

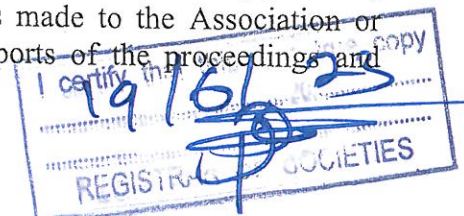
**THE CONSTITUTION OF KENYA COUNSELLING AND PSYCHOLOGICAL
ASSOCIATION (KCPA)**

1. NAME

The name of the Society shall be “THE KENYA COUNSELLING AND PSYCHOLOGICAL ASSOCIATION” (KCPA) in this Constitution referred to as “The Association”.

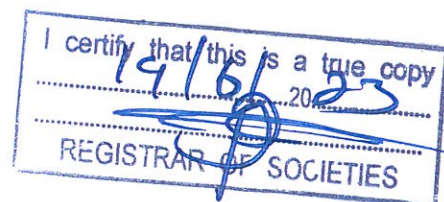
2. THE OBJECTIVES OF K.C.P.A.

- a. To assist the Government and the general society, in all matters of practice of counseling and psychology in Kenya, by the promotion of an understanding and awareness of professional counseling and psychological services throughout Kenya.
- b. To educate people about the importance of Counseling and Psychology in the maintenance of psychosocial and psycho spiritual health.
- c. To represent the profession of Counseling and Psychology at a national level and to provide links with professional associations at an international level.
- d. To establish an accreditation scheme for members, Supervisors and institutions.
- e. To develop, publish and supervise a Code of Ethics for the Counseling and Psychology profession and provide professional support for counselors and psychologists.
- f. To advance the scientific study and professional practice of Counseling and Psychology and enhance the contribution of Counseling and Psychology to the promotion of the public welfare by encouraging the development of all branches of Counseling and psychology; promoting research in Counseling and psychology; promoting high standards of professional ethics, competence, conduct, education, training, qualifications and achievement amongst Counselors and Psychologists;
- g. To develop and facilitate adequate training programmes for counseling and psychology practitioners; promote the dissemination of Counseling and psychological knowledge through meetings, lectures, professional contacts, reports, papers, discussions and publications; advancing scientific interest and inquiry in Counseling and Psychology and all related areas of knowledge and practice;
- h. To arrange, provide for, or join in arranging and providing for the holding of conferences, national or international exhibitions, business and social meetings, lectures, trainings, workshops, Seminars, classes and discussions on subjects of general and special interest to persons interested in Counseling and Psychology and also for the exhibition of any apparatus for psychological and counseling research, and the conduct and publication of experiments relevant to counseling psychological research;
- i. To print, publish and circulate, gratuitously or otherwise, and to sell, lend, issue and distribute, gratuitously or otherwise, any newsletters, magazines, papers, treatises, books, journals, pamphlets, leaflets, newspapers, periodicals or communications made to the Association or documents relating to counseling and psychology, and any reports of the proceedings and



accounts of the Association, and for this purpose to cause translations to be made of any such papers, treatises or communications as are in a foreign language, and to illustrate any of the publications as the Association may think expedient in connection with the objects of the Association or any of them;

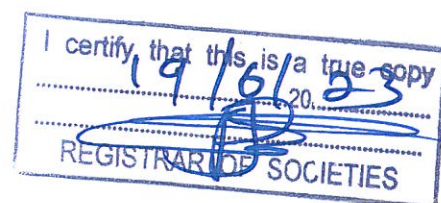
- j. To lay down requirements for membership of the Association, to maintain a directory of members and member institutions with details of their names, addresses, qualifications, appointments and experience, and to regulate the practice of Counseling and Psychology by setting the criteria for practice and by registering qualified practitioners in a Register of Psychologists and Counselors practicing in Kenya;
- k. To collect funds from membership fees, or donations and sponsorships; to keep proper account of such funds and to administer them in accordance with the Association's objectives.
- l. To act as trustee of any trusts established solely or principally for purposes similar or related to the objects of the Association;
- m. To promote ethical practice and suppress malpractice by and among psychologists and counselors, to settle all questions and decide disputes, questions of practice and questions of professional usage, etiquette and courtesy referred to the Society;
- n. To consider, initiate and promote improvements in and alterations to the law and policies relating to Counseling and Psychology and cognate subjects and to oppose or support any law relating to Counseling and Psychology in Kenya and to do all things that may be expedient for such purpose;
- o. To consider and advise on any question of psychological or counseling policy referred to it for consideration by any group or member of the Association or any other person, group or body;
- p. To identify any arrangements with any Government or authority, supreme, municipal, local or otherwise, that may seem conducive to the Association's objects or any of them and to obtain from any such Government or authority any rights, privileges and concessions which the Society may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions,
- q. to merge and/or affiliate with any, institutions, societies, organizations, companies or associations having objects altogether or in part similar to those of the Association and which prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association.
- r. ensure that all persons who practise counseling and psychology in Kenya or provide counseling and psychological services in Kenya meet standards of learning, professional competence and professional conduct that are appropriate for the counseling and psychological services they provide;
- s. set, maintain and continuously improve the standards of learning, professional competence and professional conduct for the provision of counseling and psychology services in Kenya; determine, maintain and enhance the standards of professional practice and ethical conduct, and learning of the counseling and psychology profession in Kenya;



