

THE

KENYA WATER INSTITUTE

STUDENTS ASSOCIATION

(KEWISA)

CONSTITUTION (2021)

Policy title: Kenya Water Institute Students Association Constitution

Policy theme: Structured framework of governance of students and engagement with stakeholders

Policy Contact: Director/ CEO

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Signed:



11th November, 2021

Director/ CEO

Date

Prof. Patrick Odhiambo Hayombe, PhD



11th November, 2021

Chairman, KEWI Governing Council

Date

Brig. (Rtd) Stephen Njung'e Kihu, EBS

PREFACE

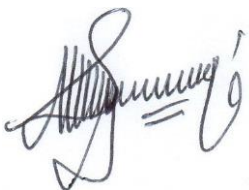
Kenya Water Institute (KEWI) is a state corporation under the Ministry of Water, Sanitation and Irrigation (MWSI) established by the Kenya Water Institute Act No. 11 of 2001 to promote standards of service in the water sector through Human Resource Development, Research, Consultancy and Outreach Services. The Institute falls under the Environment, Water and Sanitation sector whose goal is to attain “a clean, secure and sustainable environment” by 2030. KEWI currently has four campuses namely; Nairobi, Chiakariga, Kitui and Kisumu campuses located in Nairobi, Tharaka Nithi, Kitui and Kisumu counties, respectively.

To achieve its Mandate, Kenya Water Institute is set to lay down structures, policies and guidelines that will ensure optimal utilization of her Human Capital. The Students’ Constitution will proactively contribute towards achieving the overall goals of the Institute by laying down requirements that will ensure the smooth governance of student’s affairs and their relationship with various stakeholders. This will provide for a well-defined values and principles of governance of the Association, objectives and students leadership structure that will create harmonious co-existence among students and other stakeholders.

The Constitution establishes a Class, as will be defined by Academic Board from time to time, as the basic unit of representation where all Academic and Welfare issues can be discussed and deliberated before forwarding to the Students Council for further deliberation and adoption. Once adopted, the issues will be escalated to the Academic Board for further deliberation and direction.

The Institute is committed to providing all students a platform for channeling all their grievances to the Institute Management through their elected representatives. To this end, the Institution Management has proposed the incorporation of Students Association in the reviewed KEWI Amendment Bill, 2021 and provided additional membership in the Academic and Research Board to the Students’ Association Chairperson. If adopted by Parliament, the KEWI Act 2021 will enhance student’s representation in management of their affairs in the Institute. The constitution provides a robust mechanism for amendment which can be initiated by the Association members or Academic Board. This provision will ensure the Constitution is updated from time to time to reflect the changing environment and trends in the management of students Affairs.

The review and revision of this Constitution shall be done as and when need arises.



Brig. (Rtd) Stephen Njung’e Kihu, EBS

Chairman, Kenya Water Institute

FORWARD

Kenya Water Institute (KEWI) is committed to achieving her mandate of promoting standards of service in the water sector through Human Resource Development, Research, Consultancy and Outreach Services in the Water, Sanitation and Irrigation sector. To achieve this the Institute requires robust policies for effective management of all her resources including clearly and well defined policies for management of student's affairs who form the bulk of the Institute's clients. The Institute is coming from a history where management of student's affairs was disjointed, with each campus having separate policy documents for governance of student's affairs and in which adequate stakeholder participation including the involvement of established organs of the Institute as laid out in the KEWI Act no. 11 of 2001 was not demonstrated.

The consolidation of all separate policies of the Institute governing student's affairs into a single policy document will strengthen governance of students and their relationship with different stakeholders. To this end the Students Association Constitution 2021 has created different levels of governance which will provide an environment conducive to educational, intellectual and personal development of the Association members. The Constitution recognizes the values such as integrity and transparency, gender equity, inclusivity and diversity, collective and responsible student's leadership and commitment to academic excellence, provide the right environment towards sustainability of the Association. Further, this constitution is expected to provide a reference point through which the Institute Management will develop programs and activities geared towards achievement of student's welfare objectives as clearly defined in the KEWI policy documents and national guidelines.

