



KENYA NATIONAL ASSOCIATION OF PROBATION OFFICERS (KNAPO)

CONSTITUTION AND RULES

(REVISED 2024)

Table of Contents

Table of Contents.....	2
PREAMBLE.....	4
1.0 NAME	5
2.0 OBJECTIVES	5
3.0 MEMBERSHIP	6
3.1 Categories of Membership	6
4.0 OFFICE BEARERS AND STRUCTURE OF THE ORGANIZATION	8
4.1 National Executive Board.....	9
5.0 DUTIES OF THE NATIONAL EXECUTIVE BOARD.....	10
6.0 NATIONAL EXECUTIVE COUNCIL	12
7.0 DUTIES OF THE NATIONAL EXECUTIVE COUNCIL.....	12
8.0 GENERAL MEETINGS	13
8.1 General Assembly	13
8.2 Special General Assembly	13
9.0 PROCEDURE AT MEETINGS	14
10.0 ELECTIONS.....	14
10.1 Elections Board	14
10.2 Voting by Members.....	15
11.0 PATRON.....	16
12.0 TRUSTEES	16
13.0 AUDITOR	16
14.0 FUNDS	17
15.0 BRANCHES.....	19
16.0 AMENDMENTS TO THE CONSTITUTION.....	19
17.0 DISSOLUTION	19
18.0 INSPECTION OF ACCOUNTS AND LIST OF MEMBERS.....	20

PREAMBLE

We the members of KNAPO are;

Committed to promoting professionalism and welfare of members for social thrift and harmonious co-existence in the community,

Desirous to embrace, adopt and enhance novel professional and welfare approaches in probation practice,

Encouraging co-operation between Kenyan National Association of Probation Officers with local and international organizations to enhance probation best

Believing such co-operation should advance professionalism and welfare of members to further the ends of justice and social reintegration.

Grant unto ourselves this constitution to guide our destiny.

The Kenya National Association of Probation Officers is a professional and welfare organization, it is not a political association.

1.0 NAME

- 1.1 (i) The name of the association shall be the **KENYA NATIONAL ASSOCIATION OF PROBATION OFFICERS (KNAPO)** hereinafter referred to as the “Association”.

(ii) The postal address of the Association shall be P.O Box 6104 - 00100 G.P.O, Nairobi.

2.0 OBJECTIVES

Objectives of the association shall be to:

- i. Ensure probation practice by maintenance of professional standards through a code of conduct.
- ii. Promote and protect the interests and welfare of its members.
- iii. Act as an advisory and consultative body in the planning, formulation and implementation of policies related to probation practice.
- iv. Foster fellowship and co-operation among members and liaise with other relevant organizations across the world in exchange of knowledge and experiences in pursuit of the objects of the Association.
- v. Provide a platform where members can study, research, discuss and publish matters relating to probation practice.
- vi. Establish a KNAPO Research and Training Institute to enhance training and capacity building.
- vii. Form branches as approved by the General Assembly.
- viii. Mobilize resources and raise funds in furtherance of its objectives.

- ix. Invest monies of the association in such investments, securities or property as may be thought fit subject, but subject to such conditions as may, for the time being, be imposed.
- x. Purchase, take on lease or in exchange, hire, or otherwise acquire any real or personal property and any rights or privileges necessary for the promotion of the said objects.
- xi. Sell, let, mortgage, and dispose off to the account of all or any of the property or assets of the association in furtherance of its objectives.
- xii. Undertake, execute and manage any charitable trusts which may lawfully be undertaken by the Association.
- xiii. Initiate and participate in disciplinary matters relating to its members.
- xiv. Do all such things as may be deemed incidental to the attainment of the above objectives.

3.0 MEMBERSHIP

3.1 Categories of Membership

(i) Membership to the Association shall be in two categories:-

- a. Individual Members
- b. Corporate Members

(ii) Individual Members

Individual membership of the association shall comprise of:-

- a) All serving Probation Officers have the right to vote.
- b) Honorably Retired/Resigned Probation Officers: members who have exited from service honorably through resignation or retirement and are still interested in continuing with membership. This category of members have no right to vote.

- c) Students: students undertaking courses in fields relevant to Probation practice and are interested in the membership. This category of members have no right to vote.
- d) Honorary Members: persons who have rendered distinguished service to or in Probation practice and rehabilitation of offenders. This category of members have no right to vote.

(iii) Corporate Members

Corporate membership shall have no right of vote and shall comprise of:-

- a) Organizations and institutions working in the field of administration of justice.
- b) Educational institutions such as schools, colleges, universities engaged in studying or furthering probation practices.
- c) Development partners.

