

**JOURNALISM STUDENTS ASSOCIATION OF KENYA
CONSTITUTION**

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PART 1- ESTABLISHMENT OF MSAK

Article 1: Definition of Terms

In this Constitution, except where the context otherwise requires-

- a. “**Advisory Council**” means the founders and appointed patron whose roles are set under this constitution
- b. “**Association**” means all components of the Media Student Association of Kenya
- c. “**Chapter Officials**” means those students elected or appointed at the chapter level whose role is to represent the chapters
- d. “**Executive Council**” means the elected or appointed National Executive Council whose role is set under this constitution
- e. “**Region**” means the recognized regions in the Republic of Kenya
- f. “**Regional Representative**” means the elected or appointed representative from the institutional/chapter officials from a certain region.
- g. “**Term**” means one JSAK calendar year
- h. All other words used shall be given their ordinary meaning. However, in the instance that the meaning of a word is in contention then recourse is to be made to the principles of legal construction upon the advice of advisory Council.

Article 2: Establishment of the Association

1. The name of this Association is the Journalism Students Association of Kenya and is established as a Society under the Society’s Act Cap 108 of the Laws of Kenya.
2. The seat of the Society shall henceforth be in Nairobi, Kenya

Article 3: Functions and Objectives

1. To create an environment where members can engage in rigorous intellectual pursuits, share knowledge and enhance their skills in media- related disciplines.
2. To Provide a platform for media students to connect with industry professionals, alumni and fellow students for career development.
3. Organize workshops, seminars and training sessions to improve journalistic skills such as news writing, interviewing, fact- checking, investigative reporting and multimedia storytelling.
4. To Collaborate with local and national media organizations to promote press freedom, protect journalists' rights and advocate for transparent and accountable media practices
5. To Engage with local community through journalism projects , campaigns and initiatives that address local issues , raise awareness and promote positive change.
6. To establish mentorship programs to connect experienced media personnel with media students, providing guidance, advice, and support in their career development.
7. To provide support and resources for students pursuing internships and job opportunities in journalism and mass communication.
8. To create an association newsletter or online publication where members can contribute articles, stories and opinion pieces, providing them with a platform to showcase their work.
9. To organize journalism competitions and awards to acknowledge exceptional students reporting, writing, photography, video editing, and journalism projects , promoting a culture of excellence within the association.

10. To organize charitable and voluntarily services to the public.

Article 4: Supremacy of this Constitution

1. This constitution shall be supreme to all other Constitutions of all other constituting Institutions and any provisions inconsistent with those herein provided shall be deemed to be null and void to the extent of the inconsistency
2. This Constitution shall only be amended in the manner set forth under this constitution

PART II- MEMBERSHIP

Article 5: Institution Membership

1. A University, Campus, College or other institution of higher learning which is duly registered as an institution of higher learning in Kenya and which accepts the objectives set out in this Constitution in the procedure laid down, is eligible for admission as a Member Institution, hereinafter referred to as Institution.
2. An institution shall send a formal application to the National Executive Council and Advisory Council for consideration to join JSAC. The application shall contain; a Constitution or Rules, proof of recognition by the institution by way of letter from the administration or patron and a letter showing intent to comply with the objects and purposes of the JSAC Constitution. There shall be no refusal of membership on grounds of race, gender, sex, sexual orientation, religion, political views, social status, or physical disability of its individual members in accordance with Article 27 of the Constitution of Kenya 2010.

3. The institution shall, upon completion of a year as a member, pay a reasonable amount which shall be determined by the National Executive Council at the start of the financial year.

Article 6: Structure of Institution Leadership

1. An institution shall be composed of individual members as shall be provided in their governing constitution or rules
2. Each institution must be recognized by the school administration as stated under Article 5(2) of this constitution
3. The institution must have an official who may be the chairperson or president who shall represent the institution in the National level. The structure of institution leadership shall be, other than the official who is compulsory, stated in the institution constitution or governing rules

Article 7: Loss of Institution Membership

1. A member Institution may automatically lose membership by way of voluntary withdrawal communicated in writing by the Institution Representative of that Institution to the National Executive Council showing cause for their intended action. The notice shall include a date effecting its withdrawal, two thirds vote in writing by the affected Institution Governing Council and two thirds vote of the Institution members following which withdrawal will be deemed to take effect upon its reception by the National Executive Council. Should an institution fail to observe this formality, its membership will continue for the ensuing term including all fees payable.
2. A member institution may be suspended for a period not exceeding two months :

