



THE PROPOSED CONSTITUTION OF GENEROUS GIVERS FAMILY

MAY 2025.

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THE CONSTITUTION

PREAMBLE

We, the founding members of the **Generous Givers Family (GGF)**, recognizing the pressing need to support vulnerable populations through coordinated, lawful, and sustainable charitable actions, do hereby establish and adopt this Constitution as the supreme governing document of the **organization**. This Constitution is made pursuant to and in with the **Community-Based Organizations Regulations, 2009** (Legal Notice No. 170 of **2009**) and the Constitution of Kenya 2010.

ARTICLE 1: NAME, REGISTRATION, AND LEGAL STATUS

1.1 Name

- i. The organization shall be known as **Generous Givers Family (GGF)**.

1.2 Registration

- i. The Organization shall be registered as a **Community-Based Organization** (CBO) under the Ministry of Labor and Social Protection.
- ii. It shall comply with all the existing statutory requirements within the Republic of Kenya.

1.3 Legal Status

- i. **GGF** shall be a non-partisan, non-political, non-religious, and non-profit organization with perpetual succession.
- ii. It shall be a body corporate capable of:
 - a. Acquiring, holding, and disposing of property.
 - b. Suing and being sued in its own name.
 - c. Entering into binding contracts.
- iii. The organization shall at all times operate within the laws of the Republic of Kenya.

ARTICLE 2: AREA OF OPERATION

2.1 Primary Location

County, Sub-County, Ward

2.2 Scope of Work

- i. The organization shall operate primarily within Kenya but may, upon resolution by the General Assembly, collaborate with national and international partners to achieve its mission.

ARTICLE 3: VISION, MISSION, MOTTO, CORE VALUES AND SPECIFIC OBJECTIVES

3.1 Vision

To be a dynamic and caring organization that inspires positive action and helps create an environment of love, respect, and cooperation in our society.

3.2 Mission

To improve the quality of life of the marginalized sectors of the society by influencing individuals, groups and institutions into realizing their humanitarian concern; and by providing avenue for them to contribute their resources through relevant and responsive programs in aid of helping the less fortunate.

3.3 Motto

Service to Humanity is Service to God.

3.4 Core Values

- i. Service
- ii. Transparency
- iii. Accountability
- iv. Inclusivity
- v. Compassion
- vi. Integrity

3.5 Specific Objectives

- i. Visit and offer psychosocial, material, and emotional support to children's homes, elderly care facilities, and street families.
- ii. Organize and conduct mentorship and awareness programs for vulnerable groups, including both girl child and boy child initiatives.
- iii. Empower youth, women, and the elderly through training and support in entrepreneurship, vocational skills, and income-generating activities.
- iv. Plan and execute community charity events in partnership with relevant stakeholders.
- v. Collaborate with government agencies, NGOs, corporate institutions, and donors to enhance social impact.
- vi. Conduct advocacy and civic education aimed at protecting the rights of marginalized communities.

ARTICLE 4: MEMBERSHIP

4.1 Eligibility

- i. Open to individuals aged 18 years and above who support the organization's values and mission.
- ii. Not convicted of a criminal offence related to fraud, abuse, or breach of public trust.
- iii. Must not be a deadbeat father or mother who has advertently absconded his/ her parenting duties.
- iv. No discrimination based on gender, religion, ethnicity, or disability.

4.2 Registration

Membership shall be upon:

- i. Completion of membership form and payment of a non-refundable registration fee of **250 Kenya Shillings**
- ii. Members shall be recorded in a digital or physical register which shall be maintained by the Secretary General.

4.3 Rights of Members

- i. Vote and be voted for during elections.
- ii. Access to financial and activity reports.
- iii. Participate in all programs and decision-making forums.

4.4 Duties of Members

- i. Abide by this Constitution and act in the organization's best interest.
- ii. Support charitable events and fundraising activities in cash and in kind.
- iii. Uphold integrity, transparency, and mutual respect.

