****

**KILIMO BORA**

**COMMUNITY BASED ORGANIZATION.**

**P.O. BOX 29, NYAMIRA**

**KILIMO BORA CBO CONSTITUTION.**

**REVISED EDITION**

**13TH MARCH 2019**

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**BOX 29, NYAMIRA**

**KILIMO BORA COMMUNITY BASED ORGANIZATION CONSTITUTION:**

**INTRODUCTION AND PREAMBLE**

1. **NAME:** Kilimo Bora Community Based Organization.
2. **VISION:** Empowered agricultural Value Chains through access, use and dissemination of innovation and technology.
3. **MISSION:** To be the leading CBO matters agricultural Value Chains development and consultancy, environmental conservation, food security and wealth creation in the region.
4. **AIM :** To share general/professional farming experiences so that all members can grow.
5. **OBJECTIVES :**
6. To promote collation and dissemination of agricultural extension information, agriculture consultancy and marketing.
7. To promote and develop major agricultural Value Chains through mapping and linkages of the VC actors, capacity building, field days, exhibitions, to enable them access quality farm inputs and improved value addition.
8. To promote Environmental conservation, Climate Change mitigation and climate smart technologies for sustainable agriculture and development.
9. To promote major cross cutting issues matters community empowerment, social inclusion, HIV/AIDS mitigation, gender equity and youths empowerment for development.
10. **CORE VALUES**

|  |  |
| --- | --- |
| 1. Honest | 1. Transparency |
| 1. Sustainability | 1. Accountability |
| 1. Service to humanity | 1. Godliness |

**6. MEMBERSHIP**6 (a) Membership of Kilimo Bora CBO shall be open to anyone who is interested to work with the CBO achieve its Vision and Objectives in Nyamira County and elsewhere wherever call upon, able to pay registration and quarterly contribution fee as stipulated in Article 10 (b) and willing to abide by the rules of the CBO .

(b) Kilimo Bora CBO **Activities Coverage** shall be in Nyamira North, Nyamira South, Manga, Masaba North, Borabu Sub Counties of **Nyamira County.**

(c) Every member shall have one vote at Executive, Special and General Meetings.(d) The CBO Management Committee shall have the power to refuse membership to an applicant, where it is considered such membership would be detrimental to KBCBO aims, objectives or activities of the group.

(e) Registration and Termination of Membership.

1. Any member of Kilimo Bora CBO may resign his/her membership position, by giving to the Secretary of the CBO a written notice to that effect.
2. The Management Committee may, by resolution passed at a Special/General meeting thereof, terminate or suspend the membership of any member, if in its opinion his/her conduct is prejudicial to the interests and objects of the association, PROVIDED THAT the individual member (as the case may be) shall have the right to be heard by the Management Committee before the final decision is made.
3. By Death of member.

**7. MANAGEMENT COMMITTEE(a)** Kilimo Bora CBO Management Committee (the equivalent of Executive Committee plus Youth Leader, Women Leader, 2 Group Admins and any other officers duly elected ) shall serve as Kilimo Bora Management members/Committee. Membership shall not be less than Five (5) persons and not more than Nine (9) members elected at the group’s Annual General Meeting. Kilimo Bora Management Committee shall retain an even number.

The Committee Members must be at least 18 years old, gender sensitive, youths inclusive and regional/geographical distribution.(b) The officers of the Management Committee shall be:

1. The Chairperson
2. The Treasurer
3. The Secretary
4. Vice Chairperson
5. Vice Secretary
6. Youth leader
7. Women leader
8. Marketing Sub-Committee Leader
9. Consultancy and Resource Mobilization Sub-Committee Leader
10. Through the Chairperson, the Management Committee SHALL invite any other official(s) or member(s) or Non member, whom they feel will add value to the CBO to attend GMs and/or Sub-Committees BUT shall not vote.

(c) The Management Committee shall meet at least Quarterly.

(d) At least five (5) Management Committee members must be present for the Management Committee meeting to take place.(e) Voting at Management Committee meetings shall be by show of hands on a majority basis. If there is a tie vote then the chairperson shall have a second vote.(f) The Management Committee shall have Power to set up **Sub-Groups**/**Committees** and **working parties** as deemed necessary who shall be accountable/report back to the MG/Chairperson.

**8. DEFINE OFFICES, OFFICE BEARERS RESPONSIBILITIES AND TERMS OF OFFICE.**

**8i.DEFINE OFFICES:** The following shall be KBCBO offices: Chairperson, Vice chairperson, Secretary, Vice Secretary, Treasurer, Youth Leader & Women leader, who shall be duly elected considering either gender equity and youths inclusive. 2 Group Admins shall be elected to serve at the Management Committee as contemporary CBO members .

