

POLITICAL JOURNALISTS ASSOCIATION OF KENYA



THE CONSTITUTION

2015

Constitution

PREAMBLE

We, the members of the Political Journalists Association of Kenya, committed to nurturing credible and professional political journalism that comprehensively portrays the voices and experiences of the Kenyan people and the world, adopt, enact and give to ourselves this Constitution for the governance of our present and future members.

CHAPTER 1

1. NAME AND SYMBOL

(a) Name. The organization's name shall be Political Journalists Association of Kenya.

(b) Initials. The organization shall be also known by the initials PJAK.

(c) Symbol. The organization shall adopt an official corporate seal that shall include the date and place of incorporation, the symbol of PJAK, the initials PJAK or such other desirable information as may be necessary.

(d) Headquarters. The organization shall have its National Headquarters in Nairobi.

(d) Chapters. The Organization shall have chapters in Cities, Municipalities or towns across the Country as stipulated in Chapter 6 Article 24 of this Constitution.

(e) This Constitution, adopted in conformity herewith, shall comply with relevant laws in Kenya governing the transaction of PJAK organization as well as the media industry within the territory of Kenya. Accordingly, this Constitution shall also serve as the organization's bylaws.

CHAPTER 2

2. THE OBJECTIVES OF THE ASSOCIATION

The Objectives of PJAK shall enable the members to be dedicated to:

- (a) Be an exemplary group of professionals that honours political journalism excellence and outstanding achievement.
- (b) Training and mentorship opportunities to empower members to produce quality content to the audience for public interest.
- (c) Providing professional development and training as well as fellowships, internships and scholarships.
- (d) Encouraging and supporting Political Journalists aiming to become media entrepreneurs and or work independently.
- (e) Encouraging high school and college students and people working in other professions to become political journalists.
- (f) Increasing the number of Political Journalists working as staff and editors in diverse newsrooms within the territory of Kenya.
- (g) Strengthening ties between Political Journalists in Kenya and Media Owners across the territory of Kenya .
- (h) Engaging in such other activities permissible for non-profit corporations in accordance with this Constitution or any written law.

CHAPTER 3

3. MEMBERSHIP

Membership of the **Association** shall be open to Individual journalists, established or working as the case may be in Kenya. For the purpose of this clause '**journalist**' means a person whose principal earnings are derived from editing or writing for a journal or a newspaper, or for a broadcasting organization or internet news and is accredited by the Media Council of Kenya a government agency as a Political journalist.

Active members shall be accredited political journalists and correspondents from registered media organizations, whose primary place of employment is in Kenya and are skilled in the art of reporting political content, and who are further qualified in at least one of the following respects;

- (a) They are actively employed as an official political reporter in Kenya or
- (b) They are actively engaged in the practice of political reporting in the freelance field; or
- (c) Any active member in good standing who is no longer in active practice of political reporting shall, upon filing affirmation of retirement with the Secretary, become a retired member and shall not be required to pay annual dues.

4. Membership Application.

- (a) To be a full member of the Association, a KShs. 2,000 will be charged as a membership fee. Membership will be approved upon full payment of the fee and upon the presentation of a duly filled application form.
- (b) Journalists registered as Foreign correspondents will pay KShs.4, 000 as registration fees.

5. Membership Dues

- (a) Each member shall submit KShs 2,500 annual subscription fees at the beginning of every fiscal year payable to the Treasurer, while foreign correspondents will pay KShs 5,000.
- (b) Annual dues of members shall be determined by the Executive Board
- (c) Any money once paid to PJAK is not transferable or refundable under any circumstances.

6. Rights of Members.

- (a) Active members shall have all the rights of membership, including voting and holding elective office.
- (b) Retired members shall enjoy all the privileges of membership, including the right to vote but cannot hold an elective office.

7. Termination of Membership.

- (a) Membership in the Association may be terminated for good cause by the committee only after the member has been given an opportunity to be heard in reply to charges made by the committee.
- (b) Members whose dues are four months in arrears shall be terminated after due notice has been given by phone or mail at said member's last known post office address. Such a notice shall however not constitute waivers of the dues then owed by such a member.

(c) Any member whose account is in arrears shall not be permitted to vote, hold office, or serve on any committee.

(d) Any member can be denied the opportunity, or stripped of Membership status, if such a person does not abide by the provisions of this Constitution, including but not limited to abuse of office or failure to pay annual subscription fees.

