

CONSTITUTION AND RULES
OF
KAKC (KOREAN INTERNATIONAL CO-OPERATION AGENCY) ALUMNI –
KENYA CHAPTER (KAKC)

1. NAME

The name of the Society shall be KOICA ALUMNI-KENYA CHAPTER, herein referred to as KAKC. (In this constitution referred to as “The Association”)

2. OBJECTIVES

- a) The association shall be non-political.
- b) Promotion of KAKC objectives and or programs in Kenya for mutual benefits of both Kenyan and Korean people.
- c) Provision of an avenue for sharing experiences and making suggestions with the purpose of improving KOICA training programs in Kenya.
- d) Establishing linkages and enhancing networks among KIOCA beneficiaries and or alumnae.
- e) Promotion of Korean positive practices and or virtues in Kenya such as commitment to a cause, hard work, effective time management, technological advancement etc, through website, sensitization, programs and or meetings.
- f) Assistance in the monitoring and evaluation of KOICA programs, objectives and or impact in both Kenya and Korea.

3. MEMBERSHIP

- a) Any person who has benefited from KOICA training programs and has visited Korea and is over the age of eighteen years shall be eligible for membership of the association, subject to the approval of the committee, upon payment of an entrance fee of Ksh. 500.
- b) Every member shall pay an annual subscription of Ksh. 1000 not later than the 15th day of the first month of each year.

- c) Any member desiring to resign from the association shall submit his resignation to the association Secretary, which shall take effect from the date of receipt by the Secretary of such notice.
- d) Any member may be expelled from membership if the committee so recommends and if a general meeting of the association shall resolve by a two-thirds majority of the members present. Any member shall be expelled on grounds that his conduct has adversely affected the reputation or dignity of the association, or that he has contravened any of the provisions of the constitution of the association. The committee shall have power to suspend a member from his membership until the next general meeting of the association following such suspension but notwithstanding such suspension a member whose expulsion is proposed shall have the right to address the general meeting at which his expulsion shall be considered.
- e) Any person who resigns or is removed from membership shall not be entitled to a refund of his subscription or any part thereof or any moneys contributed by him at any time.
- f) Any member who falls into arrears with his yearly subscription for more than two years shall automatically cease to be a member of the association and his name shall be struck off the registration of members. The committee may, however, at its discretion, reinstate such member on payment of the total amount of subscription outstanding.

4. OFFICE BEARERS

- a) The office bearers of the society shall be
 - i. Executive Director.
 - ii. Deputy Executive Director
 - iii. Secretary
 - iv. Deputy Secretary
 - v. Treasurer
 - vi. Deputy Treasurer

all of whom shall be fully paid-up members of the association and shall be elected at the annual general meeting to be held in each year. (see also section 6 (b) below).

- b) All office bearers hold office from the date of election until the succeeding annual general meeting subject to the conditions contained in sub-paragraphs (c) and (d) of this constitution but shall be eligible for re-election.

- c) Any office bearer who ceases to be a member of the society shall automatically cease to be an office bearer thereof.
- d) Office bearers may be removed from office in the same way as is laid down for the expulsion of members in section 3 (d) and vacancies thus created shall be filled by persons elected at the general meeting resolving the expulsion.

5. DUTIES OF OFFICE BEARERS;

(a). Executive Director

The Executive Director will be in charge of all the administrative affairs of the association, unless prevented by illness or other sufficient cause. He/she will preside over all meetings of the executive committee and at all general meetings and will be responsible for the implementation of the association's programs and activities, as well as being the accounting officer and shall be one of the signatories to the association bank account. He/She will be the custodian of the association Cheque book(s) and any other relevant materials or documents as may be decided from time to time.

B. Deputy Executive Director

The Deputy Executive Director shall perform any duties of the Executive Director in his absence.

C. Secretary

The Secretary shall deal with all the correspondence of the association under the general supervision of the committee. In cases of urgent matters where the committee cannot be consulted, he shall consult the Executive Director or if he is not available, consult the Deputy Executive Director. The decisions reached shall be subject to ratification or otherwise at the next executive committee meeting. He shall issue notices convening all meetings of the executive committee and all general meetings of the association and shall be responsible for keeping minutes of all such meeting and for the preservation of all records of proceedings of the association and of the committee. He/she shall be one of the signatories to the association bank account.