**8ii. OFFICE BEARERS RESPONSIBILITIES**

**iia .Chairperson**

1. To chair meetings and summarize them at the end.
2. To encourage participation by all members in deliberations, decision making and implementation.
3. To ensure the CBO constitution & planned activity are followed.
4. To ensure that the secretary and treasurer do their job properly.
5. To ensure members pay their contributions as agreed.
6. To delegate work and assignments to members.
7. To instill CBO discipline.
8. To develop and maintain harmony and trust in the CBO.
9. To represent the CBO at other meetings and events.
10. To keep the members informed about the CBO objectives and activities.
11. Signs CBO minutes together with Secretary.
12. To present a report of the CBO activities to GMs.
13. To act as signatory to contracts, bank accounts and other documents on behalf of the CBO.
14. To hand over duties and responsibilities to the newly elected chairperson at the end of his/her term of office.

**iib .Vice Chairperson**

1. Assumes the duties and responsibilities of the Chairperson in his/her absence thereof.
2. Any other duties as may be assigned by the Chair and/or the Management/Executive Committee.

**iic . Secretary**

1. To send out notice, agenda and minutes of the last meeting.
2. To keep record of attendance at meetings.
3. To invite members to meetings using several channels.
4. To ensure venue is prepared for meetings.
5. To maintain all non-financial records in an orderly fashion.
6. To assist the treasurer in collecting CBO funds.
7. To prepare together with the Treasurer financial reports.
8. To take minutes of all meetings
9. To handle CBO correspondence.
10. To read aloud the minutes of meetings and sign them together with the Chairperson.
11. To hand over duties and responsibilities to the newly elected Secretary at the end of his/her term of office.
12. Any other duties as assigned by the Chairperson and/ or Management/Executive Committee.

**iid .Vice Secretary**

1. Assists the Secretary.
2. Assumes the duties and responsibilities of the Secretary in the absence of the Secretary.
3. Any other duties as may be assigned by the Chairperson and/or the Management/ Executive Committee.

**iie .Treasurer**

1. To properly maintain and safeguard all financial records and accounts of the CBO.
2. To make payments in time in consultation with the Executive Committee.
3. To record members’ contributions.
4. To issue receipt for money received.
5. To prepare and submit all financial reports and their analyses and advice thereof.
6. To answer any questions concerning the CBO’s finance.
7. To ensure that the CBO’s assets are used for the intended purpose.
8. To collect penalties (fines) without excuse at meetings.
9. To hand over duties and responsibilities to the newly elected treasurer at the end of his/her term of office.
10. Any other duties as assigned by the Chairperson and / or Management/Executive Committee.

**iif. Group Admins.**

1. Run daily business (online extension and marketing) of KBCBO digital groups (commonly referred to as KBPPP walls) by ensuring order.
2. Send alert/ warnings to members who post inadequately or offending/wanting media and/or images on KBCBO/KBPPP digital walls.
3. Consult Horizontally And Vertically to institute discipline to erring members on the digital walls.
4. Add members to KBCBO/KBPPP digital groups.
5. Remove members from KBCBO/KBPPP digital groups.
6. To occasionally vet membership and members on KBCBO/KBPPP digital walls.
7. Assist other leaders to ensure order during meetings both online and formal Special and Annual General Meetings.
8. Any other duties as shall be assigned by the Chairperson and / or Management/Executive Committee.

**iig. Youth Leader and Women Leader**

The roles of these offices to be defined later.

**8iii. TERMS OF OFFICE**

1. The terms of office bearers shall be a period not exceeding 2 years commencing at the time of the first election in the month of December 2019.
2. Thereafter, elections shall be conducted in every second year in the month of December with subsequent taking over of office at the start of the month of January of the following year.
3. First elections shall be held in the month of December 2019, to be followed by handing over in the month of January 2020.
4. Re-election to an office shall be admissible.
5. By-elections can take place before expiry of the tenure where necessary.
6. The Management/Executive Committee can be removed from office for any written cause (persistence contravening of the group’s by-laws) by the GM upon an affirmation vote by majority of 60% plus one (1) members with cause and the successors elected as per laid down procedure.

**9. DEFINE MANAGEMENT/EXECUTIVE COMMITTEE AND ROLES.**

**a. DEFINE MANAGEMENT/EXECUTIVE COMMITTEE** The Management/Executive Committee shall consist of the chairperson, vice chair, secretary, vice secretary, treasurer, Youth Leader, Women Leader and 2 Group Admins.

