

# TRUE COST CASE STUDY FOR AFRICA, KENYA FOR PAWANKA PARTNER-GABBRA COMMUNITY, TOKKUMMA AADDA TRUST



PAWANKA  
FUND

**10**  
Years



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# Introduction

# Introduction

The aim of the establishment of non-governmental organizations (NGOs) that operate on a nonprofit basis is to provide services to the members of certain communities or groups. Sometimes the activities of such NGOs are complementary to the government of the day in a specific locality or sometimes solitary in the absence of government provision of services that they ought to provide. They are formed and organized at local, regional and international levels to champion for collective or common interests and concerns of the members, specific target groups or the general public specified with a societal, social, cultural or scientific purpose committed to the environment stewardship, poverty alleviation, and human rights championing among the vulnerable indigenous peoples such as in Northern Kenya. The entire Northern Kenya landscape has been marginalized by successive governments from the colonial era but with the operationalization of a devolved system of government, there has been an avenue to rewrite this narrative. Even though things are changing for the better in such landscapes, the incredible work done by NGOs cannot be understated, ignored or overlooked.

## Objective

This assignment was undertaken specifically to; (i) document the systematic process of becoming a legal NGO in Kenya and (ii) analyze and identify the facilitating factors as well as barriers in the legal registration process. In so doing, the Tokkumma Aadda Trust was used as a case study.

## Methodological steps Project Study Design

The study employed the use of qualitative case study design. Data collection was achieved through the use of key informant interviews which followed the purposeful sampling of respondents who included the founder and team leader of the Tokkumma Mr. Ali Mero. To augment primary research, secondary research through the use of a desk review was also used where relevant documents from Tokkumma Aadda Trust, policy and legal documents and published peer-reviewed books and journal articles on the subject matter were reviewed and analyzed. This approach permitted the triangulation and verification of the information.



**State of the art in Africa,  
Kenya on registering an  
organization into legal  
entity**

# State of the art in Africa, Kenya on registering an organization into legal entity

Registration of an NGO, whether national or international, in Kenya is a crucial process. The NGO Co-ordination Act (1990), mandates all NGOs to be registered by the NGO Registration Board which is a State Corporation. The Board's mandate is to regulate, register, facilitate, enable and coordinate all NGOs operating in the country. Furthermore, the Board advises the government on NGOs' contributions to national development, provides policy guidelines aligned with national priorities, and analyses NGO annual reports. The Board began its operations in 1992 and is currently under the Ministry of Interior and Co-ordination of National Government.

The locally led community-based organizations (CBOs) have been important to Kenyan governance, especially following the devolvement measures included in the 2010 constitution, with government offices often distributing services through NGOs and CBOs in policy-making and project implementations.



**Legal process of registering an organization in Kenya**

# Legal process of registering an organization in Kenya

A Non-Profit Organization (NGO) is an entity that is independent of government influence and is typically on a mission to address a social or political issue. In Kenya, NGOs are regulated and enabled by the NGO's Coordination Board which is a state corporation. It derives its mandate from the Non-Governmental Organizations Co-ordination Act (Cap 19) of 1990. Apart from the boards' mandate of facilitating and coordinating the International and National NGOs operating in Kenya, its other core mandate is the registration of all NGOs in Kenya. The following are key important notes to adhere to during the process of registration:-

- Any organization seeking registration under Non-Governmental Organization Act, 1990 Section 10 read together with regulation 10 of the NGOs Co-ordination Regulations 1992. Applicants (National and International) are therefore advised to obtain and familiarize themselves with the Non-Governmental coordination Act, 1990 and Non-Governmental Organizations Regulations 1992.
- If the applicant organization has a previous registration/Incorporation, an applicant is required to produce a notarized copy of the relevant registration certificate. In addition, this should be accompanied by a letter of the organization from the board of such an organization.
- For organizations with previous registrations under any other written Law in Kenya, a certificate of dissolution from the registering authority must be tendered and / or filled with NGOs board for the application to be accepted.
- Applicants are encouraged to use the prototype constitution available on the NGOs Coordination board website. The constitution that do not follow the prototype may take longer to review.