The Constitution adopts the Electoral College System of voting and recognizes that the Students Association members have diversity of needs, challenges and opportunities which can be classified as constituencies. These constituencies are students in different campuses, classes, Special Interest Groups and programs of the Institute who will have a say in electing Student Council members and officials. The Student Council will mimic national Parliament in which all issues affecting students will be debated and resolutions made. Resolutions passed by the Students Council will be presented to the Institute Academic Board for deliberation and direction.

This Constitution will be updated from time to time to reflect the changing environment and trends in management of student's affairs.



Prof. Patrick Odhiambo Hayombe, PhD

Director/CEO and Secretary to the Governing Council of Kenya Water Institute

PREAMBLE

We the students of Kenya Water Institute desiring to constitute ourselves as an association to secure for ourselves and our posterity academic freedom, excellence, liberty and our welfare,

HUMBLY submitting to God and recognizing our responsibility before Him, humanity and to ourselves,

HONOURING the selfless efforts, drawbacks and successes of the founding and succeeding members,

PROUD of the diversity of backgrounds and cultures of members, united by a common purpose and aspirations,

GUIDED by the national values and principles of governance, principles of leadership and integrity and general principles of elections as spelt out in Articles 10,81 and Chapter 6 of the Constitution of Kenya 2010,

GUIDED by reason, courtesy, and genuine search of all virtues to live in comradeship, peace and to develop wholesome collaboration with other student bodies, persons, institutions and all who believe in the ideals of justice, equality and truth,

RECOGNIZING the supreme authority of the KEWI Academic Board and the KEWI Governing Council under the KEWI Act of 2001, Laws of Kenya, Rules and Regulations Governing Conduct and Discipline of Students made there under.

ADOPT, ENACT and give this Constitution to ourselves and future students of the Kenya Water Institute.

GOD BLESS THE KENYA WATER INSTITUTE!

ARRANGEMENT OF ARTICLES

PRELIMINARY

Article 1: Short Title

This Constitution may be cited as the Kenya Water Institute Students Association, 2021

Article 2: Interpretation

In this Constitution, unless the context otherwise requires-

“**Academic Board**” refers to the KEWI Academic Board;

“**Annual Accounts**” means the balance sheet and the income statement;

“**Association**” refers to the entire Kenya Water Institute Student Association;

“**Campuses**” refers to the KEWI satellite Campuses;

“**Constitution**” refers to the Constitution of KEWISA;

“**Council**” refers to the Kenya Water Institute Students’ Council;

“**Director**” refers to the Chief Executive Officer of the Institute

“**Electors**” representatives drawn from the Campuses to constitute the Electoral College for the purpose of electing Students Council officials

“**Electoral College**” the various Institutes’ Campuses shall be converted to Electoral Colleges during the electioneering seasons;

“**Governing Council**” refers to the KEWI Governing Council;

“**Institute**” refers to the Kenya Water Institute;

“**KEWI**” refer to the Kenya Water Institute;

“**KEWI Administration**” means all the administrative bodies and persons of KEWI;

“**Member**” means a student of the KEWI who is duly registered;

“**Member of Staff**” includes academic and non-academic staff members of KEWI;

“**Principal**” means the person in charge of KEWI campus

“**Program**” means an approved course of study by the Academic Board

“**Special Interest**” means marginalized groups, people with disability and International students;

“**Special Needs**” includes issues concerning students with disability, psychosocial challenges and indigent students

“**Student**” means a duly registered student of KEWI;

Article (3)

Application

This Constitution shall apply to and bind all students of the Kenya Water Institute and the relationship with other stakeholders shall be governed by this Constitution and the rules, regulations, offenses and penalties made there under.

CHAPTER ONE- AIMS, ESTABLISHMENT, OBJECTS AND VALUES AND PRINCIPLES OF THE ASSOCIATION

PART 1- AIM OF THIS CONSTITUTION

Article (4)

1. Provide for a structured framework of governance of students and engagement with relevant stakeholders for the overall benefit of Students and the Institute.
2. Clarify the provisions relating to the Kenya Water Institute Students Association as relates to its status, membership, appointment, term of office and for connected purposes.
3. Ensure that the Students' Association operates in a fair and democratic manner.
4. Ensure proper management/structure is in place and that the structure functions to maintain integrity, reputation and responsibility.