1. **MANAGEMENT/EXECUTIVE COMMITTEE MEETINGS ROLES:**

Their roles shall include the following:

1. To convene Management/executive committee meetings as need be.
2. Identify members’ needs and set up activity plans and strategies.
3. Ensure that resolutions of the General Meeting/ the Management/Executive Committee are implemented.
4. Screen and recommend new members to Kilimo Bora CBO.
5. Delegate tasks to the members of Kilimo Bora CBO.
6. Ensure safe custody of the CBO’s property and records.
7. Maintain or cause to be maintained true and accurate records and accounts of all business transactions of Kilimo Bora CBO.
8. Convene the General Meeting and other members’ meetings.
9. Manage the daily activities and services offered by Kilimo Bora CBO.
10. To report to the General Meeting regularly and/ or as scheduled by Kilimo Bora CBO.

**10.DEFINE GENERAL MEETING, ROLES, PROCEDURES AND QUORUM.**

**10 a. GENERAL MEETING/ ASSEMBLY (GM)** constitutes the general members of the CBO. It is the supreme authority where all members have right to participate and vote in all matters affecting part of and/or the general membership.

There shall be 2 classes of Meetings:

1. **Annual General Meeting** (AGM)- is convened at end of year ( in December).
2. **Special General Meetings** (SGM)- any other meeting other than the AGM.
3. **Special General Meetings** shall be conducted either formally (regular sitting) or informally (On-line wall).

**10 b. GENERAL MEETING AGENDA/ROLES:**

All Annual General Meetings except for SGM shall be call with agenda drawn from but not limited to the following:

1. Reading and Confirmation of minutes of the previous meeting.
2. Elect, suspend or remove of some or all executive committee members.
3. Discuss and agree on the activity plans and strategies of Kilimo Bora CBO.
4. Discuss and consider the budgets, expenses and final accounts of Kilimo Bora CBO.
5. Discuss to exclude (suspend or dismiss) offending members from Kilimo Bora CBO on recommendation from Management/ Executive Committee or members’ petition.
6. Reviewing of membership register.
7. Discuss any other important issue concerning Kilimo Bora CBO.
8. Appoint internal/external financial auditors periodically.

**10 c. GENERAL MEETING PROCEDURES**

1. All GMs shall be called by the Chairperson through the Secretary’s notice by written letters, sms, KBCBO/KBPPP digital WALL, call or any other convenient channel.
2. Notice shall be 14 days minimum for GMs.
3. All GMs shall start with preliminaries of meetings.
4. Followed by reading aloud by secretary, confirmation by members and signing by chairperson and secretary of previous minutes.
5. New agenda shall be put on notice to members by the Secretary.
6. Reading of Balance sheet shall be done by the Treasurer.
7. Election of the executive committee membership in the Second Annual GM.
8. All meetings must include AOB.
9. The chair then adjourns meeting with prayer.

**10 d. QUORUM OF MEETINGS**

1. **Management Committee/General Meeting** shall not start to transact business unless there is 65% quorum of all members.
2. In case of not attaining quorum, the chair shall adjourn the meeting and shall fix a date within one month and invitations done formally.
3. If, in the next such meeting, quorum is not met, one hour after the scheduled time, the chair shall declare the general meeting properly constituted and proceed with the business of the meeting with those members present.
4. **KILIMO BORA CBO FINANCIAL MANAGEMENT:**
5. **Kilimo Bora CBO financial records shall include the following:**
6. Cash book and/or
7. Ledger of contributions by members.
8. Official receipt book for any payments received (Rubber Stamped).
9. Receipts for all expenses of the welfare.
10. **Type of funds not limited to the following:**
11. Registration fee for Farmers shall be ksh. 300/= payable at registration.
12. Registration fee for Partners/Stakeholders shall be ksh. 1,000/= payable at registration.
13. Quarterly contribution fee for both Partners/ Stakeholders and Farmers shall be

ksh. 200/= payable quarterly from the date of registration.