Registration fees for the NGO may vary depending on the nature of the organization whether it is national or international. An organization with a previous registration certificate is required to produce a notarized copy of the certificate accompanied by a letter from its board of directors authorizing its registration. Finally, if the organization had been registered under any other law in Kenya, a certificate of dissolution from the registering Authority MUST be presented to the board or the board must be notified of the same registration for its acceptance.



The first process in the registration of an NGO is conducting a name search. This is done by filling a reservation form through E-Citizen platform using <https://ngo-board.ecitizen.go.ke> proposing 3 names of priority for the organization and paying the requisite fee of Ksh 1,050 (US\$7.5). This takes approximately 1 day to process and present results. Once the name is approved, the board reserves the name for a period of 60 days.

Once the name search stage has been conducted, the registration process commences by filling in the online application form and uploading all the required documents in the portal and paying the requisite fee of Ksh 16,050 (US\$ 114.6) for local and Kshs 30,050 (US\$ 214.6) for international NGO's. The registration process should be made within 90 days from the date of payment of the aforementioned requisite fees. If the registration is not made within the 90 days as stipulated, the customer is informed of the delay by the board. Approval updates will be posted in the online profile as well as sent via text message.

### **The requirements for registration include;**

1. Personal particulars (contact & addresses) for the proposed board members in the prescribed format.
2. Scanned copy of proposed organization constitution signed by all the board members on the execution page and by at least one of the proposed official on each and every page (PDF Not exceeding 2.5mb). Prototype constitution can be obtained by downloading from [www.ngobureau.go.ke](http://www.ngobureau.go.ke)
3. Sample signatures of all the board members. All signatures should be in Blue ink on a plain white background.
4. Scanned copies of current colored passports size photographs of the intended officials (size 2\*2 taken on a white background).
5. Scanned copy of a valid police clearance (certificate of Good Conduct including the finger prints and receipts) for Kenyans, and equivalent notarized clearance certificates for foreigners from their countries of origin which are not be more than six (6) months Old.
6. At least one third of all board members MUST be Kenyan for all foreign based NGOs, with atleast one Kenyan holding a substantive position (either chairperson or Treasurer)
7. Scanned system generated Form 3, downloaded from the system, signed and upload back to the system.
8. Scanned copy of the Bio data page of the foreigner's passport.

9. Scanned proposed one-year budget.
10. Scanned minutes authorizing the filling of the application with specific agenda and resolution to register the organization with the NGOs board. Election of the interim officials MUST form part of the Agenda.
11. All documents are uploaded online via E-Citizen.

### Tabulated pre-registration summary steps

Services	Customer Requirements	Timelines	Fees (KES)
1. Name search	Duly filled name reservation form.	1 day	1,050 (US\$7.5)
2. Registration	Cover letter requesting for registration	Within 90 days from the date of payment processing fee.	16,050 (US\$114.6) (National NGO)
	Duly filled Form 1 and Form 3 (3 copies).		
	Addendum to Form 3 duly filled (2 copies)	However, for applications that take more than 90 days of the customer will be informed of the delay	30,050 (US\$214.6) (International NGO)
	Two colored passport size photographs or each of the proposed officials.		
	Copies of the ID or passports of each of the proposed officials.		
	Approved copy of Form 2.		
	Three copies of the constitution signed by 3 top officials		
	Copy of minutes authorizing application signed by 3 top officials.		
	Proposed one-year budget.	When required	Free
3. Prototype Constitution	Download from the board's website. Prototype constitution download here. Soft copy available Here.	When required	350
4. Issuance of certificate	Any outstanding issues(s) addressed. Download Terms and conditions Here	30 minutes	Free
5. Acknowledgement Letters	File is in order	2 days	Free



**Background  
Description of the  
Tokkumma Aadda Trust**

# Background Description of the Tokkumma Aadda Trust

## Geographical location

Tokkumma Aadda Trust is located in Kalacha Cultural centre in Kalacha, North Horr constituency of Marsabit County, GPS Coordinates 3.149993 N (Latitude) and 37.396631 E (Longitude). The organization covers the wider Marsabit County with an estimated area of over 42,000 sq. kilometers and works directly with the five traditional institutions of Gabbra (The YAA).

