



THE CONSTITUTION

KENYATTA UNIVERSITY
BALITI STUDENT
ASSOCIATION.
(KUBSA)

PART1: THE ASSOCIATION

The group hereafter referred to as the student association shall be known as Kenyatta University Baliti Students Association and shall be abbreviated as KUBSA

ARTICLE 1

OBJECTIVES OF THE ASSOCIATION.

1. Work to develop unity and understanding among students from Marsabit County
2. Enhance dissemination of relevant information
3. Promote good governance
4. Promote education standard of mentioned places
5. Promote culture
6. Strategic partnership with relevant partners in terms of development issues.
7. Promote peaceful co-existence.

ARTICLE 2

VISION, MISSION AND VALUE OF ASSOCIATION

1. VISION

To be an agent of transformation

2. MISSION

To create public awareness on rights to quality service, good leadership and fair play in the society through dissemination of such information

3. VALUE

Participation, vigilance, transparency, integrity and unity.

ARTICLE 3

QUALIFICATION FOR MEMBERSHIP

ELIGIBILITY

Any person shall be eligible or a member of the association provided he/she;

- a) Is a student from Kenyatta University
- b) Is of sound mind
- c) Has moral integrity
- d) Proven to be personally committed to works and objectives of the association
- e) Hails from Marsabit County

PROCEDURE AND RULES FOR RECRUITMENT

The Executive Committee (EC) shall have the power to develop procedures and rules for membership of the group including provisions relating to membership fees. Subscription duties and obligation and termination of memberships.

DISQUALIFICATION

2. Prospective or incumbent member of the group may be disqualified from the group on any of the following grounds. THAT:

- (a) he/she is of unsound mind a unable to perform owing to illness a injuries sustained.
- (b) he/she has failed to attend three consecutive meeting of the group without any written permission from the chairperson and the secretary or without any reasonable cause
- (c) he/she has repeatedly violated the constitution and or and regulation of the group
- (d) he/she no longer commits to the spirit and objectives of the group.

PART II: RIGHTS AND DUTIES OF MEMBERS

ARTICLE 4

RIGHT OF MEMBERS

- 1. All members should have the right to :-
 - a) Vote when so required
 - b) Participate in decision making of the group
 - c) Access information related to the affairs of the group.
 - d) Undertake any duties that promote interest of the group.
 - e) Inspect and led books of A/C after reasonable notice of the secretary.

DUTIES OF MEMBERS

- 2. All member shall have the duty to:-
 - a) Respect and adhere to the constitution rule and regulation of the group.
 - b) Attend and participate at the meeting of associate
 - c) Respect the rights or opinions of the other members
 - d) Preserve and maintain any property of the group which may be entrusted to him or her.
 - e) Participate in all activities aimed at promoting interests and objectives of the group.
 - f) Protect or promote the integrity of the group.

PART III: POWER AND FUNCTION OF THE ORGANS OF THE GROUP

ARTICLE 5

ORGANS OF THE ASSOCIATION

1. The associate shall compile the following organs
 - a) The annual general meeting (AGM)
 - b) The executive committee
 - c) Advisory committee

ESTABLISHMENT OF THE FURTHER ORGANS

- ✓ The AGM may from time to time establish other organs as may be necessary.

ARTICLE 6

THE ANNUAL GENERAL MEETING CONSTITUTES OF THE AGM

- ✓ The AGM shall be constituted by at least 2/3 of membership of the group
- ✓ The AGM shall meet at least once every calendar year or within 3 months of the close of the fixed year of the group

AUTHORITY AND FUNCTION OF THE AGM

1. The AGM shall be the supreme authority of the group
2. The AGM shall among others have power to:-
 - a) Make important decisions that it may deem desirable for the promotion objectives of the group.
 - b) Terminate the membership of the group
 - c) Approve audited A/C and financial and technical reports as well as estimate and work program presented to it.
 - d) Effect any necessary amendments to provision of the constitution
 - e) Approve the appointment of the association auditor.
 - f) Dissolution of the association
 - g) Approve rules and regulation made by executive committee pursuant to be enabling provision of this constitution.
 - h) Establish such other organs as it deems for furtherance of the objectives of the group

ARTICLE 7

THE EXECUTIVE COMMITTEE (EC)

CONSTITUTION OF EC

- ❖ There shall be an EC which is the highest policy making body responsible for the management of the affairs of the group.
- ❖ The EC shall be comprised of the chairperson, deputy chairperson, secretary general, treasurer, organizing secretary and deputy organizing secretary

ELECTION TO THE EC

- I. Members of the EC shall be elected at the AGM for term of one year commencing on the date of such election.
- II. A serving member of the EC is eligible for election after expiry of his/her office for one year.
- III. The chairperson of the group shall announce the functions of the leading EC

MEETING OF EC

- ❖ The EC shall meet at least once in every month
- ❖ The quorum of the EC shall be 5 members present in person. These shall include the chairperson or any other person duly appointed by the present EC members to act on his/her behalf.