(iv) Requirements for Membership

- a) All individual and corporate members shall pay a non-refundable registration fee and monthly subscriptions stipulated in the Governance Manual, which shall be subject to review by the NEC.
- b) Application for membership shall be done on a prescribed form upon payment of a non-refundable fee which is subject to review from time to time by the National Executive Council. Such an application shall be adjudicated upon and approved by the National Executive Council.
- c) Any member other than a serving Probation Officer desiring to resign from the association shall submit a resignation letter to the National Secretary for necessary action.

- d) Any person whose application for membership is rejected may appeal to the National Executive Council whose decision thereof shall be final.

(v) Cessation of Membership

- a) Any member other than a serving Probation Officer shall be suspended or expelled from membership if the KNAPO Ethics Committee so recommends.
- b) Any person whose membership ceases shall not be entitled to a refund of subscription or any part thereof of any monies contributed by one at any time.
- c) Any member, other than a serving officer, who falls into arrears with monthly subscription for more than six months, shall automatically cease to be a member of the association and their names shall be struck off the register of members. The committee may, however, at its discretion reinstate such a member upon payment of the total amount of money outstanding.

4.0 OFFICE BEARERS AND STRUCTURE OF THE ORGANIZATION

The Office bearers of the association shall be:-

- The National Chairperson
- The National Vice Chairperson
- The National Secretary
- The National Assistant Secretary
- The National Treasurer
- The National Assistant Treasurer

The structure of the organization as stated in this constitution is comprised of the following:-

- a) General Assembly – An assembly of delegates elected by the branches

- b) National Executive Council (NEC) – Comprising National Office bearers and Branch Chairpersons
- c) National Executive Board (NEB) – comprising of the National Office bearers and the Organizing Secretary

4.1 National Executive Board

- a) This shall be the Executive arm of the Association
- b) It shall comprise of:-
 - The National Chairperson
 - The National Vice Chairperson
 - The National Secretary
 - The National Assistant Secretary
 - The National Treasurer
 - The National Assistant Treasurer
 - The Organizing Secretary
- c) All of whom shall be paid up members of the Association other than the Directors and Deputy Directors of Probation services all whom shall not hold executive office of the association.
- d) Membership to the National Executive Board shall be open to all paid up members who shall also be serving officers in the Probation Service and who must have been active members of the Association for at least three years.
- e) Office Bearers and other members of the National Executive Council shall hold office for a period of two years but would be eligible for re-election only once.
- f) Any office bearer who ceases to be a member of the Association by way of death, resignation or retirement shall automatically cease to be an office bearer thereof.
- g) An office bearer may be suspended from office by the National Executive Council pending a decision of the General meeting.

- h) Any office falling vacant through unforeseeable circumstances will be filled by a person appointed by the Executive Council and will hold office until the General Meeting designated for the election of office bearers in strict accordance with the election procedures as laid down.

5.0 DUTIES OF THE NATIONAL EXECUTIVE BOARD

- a) **National Chairperson** – Shall spearhead policy implementation in line with the guidelines provided by the National Executive Council. The National Chairperson shall, unless prevented by illness or other sufficient cause, preside over all meetings of the National Executive Board, the National Executive Council and the General Meetings.
- b) **National Vice Chairperson** - In the absence of the National Chairperson, the National Vice Chairperson shall perform the duties of the National Chairperson and such other duties as shall be assigned to him/her by the National Chairperson of the National Executive Council whether the National Chairperson is there or not.
- c) **National Secretary** – (i) Shall deal with all the correspondence of the Association under the general supervision of the National Executive Council. In cases of urgent matters where the National Executive Council cannot be consulted, (s)he shall consult the National Chairperson or if the National Chairperson is not available, the National Vice- Chairperson. The decisions reached shall be subject to ratification or otherwise at the next National Executive Council Meeting;

(ii) (S)he shall issue notices convening all meetings of the National Executive Council and all General Meetings of the Association and shall be responsible for keeping minutes of all such meetings and for the preservation of all records of proceedings of the Association and all Committees.

- d) **National Assistant Secretary** - In the absence of the National Secretary, the National Assistant Secretary shall perform the duties of the National Secretary and such other duties as shall be assigned to him/her by the National Secretary of the National Executive Council whether the National Secretary is there or not.
- e) **National Treasurer** - Shall receive and shall also disburse, under the directions of the National Executive Council, all monies received by him/her and preserve vouchers for all monies paid by him/her. The National Treasurer is responsible to the National Executive Council and to the members that proper books of accounts of all monies received and paid by the Association are written up, preserved and available for inspection.
- f) **National Assistant Treasurer** - Shall perform such duties as may be specifically assigned to him by the Treasurer or by the National Executive Council and in the absence of the National Treasurer shall perform the duties of the Treasurer.
- g) **Organizing Secretary** - Organizing Secretary shall be appointed by the National Executive Council on recommendation of the National Executive Board and, under the direction of the National Secretary, will perform the following functions:
- Preparation and organization of meetings, meeting venues and facilities
 - Conduct publicity for the association
 - Coordinating and networking with other organizations as directed by the National Executive Council under supervision of the Secretary
 - Performing any other duties as assigned by the National Executive Board

The Organizing Secretary may be removed from office on recommendation of the National Executive Board and approval by the National Executive Council due to unsatisfactory performance.