- t. Facilitate the acquisition of counseling and psychology knowledge by members and regulate counseling and psychology profession and ancillary service providers, including interns through promotion of high standards of counseling and psychology education and training;
- u. Represent, protect and assist members of counseling and psychology profession in Kenya in respect of conditions of practice and welfare;
- v. Put in place measures that provide equal opportunities for all counseling and psychology practitioners in Kenya;
- w. protect and assist the public in Kenya in all matters touching, ancillary or incidental to counseling and psychology and in this regard, protect and promote the interests of consumers of counseling and psychology services and the public interest generally in Kenya by providing a fair, effective, efficient and transparent procedure for the resolution of complaints against counseling and psychology practitioners;
- x. To acquire, hold, develop or dispose of properties of all kinds, whether movable or immovable, and to derive capital or income from the property, for all or any of the foregoing objects;
- y. To raise or borrow money for all or any of the foregoing objects in such manner and upon such security as may from time to time be determined by the Society;
- z. To invest and deal with monies of the Society not immediately required in such manner as may from time to time be determined by the Society;
- aa. Do all such things necessary for the proper and effective achievement of its objects the performance of Society.
- bb. Do all such other things as are incidental or conducive to the attainment of the foregoing objects or any of them.

3 MEMBERSHIP

- (a) Membership shall be open to the persons who are interested in the advancement of psychology as a science and as a profession and who have met such standards as may be prescribed from time to time in any Bye-Laws made under rule 8(b) of this Constitution.
- (b) The Committee shall formulate rules regarding membership.
- (c) Every member shall pay such annual subscription fees as the committee shall from time to time decide.
- (d) Any member may be expelled from membership if the Committee so recommends and if a General Meeting of the Association shall resolve by a two thirds majority of the members present that such a member should be expelled PROVIDED THAT:



- i. The Committee shall notify the member intended to be expelled in writing at least fourteen days from the date of the General Meeting at which the member's expulsion will be discussed: and
- ii. The member intended to be expelled shall be given an opportunity to be heard and to defend the actions for which his expulsion is sought, before the General Meeting.

Notwithstanding the foregoing, the Committee shall have the power to suspend a member whose expulsion is proposed pending the decision of the General Meeting.

- (e) Any member desiring to resign from the Association shall submit his resignation to the Secretary and his resignation shall take effect from the date it is received by the Committee. A member so resigning shall be held liable for payment of the full subscription s in respect of the financial year during which the notice is given
- (f) Any person who resigns or is removed from membership shall not be entitled to a refund of his subscription or any part thereof or any moneys contributed by him at any time
- (g) Any member who falls into arrears with his annual subscription for more than six (6) calendar months shall automatically cease to be a member of the Association and his name shall be struck off the register of members. The committee may, however, at its discretion, reinstate such member on payment of the total amount of subscription outstanding.
- (h) The Association shall have the power to co-opt honorary members and patrons.

4 OFFICE BEARERS

- (a) The office bearers of the Association shall be:-
 - a. The Chairman,
 - b. The Secretary,
 - c. The Treasurer

All of whom shall be fully paid up members of the Association and shall be elected at an Annual General meeting of the Association.

- (b) All office bearers shall hold office from the date of election for a period of three years and shall be eligible for reelection only once but subject to the conditions contained in subparagraphs(c) and (d) of this rule but shall be eligible for re-election
- (c) Any office bearer who ceases to be a member of the Association shall automatically cease to be an office bearer thereof.