1. KBCBO other sources of funds shall include fines, service charge levies, grants, loans, funds raising and gifts as will be directed by the GM and/or Management Committee decision.
2. **Purposes for which Kilimo Bora CBO funds are collected:**
3. Kilimo Bora CBO funds must be collected with clearly defined purpose and as approved by the GM and/ or the Management/Executive Committee.
4. The fund must be utilized for the purpose for which it was collected only.
5. All monies collected in excess of section (3 i & ii) shall be accounted in the Kilimo Bora CBO account books as **miscellaneous funds**.
6. Use of Kilimo Bora CBO funds for purpose that was not intended for, is therefore **misappropriation** of group’s funds and may call for **disciplinary action**.
7. **Accounting of KBCBO funds:**
8. The treasurer must adhere to bookkeeping rules.
9. All money transaction must be recorded in the appropriate books of accounts.
10. All money transaction must be receipted.
11. The Management/Executive Committee have duty to report to members about receipts, expenditures and the balance available in cash or at the bank, and alert members (GM) of any favorable/ unfavorable financial developments in time.
12. The Management/Executive Committee have duty to prepare simple balance sheets, profits & loss accounts and cash flow analysis to be presented by Treasurer at annual GM or as may be requested by any GM.
13. **Inspection of Kilimo Bora CBO funds:**
14. The Management/Executive Committee have duty to audit the treasury at any time to know the status thereof.
15. The GM has duty to elect at least 2-3 members to audit the treasury at any time who should report back the status thereof within a specified time limit.
16. If need be, the GM has duty to elect an external auditor to audit the treasury at any time and report back the status thereof within a specified time limit.
17. **Kilimo Bora CBO Treasury**
18. The Treasurer shall be the custodian of all Kilimo Bora CBO funds in records and cash.
19. Together with other designated CBO officials, they shall open and operate a Kilimo Bora CBO account through minute.
20. Kilimo Bora CBO Management shall oversee making of By-laws to run Kilimo Bora CBO Treasury.
21. **Opening of Bank Account.**
22. There shall be opened Kilimo Bora CBO Bank Account with a major Financial Institution/Bank, for use by the CBO Management/Executive Committee and members.
23. All Kilimo Bora CBO funds shall be deposited in the account unless otherwise stated by Kilimo Bora CBO Management Committee.
24. The account shall be run by at least 3 Kilimo Bora CBO Management /Executive Members duly elected and mandated by Kilimo Bora CBO General Meeting.

1. **PROCEDURES TO DRAFT, REVISE AND AMEND KILIMO BORA CBO BY-LAWS/CONSTITUTION.**

New By-Laws need to be put in place/Drafted as the existing ones need to be Revised and Amended as situations demand with time (Kilimo Bora CBO is dynamic). It shall grow with more members and activities.

1. There has to be a need to draft or revise and/or amend the by-law(s). The Management/ Select Committee shall Draft or Review and/or Amend the intended changes in the constitution/By-law. The Management Select Committee proposals shall be tabled to a duly constituted GM for ratification by minute.
2. Approval of any new by-laws or change to the existing by-laws should be 65% and above of All participating members of Kilimo Bora CBO.
3. **SANCTIONS FOR NON-COMPLIANCE (MISCONDUCT).**
4. A written and/or verbal warning shall be sounded to a misbehaving member by the Executive Committee and/or General Meeting through the Chairperson.
5. Three (3) written warnings served to a Persistent committee member or ordinary member in misconduct will lead to his/her suspension awaiting the GM for approval of his/her dismissal.
6. This misconduct shall include but not limited to Non attendance of GMs and sub-committees, Non contribution of CBO monies, integrity among others.
7. **KILIMO BORA CBO ELECTIONS, BY-ELECTIONS AND PROCEDURES.**
8. Elections of Office Bearers will be conducted during AGM or otherwise stated.
9. By-elections will be conducted as need may arise or otherwise stated.
10. Through the chair, the GM shall elect a **Returning Officer** who shall not be nominated/vie for any office nor participate in casting vote.
11. The rule shall be ‘one man one vote’.
12. All elections shall be conducted through **secret ballot** unless a single candidate is nominated for an office, and shall be declared the winner by the Returning Officer.
13. A member shall indicate/propose a name as nominee. There shall be seconding by another member. The nominated candidate leaves the election room, to provide for freedom of expressions (all return to participate in voting). If there be no seconding the nominee candidature is dropped by the Returning Officer. The members proceed to vote when there is no any other proposal from the floors. The R.O counts one to three and calls for voting for that specific office.
14. The R.O prepares and issues the ballot papers to the members to vote.
15. The R.O at the end of voting counts the cast votes in front of the voters and declares winner after reading aloud the votes cast for each candidate.
16. The contestant with simple majority will be declared the winner by the R.O.
17. In case of a tie, the first two contestants shall procedurally go for a re-run to get a winner.
18. **DISSOLUTION OF KBCBO**

The group shall be wound up only when 70% of all registered Kilimo Bora CBO members decide so through a minute of the General Meeting called procedurally. The group assets thereof shall be disposed and proceeds returned to the members.

1. **ADOPTION OF THIS CONSTITUTION**

This Kilimo Bora CBO constitution was voted for and caused to apply immediately by Kilimo Bora CBO members during their General Meeting at Riomego PAG Secondary School on 30/11/2018.

1. Milton Ongeri Patrice . Sign. …………………………………Date ………………… Chairperson.
2. Julius Ongaga Onyancha . Sign. …………………………………Date ………………… Secretary.
3. Zephaniah Ooga . Sign. ………………………………Date ……………………Treasurer.

**KILIMO BORA BORESHA KILIMO**

**THE END**