4.5 TERMINATION OF MEMBERSHIP

A member of the organization shall cease to be one on any of the following grounds:

- i. **Voluntary withdrawal** – he/she gives a two-month notice in writing to the Executive Committee of his/ her intention to resign from membership. Upon the acknowledgment of the notice, he/she shall cease to be a member.
- ii. **Dismissal for misconduct**, non-participation for 12 months, or violation of the Constitution. Decision subject to appeal during a General Meeting. The member shall show course why he/ she should not be expelled.
- iii. Upon **death or incapacitation**

ARTICLE 5: GOVERNANCE AND LEADERSHIP STRUCTURE

5.1 The General Assembly

- i. The highest authority composed of all registered members.
- ii. Holds the Annual General Meeting (AGM) and any Special Meetings.
- iii. Approves work plans, budgets, policies, and elections.
- iv. Amendment of the Constitution.
- v. Approval of dissolution or merger decisions

5.2 The Executive Committee

The day-to-day management shall be vested in the Executive Committee, elected every **two (2) years**, consisting of;

1. The Chairperson
2. The Vice-Chairperson
3. The Secretary General
4. Treasurer
5. Organizing secretary
6. Two (2) Committee Members

5.3 DUTIES OF OFFICE BEARERS

5.3.1 The Chairperson

- i. Shall, by virtue of his/ her office, make correspondence for and on behalf of the organization where circumstances so demand, for the purpose of furthering the aims and objectives of the organization.
- ii. Shall, unless prevented by removal from office or illness or other sufficient cause, formulate the agendas, convene and preside over all the meetings of the Committee, General Assembly, and any other duly constituted assemblies of the Organization.
- iii. He/ she shall exercise full control and ensure good order and conduct of the organization members.
- iv. Recognize and honor members of the Organization for exemplary service or achievements.
- v. Exercise oversight over the Organization's financial affairs and ensure fiscal accountability.
- vi. Coordinate the development, implementation, and evaluation of the Organization's programs in collaboration with other officials.
- vii. Initiate, oversee, and direct any reviews, amendments, or updates to the Constitution.
- viii. Serve as a **mandatory signatory** to the Organization's bank account(s).

5.3.2 The Vice-Chairperson

- i. Assume the responsibilities and powers of the Chairperson in his or her absence, incapacity, or as delegated.
- ii. Perform any additional functions as may be assigned by the Chairperson or the Executive Committee.

5.3.3 The Secretary General

- i. Shall record, prepare, and maintain accurate minutes of all meetings of the Organization.
- ii. Shall be the sole custodian of all organizational records, correspondence, reports, and other official documents.
- iii. Shall ensure timely issuance of notices and agendas for all meetings.
- iv. Serve as a **mandatory signatory** to the Organization's bank account(s).

5.3.4 The Vice Secretary

- i. Assume the duties of the Secretary in his or her absence or incapacity.
- ii. Assist in the maintenance and archiving of all organizational records and documents.
- iii. Perform any other duties as may be assigned by the Secretary or the Executive Committee.

5.3.5 Treasurer

- i. Develop and maintain the annual budget in accordance with the financial provisions of this Constitution.
- ii. Process and maintain documentation for all financial transactions, including but not limited to purchase orders, requisition forms, and receipts.
- iii. Maintain accurate, up-to-date financial records and ledgers of the Organization.
- iv. Collect membership dues and other contributions as stipulated by the Constitution or Executive Committee.
- v. Provide periodic financial reports to the Executive Committee and to members during general meetings.

- vi. Shall carry out his/her duties without interference from either within or without.
- vii. Serve as a mandatory signatory to the Organization's bank account(s).

5.3.6 Organizing Secretary

- i. Be responsible for the planning, coordination, and execution of all organizational programs, events, and activities in consultation with the Executive Committee.
- ii. Develop and maintain a calendar of events and ensure timely communication and logistical arrangements.
- iii. Liaise with relevant authorities, stakeholders, and service providers to secure necessary permits, venues, and resources for organizational functions.
- iv. Maintain documentation and reports related to the implementation and outcomes of organizational programs.
- v. Perform such other duties as may be assigned by the Chairperson or the Executive Committee from time to time.

5.3.7 Committee Members

- i. Support and monitor the implementation of resolutions passed by the General Assembly.
- ii. Offer advisory support to the Executive Committee and ensure that operations align with the objectives and guiding principles of the Organization.
- iii. Attend all committee meetings and contribute meaningfully to deliberations and decision-making.
- iv. Uphold and promote the values, mission, and vision of the Organization at all times.
- v. Perform any other lawful and appropriate duties delegated by the Chairperson or Executive Committee.