D. Deputy Secretary

In the absence of the Secretary, the Deputy Secretary shall perform all the duties of the Secretary and such other duties as shall be assigned to him by the Secretary or executive committee whether the Secretary is present or not.

E. Treasurer

The Treasurer shall receive and shall also disburse, under the directions of the executive committee, all moneys belonging to the association and shall issue

receipts for all moneys received by him/her and preserve vouchers for all monies paid to him/her. In cases of urgent matters where the committee cannot be consulted, he/she shall consult the Executive Director or if he/she is not available, consult the Deputy Executive Director. The treasurer shall ensure all financial resolutions made by the committee are implemented and facilitated.

He/she is responsible to the members that proper books of account of all money's received and disbursed by the association are written up, preserved and available for inspection. He/she shall be one of the signatories to the association bank account. He/she will submit financial reports as and when required.

F. Deputy Treasurer

The Deputy Treasurer shall perform such duties as may be specifically assigned to him/her by the Treasurer or by the executive committee and in the absence of the Treasurer shall perform the duties of the Treasurer.

6 THE EXECUTIVE COMMITTEE

- a. The executive committee shall consist of all the office bearers of the association and three other members elected at the annual general meeting each year. Such committee members shall hold office until the following annual meeting. The executive committee shall meet at such times and places as it shall resolve but shall meet not less than once in any three months.
- b. Any casual vacancies for members of the committee caused by death or resignation shall be filled by the committee until the next annual general meeting of the association. Vacancies caused by members of the executive committee removed from office will be dealt with as shown in section 4(d) of this constitution.
- c. Executive committee members may be paid such honorarium for their duties as may be resolved by the annual general meeting.

7. DUTIES OF THE COMMITTEE:

- a) The executive committee shall be responsible for the management of the association and for the purpose may give directions to the bearers as to the manner in which, within the law, they shall perform their duties. The executive committee shall have power to appoint such sub-committees as it may deem desirable to make reports to the executive committee upon which such action shall be taken as seems to the committee desirable.
- b) All moneys disbursed on behalf of the association shall be authorized by the executive committee excepted as specified in section 12 (d).

- c) The quorum for meetings of the executive committee shall be not less than half of the members.

8. GENERAL MEETINGS

- (a) There shall be two classes of General Meetings; -
I. Annual General Meetings (AGM)
II. Special General Meetings. (SGM)

(b) Annual General Meetings

(i) The Annual general meeting shall be held not later than 31st December in each year. Notice in writing of such annual General meeting, accompanied by the annual statement of account and the agenda for the meeting shall be sent to all members not less than 21 days before the date of the meeting and, where practicable, by Press advertisement not less than 14 days before the date of the meeting.

(ii) The Agenda for any annual general meeting shall consist of the following:

1. Confirmation of the minutes of the previous annual general meeting.
2. Consideration of the accounts
3. Election of office bearers and the executive committee members (trustees)
4. Appointment of Auditors in accordance with rule 11 (a)
5. Such other matters as the executive committee may decide or as to which notice shall have been given in writing by a member or members to the Secretary at least four weeks before the date of the meeting.
6. Any other business with the approval of the Executive Director.

(c) A special general meeting may be called for any special purpose by the committee. Notice in writing of such meeting shall be sent to all members not less than 7 days before the date thereof and where practicable by press advertisement not less than 7 days before the date of such meeting.

(d) A special general meeting may also be requisitioned for a specific purpose by order in writing to the Secretary of not less than one third of the members and such meeting shall be held within 21 days of the date of the requisition. The notice for such a meeting shall be as shown in section 8 (c) and no matter shall be discussed other than that stated in the requisition.

(d) Quorum for general meetings shall be not less than one half of the registered members of the association.

9. PROCEDURE AT MEETINGS

- (a) At all meetings of the association the Executive Director, or in his absence, the Deputy Executive Director, or in the absence of both these officers, a member selected by the meeting shall take the chair.
- (b) The Executive Director may at his discretion limit the number of persons permitted to speak in favor of and against any motion.
- (c) Resolutions shall be decided by simple voting by a show of hands. In the case of equality of votes, the Executive Director shall have a second or casting vote.