(e) Nothing in this Constitution or in this Article shall be construed as limiting the right of the organization to refer to persons or entities associated with it as “members,” even though such persons or entities are not members as defined in article 3-6 above, and no such reference shall constitute anyone a member, within the meaning of the foregoing provisions of this article, unless such persons shall have qualified for and be a member in good standing as defined in article 3-6 above. All references in this constitution, the PJAK bylaws, or in the Law, to “approval by the members” or “approval by a majority of members” or a “quorum of the members” shall be deemed to apply to the membership categories specified in Chapter 3, Article 3-6 only.

8. Reinstatement.

A member whose membership is terminated for non-payment of dues may be reinstated by the Executive Board at any time prior to the close of the next membership year upon payment of full dues for the year.

9. Powers of the Membership

The national membership shall have the power to:

- (a) Approve amendments to the Constitution.
- (b) Elect the Executive Board as prescribed in this Constitution.
- (c) Do such other things as may be necessary or appropriate for the good of the organization and its members.
- (d) Bar any member who has failed to pay his her dues for a period determined by the operating procedures.

(e) Adopt, subject to ratification by simple majority of those members voting at a duly called and authorized annual general meeting, any appropriate resolution, including, without limit, any emergency resolution.

CHAPTER 4

10. NATIONAL OFFICE

The officials of the organization shall be the Chairman, the Deputy Chairman, the Secretary, the Deputy Secretary, the Treasurer, the Deputy Treasurer, the Coordinator, two Executive Committee members and the Regional officials as contemplated in this Constitution.

- i. The term limits for the elected officials shall be Two Years and will be eligible for a second and final term of the same timeframe.
- ii. The national officials shall ensure equitable representation of all media platforms that is print, radio, television and digital.

11. Duties and Functions of Officers.

(a) THE CHAIRMAN:

The Chairman shall:

- i. The chairman shall convene and chair all meetings of the Association in accordance with this Constitution.
- ii. Be the official spokesperson of the Association
- iii. The Chairman has the overall responsibility for ensuring the smooth running of the Board and the Association as a whole.
- iv. The Chairman shall chair all meeting of the **Association** and has a casting vote in the event of a tie in vote.
- v. The Chairman shall together with Liaison and Resource Mobilization Committee member lead in sourcing for partners and donors of the organization.
- vi. Be the head of and the unifying figure of the Association.
- vii. Be responsible for external relations between the Association and other partner organizations.

- viii. Oversee the policy direction of the Association.
- ix. With the Treasurer and Secretary General be a signatory to all the Association's main accounts.
- x. Present reports to the Annual General Meeting on the state of the Association.
- xi. Together with the Liaison and resource Mobilization and the Programmes Officer seek partnerships from donor organizations and agencies.
- xii. Call emergency meetings of the Board to address urgent and important matters.
- xiii. Represent the Association where it is affiliated, which function the Chairman may delegate to another officer or member of the Association.

(b) DEPUTY CHAIRMAN

The Deputy Chairman shall:

- (a) Deputize the Chairman in his or her absence or when delegated.
- (b) Perform such functions and duties as may be assigned by the Chairman, Executive Board or the General Assembly.

(c) SECRETARY

The Secretary shall:-

- (a) Be responsible for all communication between the Executive Board and the members of the association.
- (b) The Custodian of statutory documents and items such as the official rubber stamps, logo and corporate seal.
- (c) Be responsible for the general correspondence of the Association.
- (d) Be responsible for the documentation and record keeping of the affairs of the Association.
- (e) In consultation with the Chairman, call meetings of the Executive Board and the General Assembly.
- (f) Be responsible for taking of minutes of the meetings of the Executive Board and of the General Assembly.
- (g) The secretary shall handle all correspondence to and from the Association.
- (h) Perform such functions and duties as may be assigned by the Chairman, the Councils or the General Assembly.
- (i) Preparing a report of the organization's activities for the year, for the Annual General Meeting.

(d) DEPUTY SECRETARY

The Deputy Secretary shall:-

- (a) Deputize the Secretary in his or her absence.
- (b) Perform such functions and duties as may be assigned by the chairperson, Executive Board or General Assembly.

(e) TREASURER

The Treasurer shall:-

- (a) Be responsible for the finances of the Association.
- (b) With the chairperson, Secretary General and the Executive Director, be signatory to all the Association's accounts.
- (c) Present an Annual Financial Report to the General Assembly.
- (d) Initiate and develop fund raising strategies for the Association.
- (e) Be responsible for preparation of the budget of the Association.
- (f) Be responsible for the prudent utilization of the funds of the Association.
- (g) Be responsible for the auditing of the books of accounts of the Association.
- (h) Perform such functions and duties as may be assigned by the chairperson or General Assembly.