FUNCTION OF THE EC

- ❖ The function of the EC shall include the following
 - a) To give directions to and supervise activities initiated by the association
 - b) To report to AGM on the operations of the association
 - c) To set policies and management guideline for approval by members
 - d) To initiate such activities as will promote objectives of the association
 - e) Amendments or adjustment to constitution and rules and regulations
 - f) Approval of all financial transaction of the associations as per the AGM
 - g) Approval of the acquisition and disposal of assets of the association.

RESIGNATION FROM EC

- Any member of EC may at any time resign from EC with or without giving a reason by giving a thirty day notice to the secretary general
- Such notice shall take the effects upon acceptance by a simple majority of the EC members.

ARTICLE 8

THE TECHNICAL COMMITTEES

ESTABLISHMENT OF THE TECHNICAL COMMITTEES

- The EC may at any time appoint some of its members or co-opt members of the group or other professional non members to carry out certain technical tasks
- The power to liaise with and supervise a technical committee shall be vested in the secretary general of the group

PART IV: OFFICE BEARERS OF THE GROUP

ARTICLE 9

THE CHAIRPERSON

- ❖ The chairperson of the group shall among others:-
 - a) Preside over the meeting of the association and the EC
 - b) Represent and act on behalf of the association.
 - c) Act as spoke person of the association in any forum to which he or she is invited.
 - d) Be a signatory to the account of the association.
 - e) Give overall direction to the association.
 - f) Do all activities related to efficient and effective running of the association.

THE DEPUTY CHAIRPERSON

The deputy chairperson of the group shall, in the absence of the chairperson, perform all duties and exercise such powers as are entrusted to the chairperson by the constitution.

THE FINANCE SECRETARY

The treasurer of the group shall:-

- a) Be a signatory to the bank account(s) of the group.
- b) Ensure that financial records of the group are properly maintained and periodically updated.
- c) Ensure sound financial management of the group.
- d) Supervise financial transactions and keeping of the financial records of the group
- e) Provide audited account and report on financial statement of the group at the AGM..
- f) Supervise safe custody of the assets of the group
- g) Assist the secretary general in writing proposal and budget of the group

THE SECRETARY GENERAL

The secretary general of the group shall:-

- a) Keep a full update of the of the group including registers of members, which shall be open for inspection by any member.
- b) Take and keep minutes of meeting of the EC and of group membership including AGM.
- c) Be responsible for correspondence between members of EC and the AGM and between the group and other organizations, agencies and individuals.
- d) Be accountable for preservation and dissemination of minutes of EC and AGM.
- e) Arrange and call out for meeting to the EC and AGM as required by this constitution.
- f) Send out notices of the meeting to the EC and AGM as required by this constitution.
- g) Take diligent care of the assets of the group.

THE ORGANIZING SECRETARY

The organizing secretary of the group shall:-

- a) Ensure that the venues for group meeting are orderly
- b) Liaise with the secretary general in sending out notices of the meetings to the EC and AGM as required by this constitution
- c) Take diligent care of the asset of the group
- d) Ensure proper co-ordination of the group's activities in consultation with other EC members
- e) Liaise with secretary general in ensuring smooth flow of information within the group and between the group and other working partners

PUBLIC RELATION OFFICER

The public relation officer of the group shall among others:

- a) Ensure sound relation among the members and between the group and other public organizations.
- b) Promote and upkeep the spirit and objectives of the group.
- c) Create good public image of the group.

REGION REPRESENTATIVES

Regional representatives of the association shall among others;

- a) Act as a link between association and members from his/her region.