PART 2- ESTABLISHMENT AND COMPOSITION OF THE STUDENT ASSOCIATION

Article (5)

1. Establishment

- a) The Kenya Water Institute Students Association is established in accordance with KEWI Act, No. 11 of 2001.
- b) The name of the association shall be the Kenya Water Institute Students Association (referred to as "KEWISA" or "the Association").

2. Compositions of the Association

- a) The Students' Council;
- b) The Electoral College;
- c) Members in General Meetings; and
- d) Special General Meetings

Article (6)

The Objectives of the Association

1. Promote students' welfare, aspirations and interests.
2. Seek students' representation and participation in the appropriate organs of the Institute.
3. Develop leadership capacity and promote mentorship.
4. Set and promote a high standard of ethics, integrity, transparency and cohesion among members of the Association.
5. Actively work in close solidarity with other students' and professional organizations within and outside the Institute.

6. Promote and enhance the enjoyment of academic freedom and freedoms of conscience, expression and association.
7. Work hand in hand with the Institute Administration and other relevant bodies towards enhancement of members' conditions of living and improvement of facilities at the Institute.
8. Encourage student academic research, and provide an environment conducive to educational, intellectual and personal development of the members.
9. Enhance and preserve high academic standards in the Institute.
10. Promote positive student-lecturer relationship.
11. Create, publish and distribute magazines, journals, or any other content accessible through various media, including the Internet, through which students can express views, thoughts and creative talents.
12. Raise funds and mobilize resources through any lawful means for purposes of achieving the aim and objectives of the Association.
13. Promote participation in community service and environmental conservation.
14. Carry out such other activities as may be incidental to the achievement of the above objectives.

Article (7)

Guiding values and principles of the Association

1. Patriotism and national unity.
2. Good governance and accountability.
3. Integrity and transparency.
4. Gender equity.
5. Inclusivity and diversity.
6. Respect for the rule of law.
7. Collective and responsible student leadership.
8. Commitment to academic excellence.

Article (8)

Headquarters, Registered office

The headquarters of the Association shall be at the Institute's Main Campus Premises, P.O. Box 60013-00200, Nairobi or such other location as the Management may determine.

CHAPTER TWO- ELIGIBILITY FOR MEMBERSHIP, MEMBERS' RIGHTS, PRIVILEGES AND DUTIES

PART 1- ELIGIBILITY FOR MEMBERSHIP

Article (9)

Eligibility for Membership

1. Membership to the Association shall be open to all students of the Institute.
2. Members shall pay an annual subscription fee as prescribed by the Association in concurrence with the Academic Board.

PART 2- MEMBERS' RIGHTS, PRIVILEGES, DUTIES, CESSATION AND SUSPENSION

Article (10)

1. Rights, Privileges and Duties of Members

- a) A member may seek election to any office or position established in this Constitution and shall be entitled to vote at KEWISA elections;
- b) At least 60% of members drawn equitably from at least half of the campuses may petition the Secretary General to call a Special General Meeting;
- c) A member shall have the right to access all relevant information relating to the affairs of the Association including books and records of accounts, audit reports and minutes of meetings, after providing a written notice in not less than 30 days; and
- d) A member shall have the right to take part in all activities organized by the Association.

2. Duties of Members

- a) Comply and abide by the letter and spirit of this Constitution;
- b) Shall strive to promote non-discrimination and inclusivity;
- c) Be charged with the promotion of peace, integration, cohesion and tolerance in the operation of the Association;
- d) Promote cultural, racial and religious diversity of the members of the Association;
- e) Actively participate in the electoral processes and other activities of the Association; and
- f) Ensure that the Association complies with the Constitution, relevant laws, regulations and good governance practices.

3. Cessation of Membership

- a) Upon completion of the programme undertaken at the Institute;
- b) Where a student transfers to another Institute;
- c) Where a member dies;
- d) Upon expulsion from the Institute. However, the student shall be entitled to membership in the Association upon readmission to the Institute;
- e) Discontinuation or deregistration from an academic program; and
- f) Any other lawful reason provided by the Academic Board.

4. Suspensions from Membership

- a) Membership to the Association shall be suspended in any of the following cases:
 - i. Where a member has not registered for the academic year of study; and
 - ii. Where a member is suspended from the Institute.
- b) A suspended member shall be automatically reinstated upon re-admission and registration to the Institute.