(f) DEPUTY TREASURER

The Deputy Treasurer shall:-

- (a) Deputize the Treasurer in his or her absence or when delegated.
- (b) Perform such functions and duties as may be assigned by chairperson, Treasurer, Executive Board or General Assembly.

(g) THE COORDINATOR:

The Coordinator Shall:

- i. The Coordinator will be in charge of implementing projects of the **Association**, arranging meetings, venues and organizing elections.
- ii. Guide Executive Board's actions by researching, developing, writing, and updating administrative policies, procedures, methods, and guidelines; communicating developments to Executive Board and the General Assembly.

- iii. Coordinate with the Chairman in providing information on educational opportunities, scholarships and fellowships where members can benefit.
- iv. Coordinate the Association's activities and programmes and advise the Executive Board on the progress of such projects.

(h) LIAISON AND RESOURCE MOBILIZATION EXECUTIVE COMMITTEE MEMBER:

The Liaison and Resource mobilization committee member shall:

- i. Be responsible for publicizing the Association, the Association's activities and programmes.
- ii. Support strategic partnerships by providing top quality advice, facilitating effective knowledge management, and providing technical assistance to project planning, coordination, monitoring and reporting in any collaboration.
- iii. Establish and maintain an effective liaison network in the Association
- iv. Be responsible for ensuring communication and cooperation between two or more entities by serving as an official go-between between top-ranking officials of each organization.
- v. Have a supervisory responsibility for the Association, by giving authority to order the changes necessary to ensure the two association complete a given task.
- vi. Together with the Chairman and the Programmes Officer seek partnerships from donor organizations and agencies.

(i) PROGRAMS AND PROJECTS EXECUTIVE COMMITTEE MEMBER:

The Programmes and Projects committee member shall:

- i. Be in charge of Fundraising and defining projects to be undertaken by the Association.
- ii. Be responsible for programme implementation by planning activities to achieve the programme objectives in consultation with the Executive Board.
- iii. Execute activities, monitors and reports progress of the programmes to Executive Board and the General Assembly.
- iv. Take the necessary actions to keep the project on target on a day-to-day basis.
- v. Be responsible for managing the programme's budget and ensuring that the programme achieves its objectives within the funds available and the project timeline.
- vi. Perform any other function as may be directed by the Executive Board.

- vii. Update project schedules, inform necessary parties of deadlines and write work flow procedures.

12. Vacancy

If there is a vacancy in any of the positions of Chairman, Secretary, Treasurer, their Deputies will take over in acting capacity for the remainder of the term.

- i. If a vacancy occurs in the positions of any of the Deputies, the Chairman shall, with the concurrence of the Executive Board, appoint a member in an acting capacity.
- ii. The person appointed under clause (i) shall occupy the position for the remainder of the term and shall be eligible for election.

13. Executive Board

The Executive Board shall consist of the organization's national officials and may undertake any action deemed for the good of the organization, except any amendment to this Constitution.

14. Duties and Descriptions of Officers.

The duties and descriptions of the officials of the organization the Chairman, Deputy Chairman, Secretary, Deputy secretary, Treasurer, Deputy Treasurer, Coordinator and two Executive Members shall be as specified in article 11 and may be amended by the Executive Board, with the approval of at least two-thirds of all registered members, as necessary.

15. Eligibility for Office and Term of Office.

To be eligible for office in the organization, a candidate must be a member in good standing, accredited by the Media Council of Kenya and abide by the requirements of Chapter 3.

16. Term of Office

Except as provided in this Constitution, terms of office for the Executive Board shall be two years. All officials of the organization shall be elected at an annual general meeting and may serve in the same office for no longer than two consecutive terms.

17. Limitations

No member of the Association may hold more than one national office or position on the Executive at the same time. An incumbent may retain his or her office or position while seeking another office or position – but must vacate the former office or position before assuming the new one if elected.

18. Vacancies

In the event that a member of the Executive Board does not complete his or her term – or if no one seeks a particular office or seat on the Board – the Chairman shall appoint an eligible PJAK member to serve for the remainder of the term.

19. Removal from Office

(a) The Executive Board, with the approval of two thirds of all registered members, shall have the authority to remove from his or her seat any official, representative who has not been active or devoted the time necessary to carry out his or her duties.

(b) A member supported by at least two thirds majority of all the registered members can take a vote to remove the official during a General Assembly.

20. Powers and Duties of the Executive Board

(a) The Executive Board, with the approval of the PJAK members, shall set an annual operating budget for PJAK.

(b) The operating budget so approved shall, in accordance with generally accepted accounting principles, allocate expenses and disbursements as are usual and customary in the operation of similar organizations for the succeeding calendar year.