ARTICLE 10

REMOVAL OF MEMBERS OF THE EC

MODE OF REMOVAL

- ✓ Members of the group may at any time, by a 2/3 resolution of members present and voting remove any member(s) of the EC from office
- ✓ The members may remove a member of the EC on any of the following grounds
 - a) Inability, incompetence or gross-misconduct
 - b) Insanity
 - c) Misappropriation or embezzlement of funds of the group
 - d) Failure to attend 3 consecutive meetings of EC without written permission from the chairperson or any other person acting in that capacity on his\her behalf, or without any reasonable and justifiable cause.
 - e) Acting contrary to the provision of the constitution and/or rules and regulation of the group
 - f) Failure to contribute agreed contributions in cash or kind
 - g) Undermines group efforts
- ✓ A member may also be removed from office provided he/she, on his or her own volition, tenders a written resignation notice to the secretary general, provided such notice is approved by EC

CONSEQUENCES OF REMOVAL FROM OFFICE

- ✓ On removal from office, a member shall cease to act as a member of the EC and hold any office of the group unless he/she is reinstated on appeal to the special extra ordinary meeting
- ✓ Removal from office does not in any way affect such persons membership of the group unless the grounds of the removal overwhelmingly warrants the same

RIGHT TO APPEAL

- ✓ Any member aggrieved by decisions of the members to remove him/her from office may appeal to a special extra ordinary meeting called for that purpose.
- ✓ He/she appeals to the executive committee and the patron of the association in one month from the day of removal.

PART V: CONDUCT OF MEETINGS OF THE GROUP

ARTICLE 11

EC MEETINGS

- ❖ The EC shall meet monthly to review the activities of the group and monitor its performance in implementing the agenda of the group

- ❖ The EC may meet for dispatch of business adjourned or otherwise regulate its meeting as it deems desirable from time to time.

ARTICLE 12

CALL OF MEETINGS

NORMAL MEETINGS

- ❖ All normal meetings of EC shall be summoned by secretary general in consultation with the chairperson.
- ❖ Summons shall be by a 15 days notice accompanied by the proposed agenda and minute of previous meeting

REQUISITIONED MEETING

- ❖ A member of the EC may, on approval of at least two members of the EC, give notice to the secretary general requisitioning a meeting. The secretary shall give on 21 day notice upon members of the EC accompanied by proposed agenda.

EMERGENCY MEETING

The secretary general in consultation with the chairperson or any other member of the EC , may call for an emergency meeting to address an urgent issue. In this case, a 7 day notice issue, accompanied by, where possible, the proposed agenda

ARTICLE 13

GENERAL MEETINGS

General meetings generally

- ❖ The group shall each year hold a general meeting in addition to any other meeting that may be convened in that year.
- ❖ The secretary general shall give ample notice of such meeting, specifying the venue and proposed agenda.

THE ANNUAL GENERAL MEETING

- ❖ The group shall hold an annual general meeting, which shall be an assembly of all members of the group
- ❖ Not more than 15 months shall elapse between the date of the AGM and the next
- ❖ The AGM shall be held at such time and place as the EC shall determine

THE EXTRA ORDINARY GENERAL MEETING

- ❖ The EC may, whenever it deems fit or necessary convene an extra-ordinary general meeting

- ❖ On the requisition of 1/3 of the membership, the EC may convene an extra-ordinary general meeting, provided such requisition must state the objects of the meeting and must be signed by requisition and deposited with secretary general
- ❖ Upon deposit of requisition the secretary general, shall proceed to give at least 14 days notices to the member, accompanied by the requisitioned agenda signed by the requisitioner

NOTICE OF GENERAL MEETING

- ❖ At least 30 days notice, specifying the place, date and time of the meeting, shall always be issued upon the members entitled to attend and vote at the meetings provided that any accidental omission to give notices or non-receipt of notices of a general meeting by any person to receive such notice shall invalidate the proceedings of that meeting

PROCEEDINGS OF GENERAL MEETINGS

- ❖ Unless otherwise expressing stated in this constitution, the quorum for any general meeting shall be 1/3 of the members present.
- ❖ If within an hour from the time appointed for the meeting no quorum for the meeting available the chairperson shall reconvene the meeting at the same time and place on the seventh day from the date of such meeting.
- ❖ The meeting so reconvened under such clause 11 shall, if it so decides, proceeds to transact the business even if the requisite forum is absent.
- ❖ The chairperson may, in his/her absence, appoint any member present to act in his or her capacity to preside over the meeting.
- ❖ At any meeting the chairperson may with the consent of the members present, adjourn the meeting from time to time and from place to place.
- ❖ No business shall be transacted at any adjournment meeting other than the business left unfinished.