5. Limitations of Terms of Office

- a) A member of the Student Council shall hold office for a term of one academic year and may be eligible to re-election only once.
- b) A person who has held office as a member of Students Council of another institute or constituent College in Kenya is ineligible

CHAPTER THREE- COMPOSITION, ELECTIONS AND FUNCTIONS OF THE STUDENTS COUNCIL

PART 1- GENERAL PROVISIONS ON COMPOSITION AND ELECTIONS

Article (11)

The Composition of the Students' Council

1. The Chairperson;
2. The Vice-Chairperson; who shall be of opposite gender with the Chairperson and shall be in charge of academic affairs of the association; Both the Chairperson and the Vice-chairperson shall be required to vie on a joint ticket;
3. The Secretary-General who shall be the Secretary to the Students' Council;
4. The Treasurer;
5. The sports representative;
6. Two representatives representing special interest groups; one of whom must be of opposite gender; and
7. Campuses representatives.

Article (12)

Establishment of an Electoral College

1. The Electoral College shall comprise of 60 electors equitably drawn from all Campuses and shall be mandated to elect the Students Council officials from among campuses representatives.
2. For purposes of constituting an Electoral College, all students registered in an approved program of study of the Institute, in each campus shall elect electors to the Electoral College based on the population of students in each program.
3. Class representatives shall not be eligible to constitute the Electoral College.
4. The Chairperson; Vice-chairperson; Secretary-General; Treasurer; Sport representative; two representatives representing Special Interest Groups shall be elected from the pool of Campus representatives.
5. The Electoral College constituted under sub-clause 12 (1) above shall observe gender parity.
6. The Electors shall not be candidates for the Students' Council positions.
7. The Electoral College constituted under this clause shall stand dissolved as soon as it has held the elections referred to in (1) herein.

Article (13)

1. Elections of Campus Representatives

- a) Campus representatives shall be elected by the Class representatives;
- b) In the election of Campus Representatives, Class representatives shall strive to ensure students with Special Interests are elected as Campus Representatives;
- c) The population of students represented by campus representatives will be determined by the Academic Board from time to time;
- d) The Academic Board shall nominate four student's representatives to the council after elections of Campus representatives to ensure compliance with the Constitution of Kenya 2010;
- e) Not more than two-thirds of one gender shall constitute the council; and
- f) Class representatives shall not be eligible for the election as Campus representatives.

2. Elections of Class Representatives

Class representatives shall be elected by all students' constituting a class;

- a) Each class shall elect a male and a female representative;
- b) In a class with only one gender, two representatives will be elected;
- c) A class shall be defined by the Academic Board from time to time;
- d) The number of classes in (d) above shall be whole numbers; and
- e) The class representatives shall serve for one academic year.

PART 2-FUNCTIONS OF THE STUDENTS' COUNCIL AND OF THE OFFICIALS OF THE STUDENTS' COUNCIL

Article (14)

Functions of the Students' Council

1. Represent the association members in the Institute's students' affairs within the Institute and with other external stakeholders.
2. Be responsible for Resource mobilization for KEWISA activities.

Article (15)

Functions of the Officials of the Students' Council

1. The Chairperson shall:

- a) Be the head of the Association and the Student's Council and shall, subject to this Constitution, be responsible for all matters on behalf of the Association;
- b) Convene the Student's Council and the Association meetings and unless incapacitated by reason of illness or any other sufficient cause, preside over such general meetings in accordance with this Constitution;
- c) Sign the minutes of meetings of the Students' Council and the Association;
- d) Be an ex-officio member of all standing committees and ad-hoc committees of the Students' Council;
- e) Sign the Association budgets and expenditures concurrently with the Secretary General and the National Treasurer;
- f) Call an emergency meeting of the Students' Council where need arises from time to time;
- g) Make decisions on behalf of the Association in extra-ordinary circumstances; where the Students' Council cannot be consulted, subject to ratification by the Students' Council; and
- h) Articulate the policies of the Association and provide leadership to the Association.

2. The Vice-Chairperson shall:

- a) Be the principal assistant to the Chairperson and shall deputize the Chairperson in his or her absence;
- b) Initiate mentorship and leadership training programmes, in consultation with the Chairperson and the Institute management; and
- c) Attend all Student Council and Association meetings unless prevented by sufficient reason made known to the Students' Council.