5.4 Removal from Office

Any office bearer may be removed:

- i. On the ground of gross misconduct,
- ii. For negligence, or non-performance
- iii. Where there are serious reasons for believing that the office bearer has committed a crime under national laws
- iv. The motion to remove an office bearer must be supported by at least two-thirds ($\frac{2}{3}$) majority vote of the General Assembly.

ARTICLE 6: MEETINGS AND DECISIONS

6.1 Annual General Meeting (AGM)

- i. Shall be held annually, on the **first Sunday of December**.
- ii. Notice in writing of such Annual General Meetings accompanied by the statement of accounts and the agenda for the meetings shall be sent to all members not less than **21 days** before the date of the meeting.
- iii. Presents reports and conducts elections (if due).

6.2 Monthly Meetings

- i. Shall be held monthly, on the **last Sunday** of the **month**

6.3 Special General Meetings

- i. Convened when necessary with **30 days'** prior notice.
- ii. Called by the Chairperson or one-third of members.

6.4 Executive Committee Meetings

- i. Held at least once every quarter.
- ii. Quorum: **50%** of Executive Committee members.

6.5 Decision-Making

- i. Decisions shall be made by **simple majority**.
- ii. In case of a tie, the **Chairperson shall have a casting vote**.

ARTICLE 7: FINANCIAL MANAGEMENT

7.1 Sources of Income

- i. Membership fees and contributions.
- ii. Donations, fundraising events, and grants.

- iii. Income-generating initiatives.

7.2 Bank Account and Signatories

- i. A designated current bank account shall be opened and maintained upon approval by the General Assembly.
- ii. Two signatories out of Chairperson, Treasurer, or Secretary required for withdrawals.

7.3 Financial Accountability

- i. A financial years starts on 1st January until 31st December
- ii. The Treasurer shall present a **quarterly financial report** to the Executive Committee.
- iii. Proper financial records and reports shall be maintained and audited annually by the General Assembly.

7.4 Prohibited Practices

- i. No member shall use the organization's resources for personal gain.
- ii. No borrowing or lending without General Assembly approval.
- iii. Engagement in political campaigning or affiliation is strictly prohibited.

ARTICLE 8: ELECTIONS

8.1 Electoral Process

- i. Elections shall be conducted **every two years** during the Annual General Meeting (AGM).
- ii. All registered and fully paid up members are eligible voters and contestants.
- iii. All the outgoing office bearers shall leave office immediately after the general elections unless re-elected.
- iv. All the general elections shall be presided over by a returning officer who must be an independent person.
- v. The returning officer shall announce the results of the election at the AGM.

- vi. The elected office bearers shall take an oath of office on the same day of being elected.

8.2 Eligibility for Office

A candidate for election to the Executive Committee must:

- i. Be an **active member in good standing** for a minimum of **one year**.
- ii. Demonstrate a record of participation in the organization's activities.
- iii. Be of **sound character** and free from any disciplinary sanctions.
- iv. Submit a formal **expression of interest** or be nominated by another member at least **two weeks** before the election date.

8.3 Term Limits

- i. All Executive Committee members shall serve a term of **two years**.
- ii. Members may be **re-elected only once** to the same position, making a **maximum of two consecutive terms**.
- iii. After serving two consecutive terms in the same position, a member must step down for at least one full term before being eligible for re-election to that same position.

8.4 Voting Procedure

- i. Voting shall be by **secret ballot, show of hands, or electronic voting** as determined by the General Assembly.
- ii. Each position shall be filled by **simple majority vote**.
- iii. In case of a tie, a **run-off vote** shall be conducted immediately.

8.5 Election Quorum

- i. A **quorum** for conducting elections shall constitute at least **75% of the registered members** in attendance at the AGM.

ARTICLE 9: AMENDMENTS TO THE CONSTITUTION

- i. Proposed changes must be submitted in writing **14 days** prior to a General Meeting.
- ii. Amendments require a two-thirds ($\frac{2}{3}$) majority vote of members present.
- iii. All amendments must be registered with the appropriate government office.

ARTICLE 10: DISSOLUTION

- i. Can only be dissolved by a three-quarters ($\frac{3}{4}$) majority vote at a Special General Meeting.
- ii. Upon dissolution, any remaining assets shall be donated to a registered charitable organization with similar objectives, as approved by the general assembly.
- iii. No asset shall be distributed among members.

