

SALAR CONSTITUTION

2015

PREAMBLE

We, the members of the Organization, taking cognizance of the low level of legal literacy and awareness in Kenya and further appreciating the limited access to legal information, research and advisory services, and desirous to contribute in the alleviation and mitigation of the aforementioned deficiencies, do hereby constitute ourselves into an organization with the intent of providing legal awareness, research and advisory services. This organization shall be called the Students' Association for Legal Aid and Research (SALAR) constituted on.....day of.....

Article 1

1. This Constitution shall be the Constitution of SALAR and shall apply to all members to the extent of the provisions provided herein.
2. This Constitution shall be the supreme law of the Organization.

Article 2

Objectives

1. To promote and undertake legal research as a key component of legal education.
2. To provide free legal services to persons who cannot be able to afford the services of a lawyer.
3. To inculcate a public interest lawyering spirit in law students and build on that spirit as a basis for the creation of responsible legal professionals.
4. To establish and develop links with governmental institutions, non-governmental organizations and lawyers with the aim of promoting and expand the scope of social justice.

Article 3

1. The Organization may, in pursuit of its objectives, establish and or partner with such organizations as may be necessary for the achievement of its objectives.

Article 4

Membership

Membership to the Organization shall as follows:

1. Ordinary members are students of the University of Nairobi who are pursuing a Bachelors of Law degree at the School of Law.
2. Ordinary members shall be responsible for the day-to-day running of the organization.
3. Membership shall be acquired through payment of an admission fee of 200/- which is subject to review by the Steering Committee.
4. Membership shall be renewed every semester at fee of K.shs. 200.
5. Only members who have paid their membership fee in full shall have their names entered in the register or be eligible for to hold positions in the Organization.

Article 5

Rights and Privileges of members

Subject to the express provisions of this constitution, members of the Organization shall enjoy the following rights and privileges:

1. A member shall apply for appointment to any office or position established by this Constitution and shall be entitled to an interview by the Steering Committee.
2. A member is entitled to attend and participate in any Annual General Meeting or Special General Meeting of the Organization.
3. A member shall have the right to access all relevant information relating to the affairs of the Organization, including books and records of accounts, audit reports and minutes of meetings in so far as it shall be reasonable.
4. A member shall have the right to take part in all activities organised and run by the Organization.

Article 6

Resignation

1. Any member who wishes to resign from the Organization shall submit his resignation in writing to the Secretary General and the resignation shall take effect upon the reception of such letter by the Secretary General.

Provided that where a member resigns or is expelled from the Organization, such a member shall not be entitled to a refund of his subscription or any part thereof or any monies, property or interests contributed by him hitherto.

2. Any member who is in gross violation of the code of conduct shall face disciplinary action if the Steering Committee so recommends and votes through a resolution passed by two-thirds majority of the Steering Committee.
3. The following shall be penalties for misconduct:
 - i. Censure
 - ii. Suspension from the Organization for a period of time agreed upon by the Steering Committee.
 - iii. Expulsion from the Organization.

Article 7

Composition

The Organization shall have a Steering Committee consisting of the Chairperson, The Vice Chairperson, The Secretary General, the Organizing Secretary, the Librarian, the Treasurer and class representatives.

The members of the Steering Committee shall hold office for a term coincidental to one Academic Year, beginning from the date upon which the members shall be sworn in.

Article 8

Functions of the Steering Committee

1. It shall be the highest decision-making body of the Organization and shall formulate policies in consultation with the Supervisory Board
2. Management and coordination of all matters of the Organization and may appoint such committee as it may deem necessary to carry out specific functions
3. To receive, examine and approve the budget and audited accounts of the Organization and all its organs.
4. To establish and abolish offices and positions as may seem expedient in the interest of the organization.
5. To appoint and remove persons from such offices.
6. To approve, deny, revoke or reinstate the membership of any person.
7. To formulate a code of ethics for the members and any other rules to govern its own proceedings and the smooth running of the organization
8. Enter into negotiations and agreements on behalf of members and to consider and transact any business necessary , ancillary or incidental to the achievement of the objectives of the Organization
9. Take custody of all properties, documents and books belonging to ad acquired by the Organization
10. Perform any functions, roles and duties that are incidental to the success of the organization and the fulfillment of its objectives

Article 9

Vacancy in the Office of the Steering Committee

A Steering Committee office shall fall vacant if and when:

1. An office-bearer resigns from his or her post;
2. An office bearer dies;
3. An office-bearer by reason of mental or physical incapacity is incapable of performing the duties of the said office;
4. An office-bearer ceases to be a member of the Organization.

Article 10

Chairperson

1. There shall be the office of the Chairperson who shall be the chief executive officer of the Organization and shall be answerable for all matters relating to the Organization.
2. The Chairperson shall supervise and ensure that the performance of the duties of the Committee.
3. The Chairperson shall ensure constant communication between the Patron and the Organization. This includes a Semestral meeting of the Patron and the Steering Committee.
4. The Chairperson may summon Steering Committee meetings and shall preside over all its meetings unless incapacitated by reason of illness or other sufficient cause.
5. The Chairperson shall confirm minutes of the Steering Committee meetings.
6. The Chairperson shall together with the Treasurer and the Secretary General be the official signatories of the SALAR bank account.