VOTING AT GENERAL MEETING

- ❖ At any general meeting, the members present shall have one(1) vote each on each issue to be voted upon, except in a case of a tie, where the chairperson is entitled to a casting vote
- ❖ If any matter touching personally on a member of the group comes before the meeting, the affected member shall refrain from voting and withdraw from any discussion in that respect
- ❖ Unless otherwise stated, voting shall be by secret ballot
- ❖ Voting shall be in person, not by proxy

PART VI: FINACIAL AND RELATED MATTERS

ARTICLE 14

1. The group shall derive it funding from:-
 - a) Any proceeds from income generating activities of the group, provided the same shall not portray the group as profit making entity
 - b) Grants and donations from national and international public bodies, private organization, individuals and inter-governmental agencies and such other legal sources as the EC or the AGM may from time to time deem fit.

VERIFICATION OF LEGALITY OF SOURCES

- a) The legality of the sources of any funds received by the club shall be verified by the secretary general in consultation with other members of EC

ARTICLE 15

RESOURCE UTILIZATION

- I. Funds and assets of shall be applied solely for the promotion of the objective of the group as set forth in this constitution.
- II. The Executive committee may form from time to time promulgate rules to govern the prudent utilization of the group's resources.

ARTICLE 16

CUSTODY OF THE BOOKS OF ACCOUNTS

- ✓ The books of accounts shall be kept at the registered office of the group and shall always be open for inspection during business hours by any member provided such member gives a seven day notice of the intention to inspect such books

INCOME AND EXPENDITURE ACCOUNTS

- ✓ The treasurer in consultation with the executive committee shall at every AGM produce and present a proper income and expenditure accounts for the period since the last fiscal year.
- ✓ The club will operate bank account and the office of chairperson, secretary general and finance secretary are the signatories.
- ✓ Finance secretary shall hold sum of Ksh 2000 at hand.

ARTICLE 17

AUDITING OF ACCOUNTS

NOMINATION OF (AN) AUDITOR(S)

- ✓ The EC shall nominate (an) independent auditor(s) to annually audit the accounts of the group provided such nomination is approved by the AGM.

DUTIES OF AUDITOR(S)

- ✓ The Auditor(s) shall report to AGM on the financial status of the group.
- ✓ The AGM is entitled to review such report as the auditor(s) shall submit to it and make its independent recommendations.

REMUNERATION OF THE AUDITOR(S)

- ✓ The remuneration of the Auditor(s) shall be fixed at the AGM except that the EC may fix the remuneration of any auditor(s) appointed to fill any casual vacancy.
- ✓ Members of the EC are entitled to inspect all audited and unaudited books of accounts and audit reports.

ARTICLE 18

AMENDMENT OF THIS CONSTITUTION

MODE OF AMENDMENT

- ❖ Any part of this constitution may be varied repeated or added to, provided;
 - a) A special general meeting is called for this purpose, and
 - b) The terms of such variance, repeal or addition(s) is circulated to the members of the board, together with a 30days notice of intention to convene such meetings

AMENDMENT OF THE AGM

1. The constitution shall then be amended by 2/3 majority votes of the members present at a special AGM convened for this particular purpose

ARTICLE 19

DISPUTE SETTLEMENT

Settlement of dispute generally:-

- ✓ Any dispute arising between the members of the group or between the group and other entities, in relation to the affairs of the group, shall be settled amicably

ABITRATION

- ✓ Where a dispute cannot be settled amicably, the club may, if it deems proper, appoint an arbitrator to determine the said dispute
- ✓ Any decision so passed by such arbitrator may be acceptable to the club to the extent that it conforms to the object or an interest of the club

ARTICLE 20

RULES, REGULATION AND OTHER RELATED INSTRUMENTS

- ✓ The EC may, subject to the provisions of this constitution, make such rules and regulation as may be deemed necessary for the promotion of the objectives of the club.
- ✓ Such rules and regulations and other related instruments shall only have effect upon approval by general meeting convened for that purpose.

ARTICLE 21

DISSOLUTION OF THE GROUP

RESOLUTION TO DISSOLVE

- ❖ A resolution to dissolve the club shall be deemed to have been passed if a 2/3 majority of the members of the AGM decide so, provided a thirty days notice of such proposal is given to the EC

NOTICE OF RESOLUTION

- ❖ Such notice of a resolution to dissolve the club shall clearly set out in the agenda of such meeting.
- ❖ Shall be communicated and approved by the patron and the dean of students.
- ❖ Dissolution shall be carried out in such a way that all members are invited for meeting where club is dissolved with their knowledge.