- a. Upon failure to submit membership fees for more than two months past the due date and after consideration by the National Executive Council; or
 - b. If the National Executive Council or the Advisory Council shall be satisfied that the said Institution has acted contrary to the principles enshrined in the present Constitution or violated any law of Kenya. Individual actions of Chapter Members may result in the suspension of the entire Chapter if it is shown that they were committed by a large number of the members of that Chapter or if they were condoned by the leadership of the Chapter.
3. A member Institution can be expelled by way of a disciplinary action as provided under this constitution as long as it is shown that the action is of a majority of the members who have acted in gross violation of this constitution or the laws of Kenya

Article 8: Individual Membership

1. An applicant, whose institution is not a member of JSAK can apply for membership through the individual membership form in the Annexure of the Constitution.
2. JSAK shall be open to all students enrolled in Media related courses across Kenyan Universities and Colleges
3. An applicant shall apply to the National Executive Council in writing for consideration to join JSAK. The Applicant must submit a duly filled in membership Application form, a statement of compliance with the objects and purposes of JSAK, a copy of their National Identification Card (ID) or Passport, and proof of official recognition by the institution such as School Identification Card, Admission Letter, a letter from the school administration, or any other means of recognition from the institution.

4. All admitted members shall pay a reasonable amount of fees as shall be determined from time to time by the National Executive Council provided that such determination shall be made at the beginning of the financial year.
5. There shall be no refusal of membership on the grounds of race, sex, sexual orientation, religion, political views, social status, physical disability or other status in accordance with Article 27 of the Constitution of Kenya 2010.

Article 9: Loss of Individual Membership

1. Institutions shall make provisions for loss of individual membership from their respective Institutions. The provisions should include, but are not limited to, suspension of members, expulsion of members and voluntary withdrawal of members. If a dispute on the loss of membership cannot be resolved at the Institution level, then the Individual or any local Institution Governing Council leader shall approach the President of JSAK, who in consultation with the Advisory Tribunal, will then convene a tribunal within 30 working days, whose membership shall be as proscribed under Annexure IV.
2. A member, who gains membership by way of Article 8 of this Constitution, can lose their membership by way of voluntary withdrawal, suspension, expulsion or summary dismissal from the Association.
3. An individual member may automatically lose membership by way of voluntary withdrawal, communicated in writing to the National Executive Council through the Secretary General showing cause for their intended action. The notice shall include a date effecting its resignation failing which resignation will be deemed to take effect upon its reception by the National Executive Council.

4. An individual member shall be suspended by the National Executive Council, in writing and for a period not exceeding 3 months;
 - a. Upon failure to submit membership fees for more than three (3) consecutive months past the determined due date and after consideration by the National Secretariat; or
 - b. If the said Non-Chapter Member has acted contrary to the principles enshrined in the present Constitution or violated any laws of Kenya.
5. An individual member may be expelled through disciplinary action, as under Annexure IV of this constitution, which finds them to have grossly violated the constitution or any other laws of Kenya.

Article 10: Disciplinary Actions

1. All member institutions and individuals shall be subject to disciplinary action should they violate this constitution or any other guiding principles
2. A disciplinary action shall be by way of a complaint to the National Executive Council in writing stating the alleged violations by a member of JSAK. The president of the Council shall, in consultation with the advisory council come up with a tribunal of an oddnumber, provided that they are no more than 9 members. The tribunal shall be formed in line with the principles of natural justice.
3. The constituted tribunal shall then have 21 working days to hear the complaint and shall give a binding resolution to the president of the council who will then effect the decision.

The policy shall;

 - a. Provide for the acts that amount to misconduct
 - b. Procedures for dealing with alleged misconducts

- c. Recourses once misconduct is established
4. The National Executive Council shall effect a policy that shall act as an annexure to this constitution provided that no clause of the policy shall contradict with this constitution.

PART III - RIGHTS AND OBLIGATIONS OF MEMBERS

Article 11: Rights and Obligations of member Institutions

1. Each member institution shall be considered independent and can carry out its internal activities according to its own rules and regulations as long as they are consistent with this constitution and the General JSAK policies. This includes but is not limited to the right to host internal activities, to choose the institution governing council for JSAK.
2. Only in extreme circumstances stated in this Constitution and in policy can there be external interference with the workings of the institution
3. All member institutions shall have the right to attend, speak, propose motions and vote at any of JSAK Annual and Special General Meetings through a recognized representative who shall be the Institution Representative or his/her appointed delegate.
4. Each member institution shall ensure it participates in most activities conducted under the auspices of the association within reason, taking into account the physical location of the chapter and the rules and regulations of the institution it is part of.