Figure 1 Elevation Map of Kenya Showing the Location of Marsabit county & the project official



Tokkumma Aadda Trust was founded in 2019 to form an interphase between the entire Gabbra community and the outside world (including neighboring communities, the County Government, development partners) to protecting the bio-cultural heritage of the region, promoting land/human rights, inter-community harmony and sustainable pastoralism. The dreams and aspiration of its formation was achieved through the deliberation of elders from the traditional Gabbra institution

felt that a viable entity is important that connects them with the outside world. Ababuro Culture Conservation and Development (ACCD), an organisation formed in 2012 to protect rights, culture, land, environment, livelihoods (pastoralism) and promote sustainable development is linked to the

Yaa Assemblies through the Tokkumma Aada Trust an adaptive, pan-Gabbara community organization whose wider reach encompasses the membership of the of the entire five Gabbara YAA assemblies, with each Yaa represented in the organizational steering committee by five members made up of men and women totalling 25 officials in number.

## Vision

Envisage an inclusive community platform and voice for cultural-land rights advocacy that promotes environmental governance and social-economic transformation of indigenous people.

## Organisation Mission

- To protect the rights of the Gabbara people to own, utilize and freely move over their ancestral lands.
- To govern their environment through sustainable natural resources and pastoralism management.
- To practice their culture and transmit indigenous knowledge to the younger generation and promote inter-cultural respect and social harmony.

The initial registration of Tokkumma as an association took three years and it was not successful that led them into initiating another process of registering as a Community Based Organisation (CBO) due to number of challenges encountered such as; - timeframe used in creating awareness amongst the wider Gabbara community took more time in bringing together the five YAA clans as the process was slow and needed enough facilitation for sensitisation that was not there. During the period, Tokkumma Aadda Trust had engaged a lawyer to facilitate the process of registering the organisation in Nairobi which they paid cumulative cost of Ksh. 100,000 (US\$ 714.3). The process took more than one year with a subsequent follow up by the organisation without any feedback neither progress to get it registered. The engagement with the contracted lawyer did not yield any positive results and the Tokkumma leadership abandoned following up the issue and they decided to work through an agent that again initiated the registration process online for the second time. They spent cumulative amount of Ksh. 50,000 (US\$ 357.1) that are inclusive of the facilitation cost and registration process. The process is still active and ongoing, however it has taken two years without any communication for the last five months.

The present state of the Tokkumma Aadda Trust is actively registered as Community Based Organisation (CBO) which took only three months. The registration is done at the county level within Marsabit County. The process of registration and logistic costs amounted to Ksh. 50,000 (US\$ 357.1)

## **Tokkumma Aadda Trust Challenges**

Despite all the benefits Kenya's community-based organizations enjoy, they face numerous challenges, for example, Tokkumma Aada Trust, an organization that was formed in 2019 had been met with common challenges in the process of obtaining its legal registration status to be an independent entity due to:-

- High costs associated to hiring legal persons/agent and registration fees both during the first and the second trial
- Limited knowledge in developing legal documents results to unnecessary expenditure
- Inaccessibility of NGO Board offices in most parts of the country,
- Lack of enough human resource with capacity to fulfil the requirements etc.
- Long tedious process and the level of bureaucracy involved during the Prolonged drought that destabilized regular engagement amongst members of the association.
- The major fear of registering the organization from the community perspective is the transition from a CBO to NGO was the essence of losing its entity of being a traditional institution which has been subject to discussion and debate in the Gabbra community.
- High community expectations, hostility and non-cooperation by some government agencies and individuals, gender inequality; ineffective networking with international NGOs and an unstable financial resource base.

Tokkumma is envisaged to become a community platform, a most active major vehicle and voice for cultural/land rights advocacy and a promoter of environmental governance and socioeconomic transformation in Marsabit County that needs to be supported both financially and technically in transition to be a legally independent entity. The challenges faced from the registration process need attention from the supporting partners for an easy and effective grassroots performance of the organization.



# **Conclusions and Recommendations**

# Conclusions and Recommendations

Many funding agencies both local and international require locally led community based organizations to be registered by Non-Governmental Organization Board for eligible acquisitions of grants and other forms of financial support. This will give legal recognition that ensures its legal existence and recognition under the laws of Kenya thus granting organization a distinct legal identity, allowing it to enter into contracts, own property, and engage in various activities as a recognized entity.

Registration enhances NGO's credibility and legitimacy in the eyes of stakeholders, including donors, partners, and beneficiaries. It demonstrates the commitment to transparency, accountability, and adherence to legal requirements, which can help build trust and attract support for enhanced provision of access to funding and resources in implementing its programs effectively.