ARTICLE 11: ADOPTION AND COMPLIANCE

This Constitution is adopted on the _____ day of _____, 2025, and is binding on all members of the Generous Givers Family.

SIGNED BY FOUNDING MEMBERS:

1. Chairperson: _____ ID No. _____
2. Secretary: _____ ID No. _____
3. Treasurer: _____ ID No. _____
4. Member: _____ ID No. _____
5. Member: _____ ID No. _____

WITNESSED BY:

1. Name: _____ ID No. _____

2. Name: _____ ID No. _____

APPENDIX A: RULES & REGULATIONS

Pursuant to the provisions of this Constitution, these Rules and Regulations are **hereby adopted as binding guidelines** governing the conduct, responsibilities, and obligations **of all members** of the Generous Givers Family.

1. Amendment of Rules

- 1.1.** Any member in good standing may propose an amendment to these Rules and Regulations.
- 1.2.** Such proposals shall be presented in writing to the Executive Committee at least **fourteen (14) days** prior to the Annual General Meeting (AGM).
- 1.3.** Proposed amendments shall be read aloud during the AGM and subjected to a vote by members.
- 1.4.** A **two-thirds (2/3) majority** of the members present at a duly convened AGM, with a valid quorum, shall be required to adopt any amendment.

2. Membership Requirements

- 2.1.** To qualify as a full member, an individual must:
 - a) Pay the prescribed membership fee.
 - b) Attend at least **two (2) official events** convened by the Organization.

3. Code of Conduct and Event Guidelines

3.1. Punctuality: Members arriving **more than thirty (30) minutes late** to an official event without valid reason shall be subject to a fine of **Kenya Shillings Two Hundred (KSh.200)**.

3.2. Dress Code: Members shall dress in a decent and respectable manner at all events. Non-compliance shall attract a fine of **Kenya Shillings 200**.

3.3. Mission Alignment: All members are expected to act in a manner that upholds the mission, objectives, and values of the organization, especially during official events or when representing the organization.

3.4. Respect and Conduct:

- i. Members shall treat one another with respect, dignity, and courtesy.
- ii. Proper social interaction is expected at all times during organization's events.

3.5. Substance Use: Attendance at organization's events under the influence of alcohol, drugs, or any prohibited substances is strictly forbidden. Possession or consumption of such substances during events shall result in disciplinary action.

3.6. Active Participation: Joyriding or non-participation during the organization's events is discouraged. All members are required to actively engage in the scheduled activities.

3.7. Movement Control: Members must seek express permission from the **Chairperson** or **Secretary** before leaving the event venue.

3.8. Transparency: Honesty and full disclosure are required in any activity, transaction, or representation involving the organization.

4. Sanctions and Enforcement

4.1. Fines and disciplinary measures shall be enforced by the Executive Committee or a delegated Disciplinary Committee.

4.2. Failure to pay fines or repeated violation of these rules may lead to suspension or termination of membership in accordance with Article 4.5 of this Constitution.

5. Interpretation

5.1. In the event of any ambiguity or dispute arising from the interpretation of these Rules and Regulations, the Executive Committee shall provide a binding interpretation.

5.2. Where necessary, reference shall be made to the provisions of the Constitution and the applicable laws of Kenya.

APPENDIX B: OATH OF OFFICE FOR ELECTED MEMBERS

All elected office bearers of the Generous Givers Family shall take the following Oath of Office prior to assuming their official duties. The oath shall be administered by the outgoing Chairperson, a trustee, or a neutral witness appointed by the General Assembly.

OATH OF OFFICE

I, , having been duly elected to the position of....., do solemnly swear and affirm that:

1. I will diligently discharge my duties and responsibilities in accordance with the Constitution and vision of the Generous Givers Family.
2. I will uphold the principles of transparency, integrity, accountability, and service to humanity.
3. I will protect and promote the interests of the organization and all its members without fear, favor, bias, or personal gain.
4. I will observe confidentiality, especially regarding sensitive matters of the organization.
5. I will not misuse the organization's name, resources, or authority entrusted to me.
6. I will respect and abide by all decisions made lawfully by the General Assembly and the Executive Committee.
7. I will relinquish my position honorably at the end of my tenure or upon lawful removal.

So help me God.

Signature: _____

Date: _____

Witness Name & Signature: _____