6.0 NATIONAL EXECUTIVE COUNCIL

This shall comprise of:-

- a) The National Executive Board
- b) Three members representing special interest groups appointed by the National Executive Council
- c) Chairmen of all branches duly constituted

7.0 DUTIES OF THE NATIONAL EXECUTIVE COUNCIL

- a) The National Executive Council shall be responsible for the management of the association and for that purpose may give directions to the Office Bearers as to the manner in which, within the law, they shall perform their duties. The National Executive Council shall have the power to appoint such Committees as it may deem desirable to make reports to the National Executive Council upon which such action shall be taken as seems desirable by the National Executive Council.
- b) The National Executive Council shall be responsible for ways and means of raising funds for the Association.
- c) All monies disbursed on behalf of the Association shall be authorized by the National Executive Council except as specified in Rule 14(f).
- d) The quorum for the meeting of the National Executive Council shall not be less than one third of the members of the National Executive Council.
- e) The National Executive Council shall make rules from time to time for effective operation of the association.

8.0 GENERAL MEETINGS

8.1. General Assembly

This is the supreme organ of the association

- a) **The general assembly** shall comprise of an assembly of five delegates elected by from each branch and the out-going National Executive Board Officials.

There shall be two classes of General Meetings of the general assembly;

- i. General Meeting
- ii. Special General Meeting

b) General Meeting

The General Meeting shall be held not later than April in each year. Notice in writing of such general meeting accompanied by the annual statement of accounts, see Rule 8 and the agenda for the meeting shall be sent to all members not later than 28 days before the date of the meeting and, where practicable, by press advertisement not later than 14 days before the date of the meeting.

c) The Agenda for any General Meeting shall consist of:-

- i. Confirmation of the previous meeting's minutes
- ii. Consideration of the accounts
- iii. Election of the National Executive Board and National Executive Council members [and trustees where necessary in accordance with Rule 12(a)].
- iv. Appointment of auditors in accordance with Rule 13(a)
- v. Such other matters as the National Executive Council may decide or as to which notice shall have been given in writing by a member or members to the National Secretary
- vi. Any other business with the approval of the National Chairman

8.2 Special General Assembly

- i. A Special General Meeting may be called for any specific purpose by the National Executive Council. Notice in writing of such meeting shall be sent to all members not less than 7 days before the date thereof and, where impracticable, by press

advertisement not less than 7 days before the date of such meeting.

- ii. A Special General Meeting may also be requisitioned for a specific purpose by order in writing to the National Secretary of not less than 15% of paid up members and such meeting shall be held within 21 days of the requisition. The notice for such meeting shall be as shown in Rule 8.2 (i), and no matter shall be discussed other than that stated in the requisition
- iii. Quorum for the General Meetings shall not be less than 25% of registered members of the Association

9.0 PROCEDURE AT MEETINGS

- a) At all meetings of the Association, the National Chairperson, or in his absence, the National Vice Chairperson, or in the absence of both officers, a member selected by the meeting shall take the Chair. The Chairperson may at his discretion limit the number of persons permitted to speak for or in favour of and against any motion.
- b) Resolutions shall be decided by simple voting of a show of hands, or if any member so demands, by secret voting. In the case of equality of votes, the Chairperson shall have a second casting vote.

10.0 ELECTIONS

10.1 Elections Board

There shall be an Independent Elections Board comprising of three members proposed by the National Executive Board and approved by the National Executive Council.

Independent Elections Board will be formed three months prior to the scheduled elections and dissolved one month after settling all issues pertaining to elections.

10.2 Voting by Members

- a) Every member of the Association shall be entitled to one vote in each decision at each meeting of his/her branch at which one is present.
- b) Every delegate of the Association shall be entitled to one vote at the General Meeting of the Association.
- c) Honorably Retired/Resigned Probation Officers, Students, Honorary Members Associate and corporate members not be shall be entitled to vote at the meetings and shall be ineligible to contest for elective posts.

10.3 Branch Elections

- a) The Independent Elections Board will set guidelines for conducting Branch Elections.
- b) The results of Branch elections will be forwarded to the Independent Elections Board by the Branch.
- c) The Independent Elections Board will receive complaints and arbitrate over matters arising.