Based on the findings, Tokkumma Aadda Trust has initiated the process of becoming a legal entity by Non-Governmental Organization Board in Kenya. The organization had achieved a few of the items that is required by the governing board in registration process. They have a certificate of registration as CBO and a proposed constitution that guides the current operation of the organization including the association board members. However, the process has been slow for the association as it involved engaging lawyers and technical expertise that required huge amount of money that is not possible for them to rise the amount. Therefore, the process of accrediting Tokkumma as legal organization calls for greater support from the partner(s) both financially and technical guidance as it entails much online work through E-citizen.

Registering Tokkumma Aadda Trust under the laws of Kenya gives a stronger voice and platform for advocacy and lobbying for policy changes and community improvements through enhanced partnerships and collaborations with other organizations both in Kenya and internationally. Tokkumma being a recognized independent entity gives them more credibility and standing when engaging with government institutions, policy-makers, and other stakeholders to advocate for the rights and welfare of the Gabbara community.





# Appendixes and References

# Appendixes and References

NGO Board registration requirements

Certificate of incorporation

Participants List

Topographic map

Board members list

Constitution/Bylaws

## Requirements for Registration of an NGO

### Important Notes

1. Any organization seeking registration under the Non- Governmental Organizations Act, 1990 Section 10 read together with regulation 10 of the NGOs Co-ordination Regulations 1992.
2. Applicants (National and International) are therefore advised to obtain and familiarize themselves with the Non-Governmental Co-ordination Act, 1990 and the Non-Governmental Organizations Regulations 1992.
3. If the Applicant organization has a previous registration / Incorporation, an applicant is required to produce a notarized copy of the relevant registration certificate. In addition, this should be accompanied by a letter of the Organization from the board of such an Organization.
4. For Organizations with previous registrations under any other written Law in Kenya, a certificate of dissolution from the registering authority MUST be tendered and / or filled with NGOs board for the application to be accepted.
5. Applicants are encouraged to use the prototype constitution available on the NGOs Coordination board website. Please note that constitutions that do not follow the prototype may take longer to review.

### STEPS

1. Reserve name (KES.1050) by login in to E-Citizen platform through, <https://ngoboard.ecitizen.go.ke>
2. Once the name has been reserved, Fill in the online application form
3. Upload all required documents
4. Pay for your application- KES.16,050 for national NGOs and KES.30,050 for International NGOs
5. Approval updates will be posted in your online profile as well as sent via SMS.

### REQUIREMENTS

1. Personal particulars (contacts & addresses) for the proposed board members in the prescribed format.
2. Scanned copy of proposed organization constitution signed by all the board members on the execution page and by at least one of the proposed official on each and every page. (PDF Not exceeding 2.5 mb). Applicants can obtain the prototype constitution by downloading from [www.ngobureau.go.ke](http://www.ngobureau.go.ke)
3. Sample signatures of all the board members. All signatures should be in Blue ink on a plain white background.
4. Scanned copies of current colored passports size photographs of the intended officials (size 2\*2 taken on a white background).
5. Scanned Valid police clearance certificate (not more than 6 months old) or Notarized Police Clearance certificate from Country of residence (not more than 6 months old) for non-Kenyan.
6. At least One third of all board members **MUST** be Kenyan for all foreign based NGOs, with at least one Kenyan holding a substantive position (either Chairperson or Treasurer)
7. Scanned system generated Form 3, downloaded from the system, signed and upload back to the system.
8. Scanned copy of the Bio data page of the foreigner's passport.
9. Scanned proposed one-year budget.
10. Scanned minutes authorizing the filling of the application with a specific agenda and resolution to register the organization with the NGOs board. Election of the interim officials **MUST** form part of the Agenda.
11. **N/B Kindly note that all documents are uploaded via E-Citizen**



Serial No. CBO 04271

REPUBLIC OF KENYA  
THE COMMUNITY GROUP REGISTRATION ACT  
(No. 30 of 2022)

### CERTIFICATE OF REGISTRATION COMMUNITY BASED ORGANIZATION (CBO)

This is to CERTIFY that

Group Name/Project: TOKKUMMA AADDA TRUST Type of Group: CBO

Sub-Location/Ward: RAGE Location: KALACHA Division: KALACHA

Certificate/Registration No.: NH/CBO/2023/31 Constituency: NORTH-HORE Sub-County: MARSABIT NORTH County: MARSABIT