Article 12: Rights of Individual Members

1. All members shall have the right to participate in all association activities subject to any limitations provided for in the Constitution, Association Policy or any other reasonably justifiable cause for the good of JSAK as a whole.

2. All members shall have the right to seek positions in any of the JSAK National Executive Council positions and shall be fairly considered for the position in a free fair and transparent process.
3. Members must pay all required JSAK fees, including membership fee, in order to fully participate in JSAK activities

PART IV- LEADERSHIP

Article 13: Structure of leadership

1. JSAK shall be composed of;
 - a. The National Executive Council
 - b. The Institution Representatives and Regional Representatives
 - c. The Advisory Council

Article 14: The Advisory Council

1. The Advisory Council shall be composed of three members; two of whom are permanent and are the founders of the Association, and one patron who is appointed.
2. The Advisory council shall;
 - a. Oversee the activities of the National Executive Council
 - b. Offer guidance as, and when necessary or called for
 - c. Ensure smooth transition of National Executive Councils
 - d. Get partners for the association
 - e. Facilitate and approve financial decisions relating to the association
 - f. Formulate an Election Policy

Article 15: Institution Representatives

1. All member institutions shall have a representative who shall be part of the Institution Representatives Committee
2. The Institution Representatives committee shall;
 - a. Perform the judicial functions to include inter alia, the determination of any disciplinary measures of the chapter members of the Society bearing in mind the procedural safeguards and mechanisms of a fair trial; and
 - b. Ensure that the National Executive Council carries out its mandate appropriately as granted by the Constitution ensuring Chapter Members are served adequately.

Article 16: Regional Representatives

1. The Institution representatives in a region shall appoint or elect a regional representative from among themselves
2. The Regional Representative shall then, and in writing, communicate to the President on the appointment or election.

Article 17: National Executive Council

1. The National Executive Council shall be composed of;
 - a. The President
 - b. The deputy president
 - c. Secretary General
 - d. National Coordinator
 - e. Treasurer

- f. Communication and Publicity Statement
2. The hierarchy of the National Executive Council shall be as listed in (1) above.
3. The National Executive Council shall be selected by way of application, oral interview, and appointment or election by the outgoing National Executive Council, the advisory Council and committee of Institution representatives
4. The members of the National Executive Council shall hold office for one term and will be eligible for re-election but may only hold office for a maximum period of two terms.
5. Elections are to be co-chaired by the president and one member from the Advisory Council
6. The National Executive council shall perform the functions of;
 - a. Determining general policies of the Association;
 - b. Suspend one of their own;
 - c. Raising funds on behalf of the association whether by securing loans, or by soliciting donations from private persons, corporations, or foundations, or from any source unless otherwise specified by the Constitution;
 - d. Leasing, purchasing, or acquiring any property, or other rights, licenses, or privileges necessary or convenient for the purpose of the association so far as it is permitted by law and at such price and consideration and generally on such terms and conditions as they think fit;

Article 18: Removal from Office of a National Executive Council Member

1. A national executive member can be suspended from office by a majority vote or resolution of the national executive council, or by consideration of recommendation to suspend from the advisory council

2. A national executive member can be permanently removed from office by way of vote from the National Executive Council and the committee of representatives from institutions, without the proposed expelee

Article 19: Annual General Meeting

1. The annual general meeting shall be held not later than 31st December in each year.
Notice in writing of such annual general meeting, 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.
2. The agenda shall be;
 - a. Confirmation of the minutes of the previous annual general meeting.
 - b. Consideration of accounts.
 - c. Conformation of Election of office bearers
 - d. Such other matters as the National Executive Council may decide or as to which notice shall have been given in writing by a member to the President at least four weeks before the date of the meeting
 - e. Any other business with the approval of the President

Article 20: Special General Meeting

1. There shall be special general meetings that can be called for by any member of the National Executive Council, if supported by at least a third of the members of the National Executive Council
2. Such a meeting can only be convened by way of submitting a written notice to the President, stating the agenda of the meeting

3. The meeting should be held no later than twenty-one days after notice has been given to the President, and it should be limited to the agenda stated and must be communicated to the members via all public platforms of engagement

PART V - DUTIES OF THE OFFICE HOLDERS

Article 21: President

The President of JSAK shall;

1. Serve as the Chief executive officer of the executive council.
2. Serve as the official representative of the association both internally and externally.
3. Facilitate important decisions in consultation with the advisory council.
4. Presides over meetings, sets the agenda and ensure productive discussions.
5. works with the treasurer to oversee the association's finances and allocations.
6. Facilitate conflict resolution among members and maintain a harmonious environment within the association.
7. Perform all other duties as shall be assigned under this constitution and by the National Executive Council

Article 22: Deputy President

The Deputy president shall;

1. Assists the president in their duties and acts as a backup when needed.
2. Collaborate with other executive team members to develop and execute association initiatives.