(c) The Treasurer shall prepare and present the budget proposals for the upcoming PJAK financial year to the Executive Board two months before the end of the financial year, or two months before next Annual General Meeting of PJAK. The budget, once approved by the Executive Board shall be presented to the

members of PJAK for approval, subject to any amendments at the Annual General Meeting by the Treasurer.

(d) Except for the year 2015, the fiscal year of PJAK shall begin on January. 1 and end on Dec. 31 of each year.

(e) The Executive Board shall meet from time to time as may be necessary for the smooth running of PJAK and shall convene the Annual General Assembly at a convenient venue for the majority of the members to:

- i. Discuss the budget of PJAK Appoint members of the Ad hoc committees
- ii. Propose amendment of PJAK Constitution
- iii. Hearing and acting upon the reports of the Executive Board
- iv. Providing education and professional development workshops at a national convention.
- v. Providing a job fair primarily for those journalists seeking job opportunities
- vi. Hear and act on such business that may be presented to and by the membership
- vii. Discuss any other PJAK operation

(f)The Executive Board or any member with the approval of at least two thirds majority of registered members may cause to be held a Special General Assembly to discuss any matters of concern.

(g) Members shall be given a two week Notice for the Annual General Meeting. Such Notice, either electronically or as otherwise appropriate shall specify the agenda for Annual General Assembly and the venue.

(h) A Notice for a Special General Assembly shall be issued, or published or as otherwise appropriate to members at least Four days before the meeting. Such notice shall specify the agenda and the venue of the Meeting.

21. Incurring Indebtedness

No official of the Board as a body, or member of the Association shall incur any indebtedness in the name of the Association or make any commitment involving the **Association**.

CHAPTER 5

22. GENERAL MEETINGS

(a) There shall be two categories of General Meetings:-Annual General Meeting herein referred to as **Assembly** and Special General Assembly.

The annual general Assembly shall be held not later than specific date 31st of December every year. Notice in writing of such Annual General Assembly, 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.

(b) The Agenda for any annual general Assembly shall consist of the following:

(i) Confirmation of the minutes of the previous annual general meeting.

(ii) Consideration of the accounts

(iii) Election of office bearers and any other committee members.

(iv) Such other matters as the Executive Board may decide or as to which notice shall have been given in writing by a member to the Secretary at least four weeks before the date of the meeting.

(v) Any other business with the approval of the Chairman.

(c) **A special general Assembly:**

(i) A special general meeting may be called for any special purpose by the Executive Board. Notice in writing of such meeting shall be sent to all members not less than 7 days before the date of thereof and where practicable 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 secretary of not less than one third of members and such meeting shall be held within 21 days of the date of the requisition.

(iii) The notice for such a meeting shall be as shown in article 22 (a) and no matter shall be discussed other than that stated in the requisition.

23. QUORUM

The Quorum for general meetings shall be not less than two thirds of the registered members of the association.

CHAPTER 6

24. REGIONAL CHAPTERS

(a) The Executive Board is authorized to oversee, supervise and register the PJAK chapters established by the Constitution pursuant to the operating procedures and the approval of at least two thirds of registered PJAK members.

(b) An organization of five or more PJAK professional members may be considered for professional chapter status if all or the following occur:

(i) The membership of the Executive Board determines the applying organization's Constitution aligns with PJAK Constitution. Any person wishing to appeal a related ad hoc committee decision may do so to the full Executive Board, which may endorse or overrule the decision.

(ii) The applying organization, at the time of its application for alignment with PJAK, and at the time of the annual renewal of that status, submits to PJAK a membership list showing that two-thirds of the organization's members are eligible for PJAK status as provided in Chapter 3, of this constitution.

(iii) The Chairman and Deputy (s) of the applying organization are eligible for professional PJAK membership as provided in Chapter 3, while the remaining officers remain ordinary PJAK members.

(c) PJAK is composed of five geographic regions, including but not limited to Eldoret, Kisumu, Mombasa, Nyeri and Nairobi each of which shall elect a regional director to represent it on the Executive Board, pursuant to guidelines prescribed in this constitution, the organization's operating procedures and election committee guidelines.

(d) Subject to Article 24 (b) above, the regional directors will only be admitted to the Executive Board if such region has not less than five professional and registered members.