Date of Registration: 16/01/2023

has been duly registered by the Directorate of Social Development pursuant to and in accordance with the provisions of the Community Groups Registration Act, No. 30 of 2022 by:

Name: LELO BONAYA Signature: [Signature]  
For: Director of Social Development

Date of issue: 15/01/2024

KENYA VISION 2030  
TOWARDS A GLOBALLY COMPETITIVE AND PROSPEROUS NATION

Note: The Contents of this Certificate should not be erased, altered or defaced in any way

PAWANKA FUND

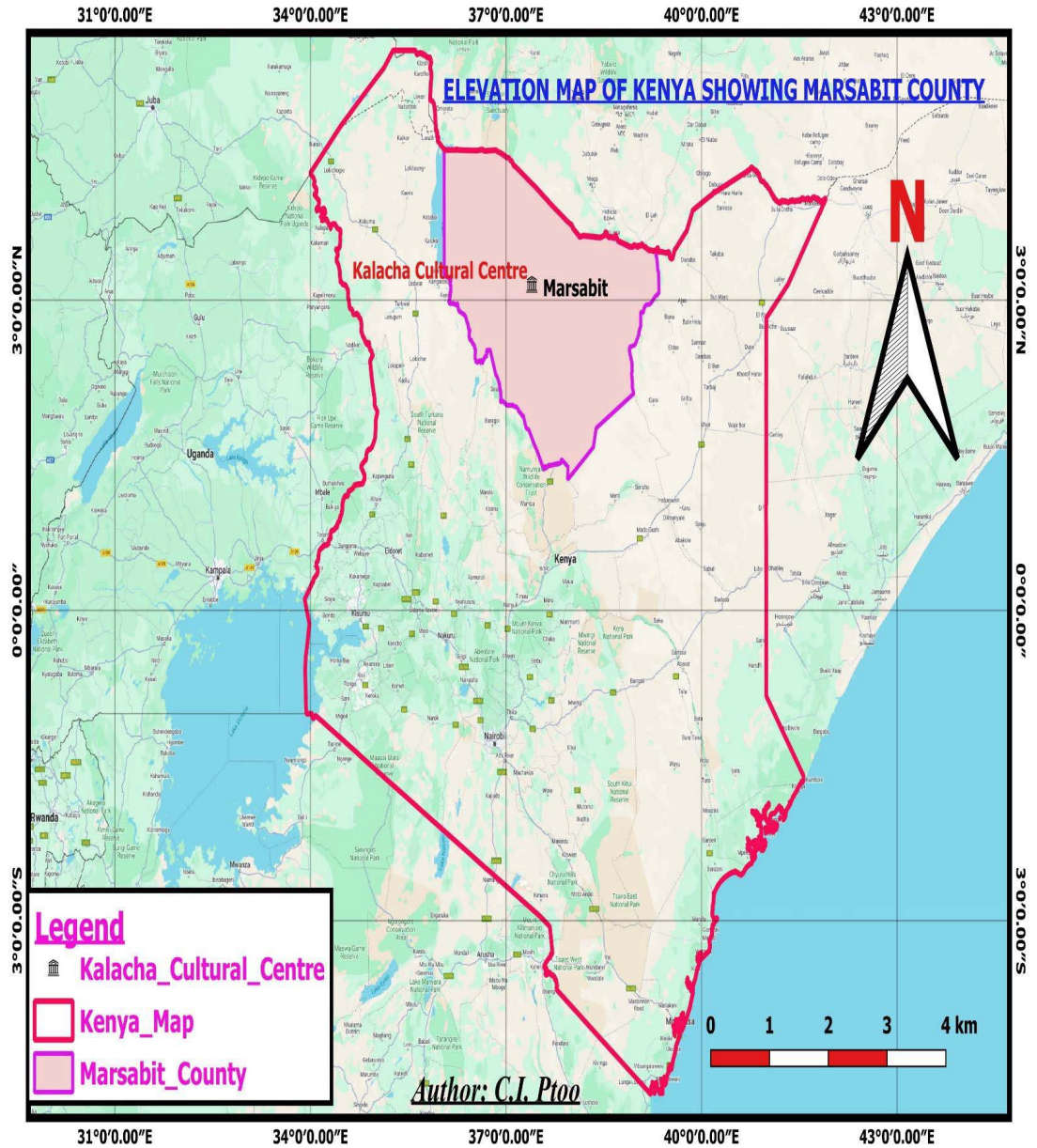
Organisation: TOKKUMMA DADA TRUST

Activity: True cost case study

Location: Kalacha, Marsabit Kenya

Date: 7/3/2024

Participants List							
No	Name	Gender (M/F)	Designation	Phone Number	ID Number	Email	Sign
1	Ali Mohamed	M	Team leader	072070572	4585054	alimohamed@gmail.com	[Signature]
2	Mdu Kullu Galallo	M	Team leader	072506503	0621080	mdukullu@gmail.com	[Signature]
3	Ali Gufu Ibrah	M	Team leader	0724166407	4151629	aligufu@gmail.com	[Signature]
4	Mamo Wago	M	Senior elder	0729721964	4781564	mamowago@gmail.com	[Signature]
5	Dub Ganche	M	Heritage Team	074219474	5692173	-	[Signature]
6	Mamo Isakoo Roba	M	Youth	0704360241	2786665	-	[Signature]
7	Chrra Oplallo	F	Member	0723088277	2365320	-	[Signature]
8	Kame Malich abulo	F	member Yga	0711342570	13421642	-	[Signature]
9	Bow Racha	M	Senior elder	0727546507	0521078	-	[Signature]
10	Boto Burji	F	Member	0740227348	1243180	-	[Signature]
11	Ado Dub Maigu	F	member	0728626401	20450275	-	[Signature]
12							
13							
14							
15							



**TOKKUMMA INTERIM BOARD MEMBERS**

1. Dambala Sharamo Abakule: Member
2. Roba Saqota Galgalo: Member
3. Molu kulu Galgalo: Chairman
4. Jillo Dabello sake: Member
5. Kame Malicha Racha: Treasurer
6. Roba Yara Galgalo: Member
7. Yatani isako mamo: Member
8. Sora Isako Fila: Member
9. Kame Ibrae Dido: Member
10. Ali Mohamed: Secretary



**CONSTITUTION OF**  
**TOKKUMMA AADDA TRUST**  
**A COMMUNITY BASED ORGANIZATION**  
**MARSABIT COUNTY**

## **1. Name and address**

The name of the CBO shall be TOKKUMMA AADDA TRUST. Hereafter referred to as TOKKUMMA

## **2. Objectives**

The CBO is established to manage spiritual, cultural and traditional component for the benefit of the community and the Gabbra traditional council and to facilitate:

- 2.1** Improvement of cultural and traditional and collective conservation of ancestral and land management and matters of the Gabbra traditional council
- 2.2** Promotion of social interaction and peace among local communities in Marsabit county
- 2.3** Promote culture, tradition and linkages with neighboring pastoralist communities
- 2.4** Perpetuation of a pastoral and traditional form of land management where humans, domestic stock and wildlife are able to flourish together to enhance culture and traditions
- 2.5** Language preservation, knowledge transmission, adults, children and youth empowerment, spirituality and cultural survival
- 2.5** Collaborate with government partners, conservation agencies and other stakeholders to promote the development and cause of community cohesion in Kenya.

## **3. Powers**

- 3.1** In addition to any other powers it may have, in order to achieve the objects;
  - 3.1.1** To protect, promote and enhance the biodiversity of the territorial area and to retain its natural beauty and strengthen traditional governance systems
  - 3.1.2** To assist and cooperate with local, County and National Government regarding biodiversity, culture, sustainability, management of natural resources, sustainable social and economic development.
  - 3.1.3** To assist in preserving heritage, archaeological and historical sites within the localized area and collaborate with National Museums to document sacred sites.

**3.1.4** To liaise and cooperate with a wider network of similar objectives and organizations for mutual growth and development;

**3.1.5** To develop and implement agreed and approved common work plans and budgets;

**3.1.6** To ensure effective and representative community participation, liaison and good governance at all levels.

**3.1.7** To ensure the effective and transparent management of finances, including grants, revenues and expenditures;

**3.1.8** To promote or assist in the promotion of any organization or company or other bodies having objectives similar to those of the CBO;

#### **4. Management of TOKKUMMA**

**4.1** There shall be the office of the Team Leader who shall be the head of the CBO in charge of overseeing the day-to-day affairs and managing the TOKKUMMA.