3. Encourage professional growth among members through workshops, training, or skill sharing initiatives.
4. Be in charge of Partnerships

Article 23: Secretary general

The Secretary general shall;

1. Maintains and updates important documents such as meetings minutes, membership records and
2. official correspondences
3. Act as the spokesperson of the association
4. Facilitate communication to all members the venue, date and agenda of Annual General Meeting and any other meeting.

Article 24: National Coordinator

The National Coordinator shall;

1. Collaborates with regional coordinators to ensure consistent activities and initiatives across different locations.
2. Plan and oversee major projects and events that involve multiple chapters or regions.
3. All other roles and responsibilities as may be assigned to him from time to time

Article 25: Treasurer

The treasurer shall;

1. Managing the financial activities and resources of the association

2. Work closely with the executive and advisory council to develop and monitor the association's budget.
3. Analyze expenses, project income, and ensure proper financial planning.
4. Maintain accurate financial records, expenses, and receipts.
5. Avail financial records for inspection when required.
6. Prepare budget for all events

Article 26: Communication and Publicity Strategist

The Communication and Publicity Strategist shall;

1. Manage external communication channels such as organization's website, social media accounts, newsletters and press release.
2. Disseminate any communication nationally on the social media handles.

PART VI - FUNDS, ASSETS AND RESOURCES

Article 27: Property

All personal, real and intellectual property vested in the Association upon registration shall be under the trusteeship of the National Executive Council. The National Executive Council shall deal with such property to preserve the integrity, aid the growth and promote the objectives of the Society.

Article 28: Application of Funds and Assets

1. The funds and assets of the Association shall be applied solely towards the promotion of the objects of the Association as set forth in this constitution and no portion thereof shall

be paid or transferred directly, or indirectly by way of dividend, gift bonus or otherwise by way of profit to the members of the Association.

2. Provided that nothing herein shall prevent the payment and/or gifting, in good faith, of reasonable and proper remuneration to any officer or servant of the Association or any member of the Society, in return for any services rendered to the Association, or prevent the payment of interest at a rate not exceeding current bank rates on money lent or reasonable and proper rent for premises let by any member to the Association

Article 29: Disclosure of Interest in Contracts

A member of the National Secretariat who is in anyway, whether directly or indirectly, interested in a contract or proposed contract with the Society shall disclose the nature of his or her interest at a meeting of the National Secretariat at which the question of entering into the contract is taken into consideration. A member of the National Secretariat may attend and contribute at such a meeting but shall not vote in respect of any contract or arrangement in which he or she is interested.

Article 30: Indemnity of the National Executive Council

Every member of the National Executive Council and other officers or servants or agents of the Association shall be indemnified against (and it shall be the duty of the National Executive Council, out of funds of the Association, to pay) all costs, losses and expenses which such person may incur or become liable for by reason of any contract entered into, or act or thing done by him in good faith in the capacity aforesaid, in any way in the discharge of his duties, including travelling expenses, and the National Executive Council may give to any officer or /servant of the Association who has incurred or may be about to incur any liability at the request or for the

benefit of the National Executive Council, such security by way of indemnity as it may think proper.

Article 31: Accounts

1. It shall be the work of the Treasurer to cause the accounts to be kept and in particular as regards:
 - a. The sums of money received and expended by the Association and the matters in respect of which such receipts and expenditures takes place;
 - b. The assets and liabilities of the Association
2. The books of account shall be kept at the office or at such place as the National Secretariat thinks fit, and shall always be open to the inspection of the members of the Council of Representatives during business hours.
3. At the General Assembly in every year, the Secretary General shall lay before the members present a proper income and expenditure account for the period since the last preceding account made up to a date more than nine (9) months before such meeting.
4. A proper Balance Sheet as at the date on which the income-expenditure account is made up shall be prepared every year, and laid before the members present at the Annual General Meeting. Every such balance sheet shall be accompanied by proper reports of the National Secretariat and the Auditors.
5. Copies of the income and expenditure account, balance sheet and reports, all of which shall be framed in accordance with any statutory requirements for the time being in force, and of any other documents required by law to be annexed or attached thereto or to accompany the same shall, not less than fourteen (14) clear days before the date of the

Annual General Meeting be sent to the Auditors and to all other persons entitled to receive notices, of such meetings in the prescribed manner.