10.4 National Elections

- a) The Independent Elections Board will conduct the National Elections
- b) The results of the National Elections will be published by the Independent Elections Board.
- c) The Independent Elections Board will receive complaints and arbitrate over matters arising.

11.0 PATRON

The Association shall be empowered to nominate some distinguished and useful persons of the society to be Patrons to the Association for a period of four (4) years. The patrons will be eligible to attend any meetings of the executive of the association either by invitation or on their own accord but will not have voting rights.

12.0 TRUSTEES

- a) All land, buildings and other immovable property and all investments and securities which may be acquired by the association shall be vested in the names of not less than three (3) trustees who shall be members of the association and shall be appointed at General Meeting for a period of four (4) years. On retirement, such trustees shall be eligible for re-election for an additional one term only. 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 National Treasurer. Any expenditure in respect of such property which in the opinion of trustees is necessary or desirable shall be reported by the trustees to the council which shall authorize expenditure of such money as it thinks fit.

13.0 AUDITOR

- a. An auditor shall be appointed for the following year by the General Meeting. All the association's accounts, records and documents shall be open to the inspection of the auditor at any time. The National Treasurer shall produce an account of all receipts and payments and a statement of assets and liabilities made up to date which shall not be less than six (6) weeks and not more than three months before the General Meeting.

- 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 General Meeting is sent out. An auditor may be paid such honorarium for his/his duties as may be resolved by the General Meeting.
- c. Inspection of accounts shall be done once every six (6) months and reports submitted to the National Executive Council within one (1) month of such an inspection.
- d. No auditor shall be an office bearer or a member of the National Executive Council of the association.

14.0 FUNDS

- a) Sources of funds shall be:
 - i. Registration fee
 - ii. Monthly subscription
 - iii. Donations and grants
 - iv. Proceeds from investments and assets

All funds received shall be deposited in accounts established for the purposes of the association. Such funds shall be managed in such a manner that will be consistent with the operational instruments of the association.

- b) The funds of the association may only be used for the following purposes:
 - i. For running the office and implementing and furthering the objects of the association
 - ii. For paying traveling allowance at such rates as the National Executive Council may decide from time to time
 - iii. For such other purposes as may be decided at the general or council meetings and not inconsistent with the objects

- c) All monies and funds shall be received by and paid to the National Treasurer and shall be deposited in the name of the association in any bank or banks approved by the National Executive Council.
- d) Payments out of the bank account shall be made with the resolution of the National Executive Council authorizing such payment exceeding and all cheques on such bank accounts shall be signed by the National Treasurer or the Assistant National Treasurer and two other office bearers of the association who shall be appointed by the National Executive Council.
- e) A percentage of monthly subscription determined by the General Meeting shall be submitted to the branches on a pro rata basis, so long as such percentage is not less than 25%. Any branch that fails to submit statements of expenditure within six months shall have its disbursements suspended until such statements are furnished.
- f) A sum determined by the National Executive Council may be kept by the National Treasurer or any other person appointed by the National Executive Board for petty disbursements of which proper account shall be kept.
- g) The National Executive Council shall have the power to suspend an office bearer who it has reasonable cause to believe is not properly accounting for any funds or property of the association and shall have the 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, subject to availability of funds, and the General Meeting shall have full power to decide what further action should be taken in the matter.
- h) The financial year of the association shall be from 1st January to 31st December.

15.0 BRANCHES

Branches of the association may be formed with the approval of the National Executive Council and the Registrar of Societies and they will adopt the same constitution as that of the National Office with the following exceptions:-

- The aims and objects will not include the formation of branches
- The amendments to the constitution can only be made by the National Office of the association in accordance with the provisions of Rule 16
- The provisions of Rule 17 shall apply to branches but in addition, branches will not be dissolved without consultation with the National Office and approval of the National Executive Council
- Branch elections shall be held at least two (2) months before the General Meeting and results submitted to the Election Board within three (3) weeks of such an election

16.0 AMENDMENTS TO THE CONSTITUTION

Amendments to the constitution of the association must be approved by at least a two third majority of members at a General Meeting of the association. They cannot however be implemented without prior consent in writing of the Registrar, obtained upon application made in writing and signed by three (3) of the office bearers.

17.0 DISSOLUTION

- a. The association shall not be dissolved except by a resolution at a Special General Meeting of members by a vote of two thirds of the members present. The quorum at the meeting shall be shown in rule 8.2(iii). If no quorum is obtained, the notice to dissolve the association shall again be given to all members for the second meeting. The quorum for the second meeting shall be the number of members present.

- b. Provided, however, that no dissolution shall be effected without prior permission in writing of the Registrar, obtained upon application 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 council or any office bearers of the association other than to liquidate all assets of the association. Subject to the payment of all 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.

18.0 INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

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