CHAPTER 7

25. DISPUTE RESOLUTION

- (a) Any aggrieved member shall inform the Secretary in writing the complaints and the Secretary shall within seven days from the date of receipt inform the Executive Board of the complaint.
- (b) Subject to clause (a) the Executive Board shall meet within 14 days to deliberate on the issue and give verdict.
- (c) A member who is not satisfied with the decision of the Board may appeal to the Board. If such appeal is granted, the Executive Board will appoint a five member ad hoc committee within seven (7) days of the appeal.
- (d) The Committee set in clause (c) above will have such powers to that of the Executive Board in hearing the case presented before it.
- (e) Any resolution given by the committee shall be binding.

CHAPTER 8

26. FUNDS

The funds of the Association may only be used for the following purposes:-

- (i) All moneys and funds shall be received by and paid to the Treasurer and shall be deposited by him/her in the name of the association in any bank or banks approved by the Executive Board.
- (ii) As per the constitution, No payments shall be made out of the bank account without a resolution of the Executive Board authorizing such payments and shall choose on such bank account shall be signed by the Treasurer, Chairman and Secretary of the Association who shall be appointed by the committee.
- (iii) A sum of KShs..... may be kept by the treasurer for petty disbursements of which proper account shall be kept.
- (iv) The Executive Board shall set and review the amount that can be kept by the Treasurer for petty disbursement.

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

CHAPTER 9

27. CONSTITUTIONAL AMENDMENT AND EFFECTIVE DATE

(a) Amendments to the constitution of the society must be approved by at least two-thirds majority of members at a General Assembly of the society. **They cannot however, be implemented without the prior consent in writing of the Registrar, obtained upon** application to him made in writing and signed by three of the office bearers.

(b) **Amendment proposal:** The Executive Board or any member of good standing may propose amendments to this constitution.

(c) **Process.** The constitution may be amended as follows:

(i) Proposed changes to this constitution must be submitted in writing to the Chairman at least 90 days prior to an Annual General Assembly. At that time, the Chairman will convene and lead the Constitution and Bylaws Committee to discuss or amend any proposed changes. The Committee so appointed shall forward any proposed amendment(s) to the Executive Board with its recommendation. If approved by the Executive Board shall circulate the proposed amendment(s), to the national membership at least sixty (60) days prior to the next Annual General Meeting. The membership shall then be asked to vote on the proposed amendment(s) at such Meeting. Two-thirds of the total number of votes cast shall be required for an amendment to be adopted.

(ii) Unless otherwise provided in this Constitution, amendments shall become effective Sixty (60) days following the adjournment of said Annual General Assembly. The Chairman, assisted by the Programmes Executive Committee member, shall then circulate the approved amendments to the Executive Board and national membership within before the expiry of the Sixty (60) days.

(c) **Enactment.** This constitution as amended shall take effect on....., and shall supersede any prior PJAK constitution.

CHAPTER 10

28. DISSOLUTION

- (a) The Society here in referred to as Association shall not be dissolved except by a resolution passed at a General Assembly of members by a vote of **two thirds** of the members present. If quorum is obtained, the proposal to dissolve the society shall be submitted to a further General Assembly 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 made in writing and signed by three of the office bearers.
- (c) When the **dissolution of the society has been approved by the Registrar**, no further action shall be taken by the Executive Board or any office bearer of the society other than to get in and liquidate for cash all the assets of the society, in such other manner as may be resolved by the meeting at which the resolution by the meeting at which the resolution for dissolution is passed.

CHAPTER 11

29. INSPECTION OF ACCOUNTS AND LIST OF MEMBERS

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

CHAPTER 12

SCHEDULES

Schedule 1: Interpretation of Constitution

The **Executive Board** shall interpret the Constitution their interpretation shall prevail unless overruled at the next meeting of the members of the **Association**.

Schedule 2: Previous Constitution Superseded

The provisions listed in this constitution hereby replace all provisions of any previous Constitution of the **Political Journalists Association of Kenya**.

Schedule 3: Interim Office.

- (a) An interim office will be elected by members during the second general meeting of PJAK to serve for 90 days before an election is held.
- (b) Eligible Members to the interim office must be fully registered and accredited by the Media Council of Kenya and practicing political journalism in Kenya.
- (c) The method of electing the interim office will be determined and adopted by the members before the election.

Schedule 4: Rules and Procedures.

Article 1: Election

- (i) PJAK shall use secret ballot during its general election
- (ii) The Executive Board shall appoint a team of technical experts from among its members to serve in the PJAK Elections Board.
- (iii) Persons appointed under clause (ii) above shall be vetted by the Executive Committee within one month of the appointment.
- (iv) Members of the Elections Board shall serve for a period of three years and shall not be eligible for another term.

- (iv) Members of the election Board shall not exceed five and will have the powers to conduct any election of PJAK as provided in this Constitution.

“Promoting Excellence in Political Journalism”