3. The Secretary-General shall:

- a) Be the Secretary of the Student Council and the Association;
- b) Take minutes of all Student Council meetings and the Association's general meetings;
- c) In consultation with the Chairperson, be responsible for all general correspondence and safe keeping of minutes on behalf of the Association;
- d) Be in charge of administration of the Association;
- e) Keep all records and documents of the Association including files and registers;
- f) Plan the Association's program of activities in consultation with the Chairperson, sport representative and the elected representative for social welfare and co-curricular activities;
- g) Ensure periodic monitoring and evaluation of the Association's activities, in liaison with the Institute management;
- h) Sign the Association's budgets and expenditures concurrently with the Chairperson and Treasurer; and
- i) Attend all Student's Council and Association meetings, unless prevented by sufficient reason made known to the Students' Council; and or the Chairperson.

4. The Treasurer shall:

- a) Be in charge of management of finances of the Association;
- b) Keep books of accounts in liaison with the Institute Finance Officer and the Chief Internal Auditor and avail them for audit and inspection;
- c) Sign the Association's budget and requests for expenditure concurrently with the Chairperson and Secretary-General;
- d) Ensure proper accounting for all monies expended on the Association's activities;
- e) Under the guidance of the Institute Finance Officer, draw the annual budget of the Association and table it before the Students' Council for approval; and
- f) Ensure that the audited accounts are tabled before the Annual General Meeting.

5. The Sport representative shall:

- a) Be in charge of management of sporting activities of the Association members; and
- b) Liaise with Sport Officers of the Institute in planning for student's sporting activities.

6. Campus Representatives shall:

- a) Be responsible for coordinating student's welfare activities at Campus level as determined and delegated by the students Council; and
- b) Receive from the Class representatives and relay to the council other students' academic related concerns to be addressed through the council.

7. Special Interests Groups Representatives shall:

- a) Be responsible for lobbying for international students' interests;
- b) Liaise with the National Council for people living with disabilities for support of students living with disabilities;
- c) Be responsible for lobbying for marginalized groups;
- d) Advocate for gender mainstreaming in various students' bodies; and
- e) Initiate and lead affirmative programs for students with Special needs.

CHAPTER 4- MEETINGS AND QUORUM OF THE ASSOCIATION

PART 1- MEETINGS

Article (16)

1. The Association shall have two classes of general meetings, namely:

- a) The Annual General Meeting (hereinafter referred to as —the AGM);
- b) Special General Meeting (hereinafter referred to as —SGM); and

2. Annual General Meeting (AGM)

- a) The Annual General Meeting shall be held not later than three months prior to the elections of the electors from the Electoral Colleges.
- b) Notice convening the AGM shall be accompanied by:
 - i. The Agenda;
 - ii. The minutes of the last AGM; and
 - iii. The Annual Report and Accounts.
- c) Notice of the AGM shall be issued within 21 days before the meeting, and shall be advertised in various platforms including the Institute’s website, and notice boards in the various campuses.
- d) The Annual Report and Accounts shall be tabled at the AGM and shall be open for inspection by members.
- e) The Agenda of any AGM hereof shall consist of the following:
 - i. Confirmation of minutes of the previous AGM;
 - ii. Matters arising;
 - iii. Annual Reports and Accounts;
 - iv. Auditor's Report;
 - v. Such other matters as to which notice shall have been given in writing by a member or members to the Secretary General at least fourteen days before the date of the meeting; and
 - vi. Handing over of office by the Students’ Council.

3. Special General Meeting (SGM)

- a) An SGM may be called for any specific purpose by the Students’ Council through the Secretary General.
- b) Notice in writing of such meeting and agenda shall be sent to all members not less than fourteen days’ days before the date of such meeting.
- c) An SGM may also be requisitioned for a specific purpose by a request to the Secretary-General
- d) No other matter shall be discussed other than that stated in the requisition.