10. TRUSTEES

(a) All land, building and other immovable property and all investments and Securities which shall be acquired by the association shall be vested in the names of not less than three trustees who shall be members of the association and shall be appointed at an annual general meeting for a period of three years. On retirement such trustees shall be eligible for re-election. A general meeting shall have the power to remove any of the trustees and all vacancies occurring by removal, resignation or death, shall be filled at the same or next general meeting.

(b) The trustees shall pay all income received from property vested in the trustees to the Treasurer. Any expenditure in respect of such property which in the opinion of the trustees is necessary or desirable shall be reported by the trustees to the committee which shall authorize expenditure of such moneys as it thinks fit.

11. AUDITOR

- (a) An Auditor shall be appointed for the following year by the annual general meeting. All association's accounts, records and documents shall be opened to the inspection of the Auditor at any time. The Treasurer shall produce an account of his receipts and payments and a statement of assets and liabilities made up to a date of the annual general meeting. The auditor shall examine such annual accounts and statements and either clarify that they are correct, duly vouched and in accordance with the law or report to the association in what respect they are found to be incorrect, untouched or not in accordance with the law.
- (b) A copy of the Auditor's report on the accounts and statements together with such accounts and statements shall be furnished to all members at the same time as the notice convening the annual general meeting is sent out. An auditor may be paid such honorarium for his duties as may be resolved by the annual general meeting appointing him.

(c) No auditor shall be an office bearer or a member of the committee of the association.

12. FUNDS

(a) The funds of the association may only be used for the following purposes –

- i) Promotion of the objectives of the association
- ii) Promotion of the welfare of the members of the association
- iii) Expansion of the programs of the association

(b) All moneys and funds shall be received by and paid to the Executive Director and the Treasurer and shall be deposited by him/her in the name of the association in any bank or banks approved by the committee.

(c) All payments made out of the association bank account must have all cheques signed by the Executive Director, the Treasurer and/or the Secretary or any other one office bearer of the association who shall be appointed by the executive committee. However, in circumstances where one of the signatories to the account intend to be away, and an activity has to be carried out, then cheque leaves can be pre-signed to take care of the activities with valid receipts submitted after every activity.

(d) A sum of Sh. 5,000 may be kept by the Treasurer for petty disbursements of which proper account shall be kept.

(e) The executive committee shall have power to suspend any office bearer who it has reasonable cause to believe is not properly accounting for any of the funds of property of the association and shall have power to appoint another person in his place. Such suspension shall be reported to a general meeting to be convened on a date not later than two months from the date of such suspension and the general meeting shall have full power to decide what further action should be taken in the matter.

(f) The financial year of the society shall be from 1st January **to 31st December**

14. AMENDMENTS TO THE CONSTITUTION

Amendments to the constitution of the society must be approved by one half of members present at the general meeting of the association.

15. DISSOLUTION

a) The association shall not be dissolved except by a resolution passed at a general meeting of members by a vote of one half of the members present. The

quorum at the meeting shall be shown in section 8(d). If quorum is obtained, the proposal to dissolve the society shall be submitted to a further general meeting which shall be held one month later. Notice of this meeting shall be given to all members of the society at least 14 days before the date of the meeting. The quorum, for this second meeting shall be the number of members present.

b) Provided, however, that no dissolution shall be affected without prior permission in writing of the registrar, obtained upon application to him/her made in writing and signed by three of the office bearers.

c) When the dissolution of the association has been approved by the Registrar, no further action shall be taken by the committee or any office bearer of the association in connection with the aims of the association other than to get in and liquidate for cash all the assets of the association. Subject to the payment of all the debts of the association, the balance thereof shall be distributed in such other manner as may be resolved by the meeting at which the resolution for dissolution is passed.

16. INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

The books of accounts and all documents relating thereto and a list of the members of the association shall be available for inspection at the registered office of the association by any officer or member of the association on giving not less than 7 days notice in writing to the association.