accepted by the Consortium for the advancement of the purposes of the Consortium as set forth in Article II of this Constitution.
- Section 10 All funds received shall be deposited in the MALICO Account and shall be used upon authorisation of at least two signatories of the MALICO Executive
- Section 11 Members shall contribute an annual membership fee as determined by the Consortium at an Annual General Meeting
- Section 12 Members shall contribute a fee for access to electronic resources as set out in the Cost Sharing Model devised by the Consortium.
- Section 13 Contribution towards access to e-resources shall be made by the date set out by the executive
- Section 14 Use of electronic resources shall be upon payment of the contribution fee set out in Section 13.

#### **Article V. Administration**

- Section 15 The consortium shall have a Board of Trustees
- a. The Board of Trustees shall be drawn from the founding member institutions comprising:
  - b. The Board of Trustees shall play an advisory role
- Section 16 The administration of the affairs of the Consortium shall be vested in the MALICO Executive which is empowered to take whatever actions deemed necessary to accomplish the purpose of the consortium.
- Section 17 The MALICO Executive Committee members shall have the authority to act on behalf of the Board of Trustees in order to conduct the ongoing business of the Consortium.
- Section 18 MALICO Executive shall:
- a. Manage and control the affairs of the Consortium

- b. Approve all planning, funding, development programs, grant proposals, projects, joint ventures, workshops, seminars, and networking capabilities by the Consortium.
- c. Initiate consortium ratifications for any action requiring such high level approval
- d. And assess the effectiveness of the Consortium regularly through compilation of statistics, administration of surveys, or other convenient means of assessment.

Section 19 The MALICO Executive shall be drawn from the institutional membership and include:

- a. The Chairperson
- b. The Vice Chairperson
- c. The Treasurer
- d. The Secretary and
- e. Ex-officio members

Section 20 The ex-officio members will be drawn from the following:

- a. The EIFL Country Co-ordinator
- b. The Malawi Library Association President
- c. Chairpersons of the MALICO Working Groups

Section 21 Working Groups

- a. The Consortium shall have working groups to serve various technical purposes.
- b. The Working Groups shall be constituted by the MALICO Executive in liaison with the consortium members.
- c. The working groups shall be chaired by persons elected by the MALICO Executive.

## **Article VI. Meetings**

Section 22 The MALICO Executive as well as the Working Groups shall hold at least 4 meetings in a financial year in order to carry on the business of the Consortium.

Section 23 Meetings of the Executive Committee as well as the Working Groups shall be scheduled by the Chairperson in consultation with the other members. The members will be notified of time, place, and nature of the business to be transacted not less than Seven (7) days prior to the date of a meeting.

Section 24 Additional meetings of the Executive Committee or working groups shall be called at the discretion of the Chairperson

Section 25 Unless a member of the Executive Committee makes an objection to the Chairperson, the business of the Executive Committee may be transacted by mail, telephone, or electronic communications.

Section 26 The Consortium shall hold an Annual General Meeting in every financial year to brief members on the business of the Consortium.

### **Article VII. Voting**

Section 27 Each member institution shall be entitled to one vote. The person representing the member institution shall cast the vote for the institution.

Section 28 A quorum required for the Executive Committee meetings or Annual General meetings shall be a majority of two-thirds (2/3) of the members.

Section 29 Ex-officio members shall not be allowed to vote

Section 30 A majority votes at a meeting of the MALICO Executive shall be binding upon the Consortium subject to such conditions and exceptions as are provided elsewhere in the Constitution.

### **Article VIII. Elections**

Section 31 Offices of the Chairperson, Vice Chairperson, Secretary and Treasurer shall be elected during the Annual General Meeting through a secret ballot

Section 32 Tenure of Office

- a. The term of office for the elected positions as well as the working groups shall be three (3) years.
- b. Officers may not serve in one office for more than 2 successive terms.
- c. Elected officers as well as members of the working groups shall take office at the end of the financial year.

### **Article IX. Amendments**

Section 33 The Constitution may be amended by a two-thirds majority vote of the member institutions at any General Meeting of the Consortium , provided that written notice of any proposed change or the substance thereof be sent to the entire membership not less than thirty (30) days prior to the date of this meeting.

## OPERATIONAL PROCEDURES

### Article I. Special Operational Procedures

- Section 1 Procedures may be adopted, amended, suspended, or rescinded by a majority vote of the entire MALICO Executive after 30 days notice.
- Section 2 The MALICO Executive shall have sole authority to appoint committees, working groups or task forces it deems necessary for the furtherance of the consortium purposes. The charge and make-up of any committee, working group or task force will be at the discretion of the MALICO Executive.
- Section 3 The MALICO Executive shall support the creation of working groups as a means of executing its functions to serve the interests of the member institutions
- Section 4 Chairpersons of all committees, task forces, and working groups shall be appointed by the MALICO Executive at the time of their establishment
- Section 5 The responsibilities of the MALICO Executive shall be as follows.
- a. The Chairperson shall:
    - i. have power to call a meeting of the Executive Committee
    - ii. preside over all meetings of the Executive Committee
    - iii. create the agenda for all meetings of the Executive Committee after seeking appropriate input from the participants
    - iv. keep members informed of all matters relative to the organizations operation
  - b. The Vice-Chairperson shall:
    - i. preside over a meeting of the Executive Committee in the absence of the Chairperson
    - ii. immediately assume, as Chairperson Elect, the responsibilities of the office of Chairperson in the event of a vacancy
  - c. The Secretary shall:
    - i. record the minutes of all meetings of the Executive Committee,
    - ii. distribute minutes to all Executive members within two weeks following any meeting,
    - iii. collect and distribute any institutional reports presented at the meetings of the consortium
    - iv. send reports to the website administrator for posting on the web after approval
    - v. issue notices of upcoming meetings in consultation with the Chairperson
    - vi. maintain the official list of member institutions and provide this to the website administrator

vii. maintain a list and membership of all working groups and committees

d. The Treasurer shall:

- i. make arrangements with the accounts department in his/her institution to act as the Consortium's financial agent for bank deposits and payments.
- ii. prepare financial reports of MALICO accounts for distribution at the annual and Executive meetings
- iii. Arrange for the annual audit of the organizations accounting books

## **Article II. Agreement on Resource Sharing**

Section 1 To aid member institutions to meet their demands for electronic information resources, the Consortium shall establish agreements and takes other initiatives for the advancement of access to resources among member institutions.

Section 2 Agreements

- a. Every member institution of the Consortium agrees to pay the required subscription as stipulated in the Cost Sharing model in order to access e-resources through MALICO
- b. Every member institution of the Consortium agrees to be disconnected if payment of subscription is not honoured
- c. Every member institution of the consortium agrees to the ethical use of e-resources by authorised users.
- d. Member institutions shall participate in National projects intended for the development of library technology and resources.
- e. E-resources restricted by licensing shall be made available only to other bonafide MALICO members who have paid the subscription.
- f. All photocopying or printing of e-resources for the purpose of resource sharing between the member institutions shall follow the legal requirements of copyright law.

Section 3 Affirmative Action

No person, will be excluded from participation in or be denied benefits of, or otherwise be subjected to discrimination of any form unless they are not paid up members.

Section 4 Disclaimer

Member institutions and their personnel shall be responsible for any liability from claims, damages and actions of any nature arising from negligence on the use of e-resources. Membership to MALICO shall not be used by institutions to avoid responsibility for providing their own adequate and accessible library resources and services.