- (d) Office bearers may be removed from office in the same way as laid down for the expulsion of members in Rule 3 (d) and vacancies thus created shall be filled by persons elected at the General Meeting resolving the expulsion.

5. DUTIES OF OFFICE BEARERS

(a) CHAIRMAN

The Chairman shall, unless prevented by illness or other sufficient cause, preside over all meetings of the Committee and at all General Meetings.

(b) SECRETARY

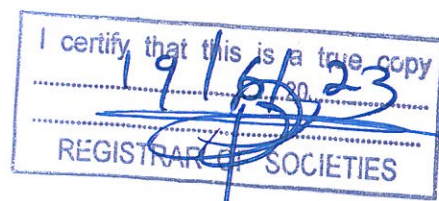
The Secretary shall deal with all correspondences of the Association under the general supervision of the Committee. In cases of urgent matters where the Committee cannot be consulted, he shall consult the Chairman. The decisions reached shall be subject to the ratification or otherwise at the next Committee meeting. He shall issue notices convening all meetings of the Committee and all General Meetings of the Association and shall be responsible for keeping minutes of all such meetings and for the preservation of all records of proceedings of the Association and of the Committee.

(c) TREASURER

The Treasurer shall receive and disburse under the directions of the Committee; all moneys belong to the Association and shall issue receipts for all moneys received by him and preserve vouchers for all moneys paid by him. The treasurer shall be responsible to the Committee and to the members that proper books of Account of all moneys received and paid by the Association are written up, preserved and available for inspection.

6. THE COMMITTEE

- (a) The Committee shall consist of all the office bearers of the Association (who shall be the Executive Committee) and together with not less than 6 and not more than 9 other members elected at an Annual General Meeting of the Association. Such Committee members shall hold office for a term of three years and shall be eligible for re election only once.
- (b) The Committee shall meet at such times and places as it shall resolve but shall meet not less than once in any four months.
- (c) Any member of the committee who fails to attend four consecutive Committee meetings shall automatically cease to be a member of the Committee
- (d) Any causal vacancies for members of the Committee caused by death or resignation or by virtue of clause 6(c) above shall be filled by the Committee until the next Annual General Meeting of the Association.



7. DUTIES OF THE COMMITTEE:

- (a) The Committee shall be responsible for the management of the Association and for that purpose may give directions to the office bearers as to the manner in which, within the law, they shall perform their duties. The Committee shall have power to appoint such sub-committees as it may deem desirable to make reports to the Committee upon which such action shall be taken as seems to the Committee desirable.
- (b) The Committee shall have power from time to time to make, alter and repeal all sub Bye-Laws as it may deem necessary or expedient or convenient for the proper conduct and management of the Association. Such Bye-Laws shall come into force from the date of promulgation and shall have effect until set aside by the Committee or a General meeting
- (c) All moneys disbursed on behalf of the Association shall be authorized by the Committee except as specified in Rule 13(d).
- (d) The quorum for meeting of the Committee shall be not less than half its membership. Apologies shall be considered as presence for the purposes of the meeting.

8. GENERAL MEETINGS

- (a) There shall be two classes of General Meetings. Annual General Meetings and Special General Meetings
- (b) 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 (see Rule 11 (b) and the Agenda for the meeting shall be sent to all members not less than 21 days before the date of the meeting.
- (c) The Agenda for an Annual General Meeting shall consist of the following:-
 - (a) Confirmation of the minutes of the previous Annual General Meeting
 - (b) Consideration of the Accounts
 - (c) Election of Office Bearers and the Committee members (and Trustees where necessary in accordance with rule 10(a))
 - (d) Appointment of Auditors in accordance with Rule 11(a).
 - (e) Such other matters as the Committee may decide or as to which notice shall have been given in writing by a member or members to the secretary at least two weeks before the date of the meeting
 - (f) Any other business with the approval of the Chairman



- (d) A Special General Meeting may be called for any specific purpose by the Committee. Notice in writing of such meeting shall be sent to all members not less than 14 days before the date thereof:
- (e) A Special General Meeting may also be requisitioned for a specific purpose by order in writing to the secretary of not less than 25% members and such meetings shall be held within 21 days of the date of the order. The notice for such meetings shall be as shown in rule 8(c) and no matter shall be discussed other than that stated in the order.
- (f) The quorum for any General Meeting shall be not less than 25% of the registered members of the Association