**4.2** The Team Leader shall be responsible to the Board Management Committee. He or she shall be an employee of the TOKKUMMA and his or her terms of service shall be determined by the Board of management committee. The Team Leader shall inter alia;

**4.2.1** Represent and act on behalf of the Tokkumma generally;

**4.2.2** Do all such acts as may be necessary for the efficient running of the Tokkumma affairs;

**4.2.3** Manage Human Resource operations;

**4.2.4** Fundraise for the Tokkkumma and report to donors and the Board;

**4.2.5** Act as a community and partner's liaison;

**4.2.6** Keep complete and up-to date records of the Tokkumma affairs;



## 5. Members

**5.1.0** The membership shall comprise of the five Gabbra traditional institution of the YAA. They include the five Gabbra phantries of Odolla, Algana, Garra, Sharbana and Galbo.

**5.1.1.** Number of Board members The Board shall consist of no less than three members and no more than 12 members. The Board shall consist of the posts of Chairman, Secretary and Treasurer.

The Board shall be the policy making organ of the organization.

**5.1.2.** Ex officio members

Ex officio members shall include:

Member of Parliament Representative;

County Government Representative;

Members of the county assembly

National Government Representative;

Sub county Representative,

Other key stakeholder representative.

## 6. Rights and obligations of members

**6.1.** Rights of Members

**6.1.1** To attend, contribute and vote at any Annual General Meeting (AGM).

**6.1.3** To elect members or to be elected to positions within the Tokkumma board committees.

**6.1.4** To report or raise complaints to the Tokkumma Board Management Committee.

**6.1.5** To inspect minutes or any other records of decisions of any AGM and the Tokkumma Board Management Committee meetings

**6.1.6** To suggest and approve the Tokkumma policies and plans regarding the management and utilization of the Tokkumma resources.

**6.1.7** To be regularly informed on all Tokkumma related matters and activities.

## **7. Termination of membership and other sanctions**

**7.1.** Membership shall be terminated if the member:

**7.1.1** Dies

**7.1.2** Resigns in writing;

**7.1.3** Ceases to fulfill the qualifications and obligations of membership;

## **8. General meetings**

### **8.1 Annual General Meeting**

**8.1.2.** The notice to members of the AGM shall be made at least one month before the meeting;

**8.1.3.** The quorum for the AGM shall be at least 50 registered members;

**8.1.4.** The AGM shall, among other things, review, and approve Tokkumma annual budget and financial statements, other reports, proposals, plans and benefit distribution plans.

**8.1.2.** The chairperson's report shall be presented for approval by members present.

**8.1.3.** The audited financial statements shall be presented for approval by members present.

**8.1.5.** Members of the Board Management Committee shall be elected at the annual general meeting.

**8.1.6.** The annual general meeting shall deal with any other items on the agenda and with items of a general nature as allowed by the chairperson.

**8.1.7.** A general meeting may remove, or substitute an elected board member provided that the notice for such general meeting shall state intention to propose a resolution for removal or substitution of conservancy members.

### **8.18. Special General Meeting**

**8.19.** Special General Meetings shall deal with the purpose set out in the notice of that meeting. Only such specific matters as have been set out in the notice of the meeting shall be raised, discussed and decided upon.

### **8.20. General Meeting**

**8.21** A General Meeting may be convened by the chairperson

**8.22** A general meeting shall deal with the purpose set out in the notice of such meeting.

## **9. The Board Management Committee**

The Board Management Committee shall be the executive body of the Tokkumma and responsible for managing its resources on behalf of Tokkumma Members. The Board Management Committee shall act on behalf of and in the best interests of the Tokkumma Members, who when gathered at the Annual General Meeting shall form the highest decision-making body of the organization.

The procedure for the election of members to the Board Management Committee shall be:

**9.2.1.** Each YAA of the Trust shall be entitled to nominate one other person for election to the Board Management Committee. Nominations by proxy shall be acceptable.

**9.2.2.** Registered members present at the annual general meeting, shall vote for members of the Board Management Committee from the names of the persons nominated.