Article (17)

Quorum

1. Quorum for Annual General Meetings shall be at least half members drawn from at least two thirds the number of campuses
2. Quorum for Special General Meetings shall be at least half members drawn from at least two thirds the number of campuses

Article (18)

Authority

1. The authority of the Association shall be the Annual General Meeting.
2. Elections of Council officials shall be delegated to electors of the electoral college and not AGM

CHAPTER 5- THE ELECTORAL BOARD AND THE ELECTORAL PROCESS

Article (19)

Establishment of the Electoral Board

1. There shall be an Electoral Board consisting of seven persons who shall serve on need basis:
 - a) The Electoral Board shall be an ad-hoc committee consisting of the Deans of Students' as the Chairpersons and utmost six other Board members appointed by the Director/ Principal at least one month before the date of elections; and
 - b) The appointment of Electoral Board members shall be staggered to ensure continuity.
2. The Electoral Board shall, in the performance of its functions not be subject to the direction or control of any person or authority, but shall observe the principle of public participation and the requirement for consultation with stakeholders.
3. The Electoral Board shall be assisted by staff drawn from the office of Dean of Students.
4. The Electoral Board shall appoint the returning officers, polling clerks and any other personnel to support the election.
5. All costs relating to elections and benefits payable to election officials shall be a charge on the Association funds and any other funds as may be provided by the Institute.

Article (20)

Guiding Principles of the Electoral Process

1. Independence of the electoral process.
2. Gender balance and national diversity.
3. Objectivity and impartiality in decisions making and in ensuring that decisions are not influenced by nepotism, favoritism and other improper motives or corrupt practices.
4. Ensure free, fair and credible elections which are:
 - a) By secret ballot;
 - b) Free from violence, intimidation, improper influence or corruption;
 - c) Transparent; and
 - d) Administered in an impartial, neutral, efficient, accurate and accountable manner.
5. Undertaking of elections on a regular basis in accordance with the Constitution.
6. Director or Principal of a campus shall have the powers to replace an Electoral Board Member who may not be in a position to carry his/her duties.

Article (21)

Functions of the Electoral Board

1. Conduct and supervise the Association elections in accordance with the Elections Regulations.
2. Facilitate the observation, monitoring and evaluation of elections.
3. Regulate the amount of money that may be spent by or on behalf of a candidate in respect of any election.

4. Develop and enforce a code of conduct for candidates contesting elections.
5. Use appropriate technology and approaches in the performance of its functions.
6. Determine the timetable for elections in consultation with the Academic Board.
7. Supervise the preparation of the voter's register, ballot papers, ballot boxes and the designation and preparation of polling stations.
8. Prepare the budget for elections.
9. Verify all nominations for candidates.
10. Prepare and post a list of all eligible candidates in the respective campuses and in case of Council officials' elections, in all campuses.
11. Conduct civic and voter education for students and candidates.
12. The Electoral Board may form its committees to enable it carry out its functions.
13. Take any other function it deems necessary to ensure that the elections are transparent, fair, peaceful and credible.

Article (22)

Inauguration of the Council

1. The elected officials shall be inaugurated by the Director/CEO of the Institute or such other person as may be appointed by the Director/CEO after the announcement of the results.
2. The ceremony shall take place in public gathering in the main Campus premises.
3. The inauguration ceremony shall take place between the hours of 8.00am and 5.00 pm and not later than 24-hours after the announcement of results.
4. Elected officials shall take office upon being inaugurated.
5. No person shall perform, act or assume office unless he/she has been inaugurated as provided for by this Constitution.

Article (23)

By- elections

1. By-election shall be held whenever an office or seat falls vacant by reason of: -
 - a) A successful petition or recall;
 - b) Cessation of studentship through expulsion from, or discontinuation by the Institute;
 - c) Imprisonment;
 - d) Death;
 - e) Contravention of the Constitution of Kenya 2010 and any other relevant law;
 - f) Resignation; and
 - g) Suspension from the Institute for a period longer than three months.
2. The by-election shall take place within twenty-one (21) days of the office or Seat falling vacant and shall follow the same procedure as provided for in this Constitution and the Electoral Regulations;
3. A by-election shall not be held unless there are at least three months to the next Students' Association elections;
4. Where a seat of an official falls vacant, the remaining officials shall appoint another official in an acting capacity for the vacant seat;

5. Where the seat of a representative from an electoral college falls vacant, the remaining electors from that campus shall appoint another representative from their campus in an acting capacity for the vacant seat.
6. The Election Board shall provide further guidelines on the conduct, supervision and management of by-elections.