Article 32: Auditors

1. The National Executive Council shall appoint an Auditor or Auditors to hold office until the next Annual General Meeting, provided that a member of the National Executive Council or other officer of the Society shall not qualify to be appointed Auditor of the Society.
2. The National Executive Council may fill any casual vacancy in the office of the Auditor, but while any such vacancy continues, the surviving or continuing Auditor or Auditors, if any, may act.
3. The remuneration of the Auditors of the Association shall be fixed by the National Executive Council
4. Every Member of the Association shall have a right to see all relevant vouchers, and shall be entitled to access during business hours to the books and accounts they require from the National Executive Council.
5. The Auditors shall make a report to the Members, of the accounts examined by them and on every balance sheet laid before the Association at its Annual General Meeting during their tenure of office, and the report shall state:
 - a. Whether or not they have obtained all the information and explanations they have required; and
 - b. Whether, in their opinion the balance sheet referred to in the report is properly drawn up so as to exhibit a true and correct view of the state of the Association's affairs.

Article 33: Inspection of the Book of Accounts

The books of accounts and all documents relating thereto and list of members of the Association shall be available for inspection at the office by any member of the Association on giving not less than seven (7) days' notice in writing to the Association, provided that the books of account and all documents relating thereto and list of members shall always be open for inspection by members of the Committee of Institution Representatives during business hours.

Article 34: Fiscal Year

The fiscal year of the Association shall begin on the first day of the month of december and end on the last day of the month of November or at such other time as the National Executive Council may from time to time determine.

PART VI - AMENDMENTS TO THE CONSTITUTION**Article 35: Amendments**

1. The National Executive Council, Advisory Council, and Committee of Institution representatives can, by a majority, at a special meeting for this purpose, pass, modify, amend or repeal this constitution or adopt a new constitution or change the name of the Association, provided that no such alteration, amendment, repulsion or modification shall be made which shall impair or prejudice the effectiveness of the prohibitions contained in this constitution against distribution of income, property and assets of the Society to the members.

2. A member of JSAK can propose a constitutional amendment and the president shall, no later than 21 days, convene a meeting of the National Executive Council, Advisory Council, and Committee of Institution Representatives to discuss the proposal.

PART V11- DISSOLUTION AND DISPOSAL OF PROPERTY

Article 36: Dissolution

1. The Society shall not be dissolved or wound up except where it is proposed to dissolve or wind up the Society, the following shall be the procedure:
 - a. The Joint Councils shall adopt, by a simple majority, a motion to convene a General Meeting to decide the question of whether to dissolve/ wind up the Society.
 - b. Once the motion has been adopted, the Advisory Council shall convene a special General Meeting, no less than thirty (30) days and no more than forty-five (45) days from the date of adoption. Provided that notice of the meeting of the General Meeting shall be given at least fourteen (14) days prior to the meeting.
 - c. At the General Meeting, each registered JSAK Chapter shall be represented by no more than twenty (20) persons whose names shall be forwarded to the National Executive Council at least ten (10) days prior to the meeting of the General meeting.
 - d. The President shall chair the special General Meeting, and shall recognize two speakers from each chapter to speak either for or against the motion to dissolve/wind up the Society. The Executive Council and Advisory Council, if it so wishes, may address the assembly.

- e. The General Meeting shall vote on the motion to dissolve/wind up the Society.
The motion shall require a two - thirds majority vote to succeed. All persons present shall be allowed one vote.

Article 37: Instruments of Accession

Each Chapter of JSAK shall sign a ratification document subscribing to this Constitution as its governing document.

Article 38: entry to Force

This constitution shall come to force 2 days after receipt by the President

ANNEXURE 1- REGISTRATION

INDIVIDUAL MEMBER REGISTRATION

Name: _____

Name of Institution: _____

ID/Passport: _____

Email Address: _____

Contact Number: _____

Level of education: _____

Residence: _____

Reasons for joining MSAK

Signature: _____

Date : _____

Submit a signed copy to the President of MSAK

Attach: Copy of Student ID or Admission letter

INSTITUTION REGISTRATION

Name of Institution: _____

Physical Location: _____

Name of Contact person: _____

Email Address: _____

Phone Number: _____

Reasons of Joining MSAK

Attach;

A valid Constitution

Recognition Letter from the Institution

A cover letter showing intent to be bound to the MSAK Constitution

List of Members in the institution who are members

Signature: _____

Date: _____

Submit a signed copy of this with the attachments to the President of MSAK.