**9.2.3.** The elected members of the Board Management Committee shall be those nominated persons who received the most votes of the registered members present at the Annual General Meeting

**9.2.4** Functions and duties of the Board Management Committee

The main responsibilities of the Trust Board Management Committee shall be as follows: .

1. To build capacity and monitor performance of staff; .
2. To manage Trust assets, equipment and infrastructures, .
3. To develop proposals and plans for projects and monitor all Tokkumma program and activities, .
4. To collaborate, network and liaise with the internal and external institutions;
5. To file all minutes and reports of the Tokkumma; .
6. To keep members informed regularly of its decisions, of the financial status of the trust and of any other matters of importance to members;
7. To determine the technical assistance and training needs of the Tokkumma and solicit such assistance wherever appropriate.
8. To organize and conduct Board Management Committee meetings, General Meetings, and Annual General Meetings of the Tokkumma

9. To oversee the management of Tokkumma revenue and expenditure;
10. To maintain an inventory of all property and assets.

Members of a YAA assembly may remove or substitute their representatives in the Board Management Committee in accordance with the procedures agreed by Trust members.

1. The chairperson shall include calling, chairing and providing overall direction to the meetings of the Tokkumma. The chairperson shall delegate his/her authority to act on behalf of the Tokkumma to the vice chairperson or other appropriate committee member if the chairperson is unable to fulfill his/her functions temporarily. If no committee member is available, and the matter is sufficiently urgent, the chairperson may delegate the authority to act on behalf of the conservancy to the Tokkumma Director.
2. The duties and responsibilities of the Secretary shall include organising all meetings of the Trust, issuing notices concerning all meetings and activities of the Tokkumma, recording minutes of all Trust meetings, conducting all correspondence on behalf of the Trust, and ensuring the safe-keeping of all relevant documents of the Trust.
3. The duties and responsibilities of the Treasurer shall include ensuring that proper financial records are kept, authorising requisitions and cheque vouchers made out by the Tokkumma Accountant, presenting financial reports to meeting of the Tokkumma as well as ensuring that an audit of the Tokkumma Accounts and Financial Statements is carried out annually.

The Tokkumma Board Management Committee may delegate other responsibilities among its members and sub committees as he or she finds appropriate.

Remuneration of Committee members.

Committee member:

1. Shall not be entitled to receive any remuneration for service as a Committee member. .
2. If so authorised by the Committee, may be entitled to reimbursement of travelling and accommodation and other expenses undertaken by them in the execution of their duties.

## **10. Dispute resolution and conciliation**

### 10.1 Internal Conflicts or Disputes

10.1.1 After consultation with the Tokkumma Board Management Committee, the Tokkumma Disciplinary Committee will mediate disputes within the general membership, enforce Tokkumma policy and initiate legal action where necessary.

10.1.2 Any disciplinary action taken against an individual or individuals shall not supersede their rights under the Constitution of the Trust.

### 10.2 External Conflicts or Disputes

10.2.1 The Trust shall in collaboration with Development Partners, Council of Elders, County and National Governments establish or join regional conservancy coordinating mechanisms that deal with external conflicts or disputes or any boundary related conflicts.

10.2.2 The composition and the Terms of References of such body(s) shall be formulated by the Trust Board Management Committee and approved at the Annual General Meeting.

## **11. Amendment**

Two thirds (2/3) of the entire Tokkumma membership shall be sufficient, by petition (containing Names, National Identification numbers, signatures and Tokkumma Membership numbers of the members) presented at the Annual General Meeting, to ratify and adopt amendments to any chapter of this Constitution and its Annexures, provided that such amendments shall not compromise the legality of the Tokkumma.

## **12. Dissolution**

**12.1.** The Tokkumma shall not be dissolved or wound up except by a resolution passed at a General Meeting of the members by votes of two-thirds of the members present. The quorum at the meeting shall be at least fifty per cent of all members of the Tokkumma. If no quorum is obtained, the proposal to dissolve or wind up the Tokkumma shall be submitted to a further General Meeting which shall be held one month later. Notice of this meeting shall be given to all members of the Tokkumma at least 15 working days before the date of the meeting. The quorum for this second meeting shall be the number of members present.

**12.2.** Upon dissolution of the Tokkumma, its remaining assets shall be distributed to another organization with similar objectives.



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