Article (24)

Establishment of the Electoral Tribunal

1. There shall be established a Tribunal, to be known as the Electoral Tribunal which shall consider and determine Association's election disputes.
2. The Electoral Tribunal shall consist of the Deputy Director in charge of administration/Principals and four other members appointed by the Director.
3. The Deputy Director in charge of administration/Principals and members of the Tribunal shall serve on part time basis, as the need may arise from time to time.
4. The Director shall stagger the members of the Tribunal to ensure continuity.

CHAPTER SIX- ASSOCIATION'S FINANCE AND REVENUE

Article (25)

The Association shall secure its revenue from:

1. Association fee;
2. Donations;
3. Grants;
4. Fundraising activities;
5. Income generating activities; and
6. Other lawful means.

Article (26)

Budgeting/ Expenditure

1. The Associations' budget shall be approved by the Council and ratified by the Dean of students before the commencement of the financial semester to which they relate.
2. The expenditure of the Associations shall be guided by the approved budget and the plan of activities for the semester.
3. The day-to-day expenditure shall be subject to the Institute's financial regulations and the relevant procurement laws.
4. All expenditure shall be approved by the Chairperson, Secretary and the Treasurer of the Council, in consultation with the Dean of Students.

Article (27)

Misappropriation of Association funds

A person who receives money shall be personally liable in case of misappropriation.

Article (28)

Semester Accounts

1. Under the guidance of the Institute Finance Officer and in compliance with the Institute Financial Regulations, the Treasurer shall prepare Semester Accounts and present them to the Students' Council.
2. Such accounts shall be signed by the Chairperson, Secretary and Treasurer.

Article (29)

Audit and Audit Report

1. The Students' Council shall cause to be kept all audited books and records of account of the Associations.
2. The Chief Internal Auditor shall at all times have access to books of account and records of the Association and shall be entitled to receive all relevant information necessary to complete the audit of the Association's accounts.

Article (30)

Campus Decentralization of Funds

1. The Students' Council shall propose rules and regulations to ensure equitable distribution and accounting of the funds in compliance with the Public Finance Management Act, 2012.
2. Emoluments of office bearers shall not exceed thirty percent of the total budget.
3. Institute Management shall determine the allowances of the office bearers.
4. Class representatives shall be paid allowances and other benefits as may be determined by the Institute Management.

CHAPTER SEVEN- DISPUTE RESOLUTION AND RIGHT OF RECALL AND DISSOLUTION

Article (31)

1. All disputes regarding the interpretation and implementation of this Constitution shall be solved through arbitration.
2. Director/CEO of the Institute shall appoint an arbitrator who shall be a member of the Academic Board and whose decision will be binding.

Article (32)

Right of Recall

An elected official may be recalled as provided for in the Electoral Regulations.

Article (33)

Dissolution of the Association

The Association shall not dissolve except as may be provided by the KEWI Act or any other relevant law.

CHAPTER EIGHT- AMENDMENT OF THE CONSTITUTION

Article (34)

1. The amendment of this Constitution may be prompted by:

- a) Any member of the Association may propose an amendment of this Constitution by bringing a motion to the Student's Council which shall then table it for consideration by the representatives of the Annual General Meeting; and
 - b) The amendment shall be effected when passed by at least two-thirds of the members of the representatives of the Annual General Meeting and thereafter approved by the Academic Board,
2. The Academic Board may, of its own initiative, review or amend the Constitution with the involvement of the members of the Association.

CHAPTER NINE- RULES AND REGULATIONS, TRANSITION AND MISCELLANEOUS

Article (35)

Rules and Regulations

1. The Associations shall in consultation with the Institute, formulate and enact rules to govern the conduct of elections including regulation of campaigns, election financing, offences and penalties.
2. The Associations in consultation with the Institute may enact other rules and regulations for implementing this Constitution.

Article (36)

Transitional Provisions

1. This Constitution shall come into effect upon its adoption by the KEWI Governing Council.
2. Any new organs or offices created in this Constitution shall be implemented after the first elections held under the provisions of this Constitution.
3. Where under this Constitution, an organ or the Association is required to make rules and/or regulations, the existing rules and/or regulations shall apply until such a time when the organ or the Association makes other rules and/or regulations.
4. There shall be a transition period to provide full implementation of this constitution upon its approval.