Article 11

Vice-Chairperson

1. There shall be the office of the Vice Chairperson who shall be the assistant of the Chairperson. He shall work closely with and in consultation with the Steering Committee.
2. If the Chairperson is incapacitated by reason of illness and other sufficient cause or is absent for a prolonged period the vice Chair person shall be responsible for the discharging of the Chairperson's duties until the Steering Committee decides otherwise.

Article 12

Secretary General

1. There shall be a Secretary General who shall be the secretary of the Steering Committee and responsible for the organization's correspondence as directed by the Steering Committee
2. To Secretary General shall report to Steering Committee on matters of management and publicity.

Article 13

Organizing Secretary

1. There shall be an Organizing Secretary who shall be principally responsible for the planning and execution of club activities.
2. To report to the Steering Committee every week on matters of Legal Aid and Training Committee

Article 14

Treasurer

1. There shall be a Treasurer who shall be in charge of the Organization's finances
2. He or she shall be responsible for drawing the accounts of the Organization and keep record books and make the annual budget of the Organization.

Article 15

Librarian

1. There shall have a librarian who shall b responsible for the library materials of the Organization.
2. He or she shall keep records of the materials borrowed by the members.
3. He or she shall be making periodic reports to the Steering Committee on library matters.

Article 16

Patron

1. There shall be a patron of the Organization who shall be nominated by the Steering Committee in consultation with the members during the General Meetings.
2. The Patron shall facilitate and assist the Organization realize its objectives and shall, in this regard, be entitled to enter into negotiations, lobbying and other agreements with persons, bodies or institutions on behalf of the Organization.
3. The Patron shall cease to hold office in either of the following ways:
 1. Incapacitation arising from mental or physical infirmity, or by death or resignation.
 2. Whenever the Supervisory Board passes a vote of no confidence against the patron .

The Dean of the Faculty of Law of the University of Nairobi may act as the patron during the period of the vacancy

Article 17

Supervisory Board

1. The Supervisory Board shall consist of at least three members but not more than five members of the Faculty of Law and/or practicing advocates .They shall be responsible for ensuring that all activities of the Organization are carried out in accordance with this Constitution as well as custom and practice of the legal profession. They shall also ensure that the activities and policies of the Organization are not in violation of the current laws in force in Kenya.
2. The members of the Supervisory Board shall only vacate office by reason of their own resignation or due to natural causes.

Article 18

Procedure for interviews

1. At the end of every SALAR calendar year, the Secretary General shall notify the ordinary members at General Meeting of the end of The Steering Committee's tenure.
2. Members shall be given a two-week' period to submit applications for the Steering Committee positions.

3. A member may apply for at most two positions.
4. Positions for Chairperson, Vice Chairperson and Secretary General are only open to members who have been members of the Organization for at least one SALAR calendar year.
5. After receiving the applications, the applicants shall be notified of the dates of interview.
6. The interview panel shall be comprised of at least two-thirds of the Steering Committee members.

Article 19

Meetings

The Steering Committee shall hold meetings periodic meetings, and at any other time as the Committee may deem necessary.

1. Quorum for any Steering Committee shall be four members.
2. The Committee is tasked with making all policy decisions of the Organization and such decisions shall be by an open vote. In case of a tie, the Chairperson shall give the deciding vote.
3. A Steering Committee member who misses more than three consecutive meetings without the prior permission of the Secretary General shall be censured by the Steering Committee and may be subjected to such disciplinary action as the Committee sees fit.

Article 20

AGM

1. The Annual General Meeting shall be held on the date of swearing in a new Steering Committee.
2. Notice of the Annual General Meeting shall be made at least 14 days prior to the set date and the agenda of the meeting sent to all the members in writing.

Article 21

Finances

1. The financial year of the Organization shall correspond to the term of the Steering Committee .
2. All monies and funds shall be received and paid to the Treasurer and shall be deposited in the name of the Organization in a bank approved by the Steering Committee.
3. The Organization may obtain funds from the following sources:
 - i. Membership fees
 - ii. University of Nairobi administration
 - iii. Friends, well-wishers and alumni of the organization
 - iv. Any other means provided by the Steering Committee
4. The funds of the Organization may be used for the following purposes:
 1. To fund student legal research.
 2. Legal aid clinics and civic education initiatives
 3. Financing publications of the Organization
 4. Purchasing stationery and footing miscellaneous expenses that are reasonably incidental to the running of the Organization.
 5. The Bank account shall be open to regular inspection and auditing.

Article 22

Dissolution

The Organization shall not be dissolved except by a resolution passed by an Annual General Meeting by a vote of at least three-fourths of the members of the organization.

Article 23

Amendment

1. Amendment of any part of this Constitution shall be through a written notice submitted to the Secretary General within sufficient time (specificity) by the member seeking an amendment.
2. The Steering Committee shall then refer the same to a special general meeting, pass a motion by two-thirds majority and subject the same to a referendum.
3. The amendment shall be deemed passed if approved voted by two-thirds majority

Article 24

Code of Conduct

1. Members of the Organization shall conduct themselves with the highest standards of integrity, dignity and morality and shall refrain from conduct that may bring the organization into public odium or disfavor.
2. A member shall not, without the authority of the Steering Committee, make external correspondence purporting to be representing the Organization.
3. A member shall not solicit and use funds or resources from within or without in the name of the Organization without the approval of the Steering Committee.
4. A member shall not use or her position in the organization to unlawfully enrich himself/herself or engage in activities which go against the general interests of the organization

Article 25

SALAR Headquarters

The Headquarters of the Organization will be based at the Faculty of Law, University of Nairobi.