9. PROCEDURE AT THE MEETINGS

- (a) At all meetings of the Association the Chairman, or in his absence the deputy Chairman or in the absence of the deputy Chairman, a member elected by the meeting, shall take the chair
- (b) The Chairman may at his discretion limit the number of persons permitted to speak in favour of and against any motion.
- (c) Resolution shall be decided by simple voting by a show of hands or by ballot according to the Chairman's decision. In the case of equality of votes, the Chairman shall have a second or casting vote
- (d) Ten per cent of registered paid up members shall form a quorum at General meeting of the Association. Any apologies received and recorded from members are included for the quorum. However, alteration to this constitution shall require the quorum specified in clause 15
- (e) All questions arising at General Meetings other than those relating to alteration to this constitution shall be decided by a simple majority, the majority of members present during the meeting. In case of an equality of voters, the chair shall have a casting vote.
- (f) Proxy votes assigned to any officer or a voting member of the Association shall be accepted at any General Meeting of the Association.

10. STANDARDS, ETHICS AND ACCREDITATION

There is hereby established a committee known as the Standards, Ethics and Accreditation sub-Committee which shall be responsible to the Committee and shall:

- a. Advise the Committee on all matters regarding standards, ethics and accreditation in relation to training in the practice and supervision of counseling and psychology.
- b. Promote good practice in Counseling and Psychology profession through the education of counselors and psychologists and the public.



- c. Carry out those functions and activities deemed necessary by the Committee for the maintenance of appropriate standards of competence and ethical conduct by members of the Association.
- d. Award membership status to the members of the Association

11. TRUSTEES

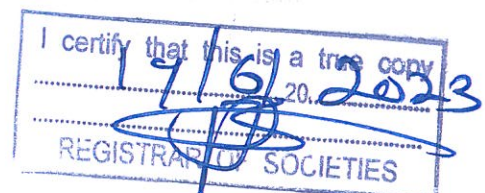
- (a) All Land, buildings and other immovable property and all investments and securities which shall be acquired by the Association shall be vested in a Trustee or Trustees appointed at an Annual General Meeting for a period of three years. On retirement such Trustees shall be eligible for re-election. A General Meeting shall have the power to remove any of the Trustees and vacancies acquiring by removal, resignation, or death, shall be filled at the same or next General Meeting.
- (b) The Trustees shall pay all income received from property vested in the Trustees to the Treasurer. Expenditure in respect of such property which in the opinion of the Trustees is necessary or desirable shall be reported by the Trustees to the Committee which shall authorize expenditure of such moneys as it thinks fit.

12. AUDITORS

- (a) At least one Auditor shall be appointed for the following year by the Annual General Meeting. All the Association's Account records and documents shall be open to the inspection of the Auditor at any time. The Treasurer shall produce an account of his receipts and payments and a statement of assets and liabilities made up to a date which shall not be less than six weeks and not more than three months before the date of the Annual General Meeting. The Auditor or Auditors shall examine such Annual Accounts and Statements and either certify that they are correct, duly vouched and in accordance with the Law or report to the Society in what respect they are found to be incorrect, unvouched or not in accordance with the Law
- (b) A copy of the Auditor's report on the Accounts and Statements together with such Accounts and Statements shall be furnished to all the Members at the same time as the notice convening the Annual General Meeting is sent out. An Auditor may be paid such honorarium for his duties as may be resolved by the Annual General Meeting appointing him.
- (c) No Auditor shall be an office bearer or a member of the Association

13. FUNDS

- (a) The funds available shall be left with the Treasurer.



(b) The funds of the Association may only be used for the following purposes-

- a. For running the office and implementing and furthering the Objects of the Association
 - b. For such other purposes including travelling allowances as may be decided at the General or Committee meeting
- (c) All moneys and funds shall be received by and paid to the Treasurer and shall be deposited in the name of the Association in any Bank or Banks approved by the Committee.
- (d) All cheques on such Bank Account shall be signed by the Treasurer and one other office bearer of the Association who shall be appointed by the Committee
- (e) A sum not exceeding KShs. 5,000/= may be kept by the Treasurer for petty disbursements which proper account shall be kept.
- (f) The Committee shall have power to suspend any of its members who it has reasonable cause to believe is not properly accounting for any such of the funds or property of the Association and shall have power to appoint another person in his place. Such suspension shall be reported to the next General Meeting.

14. BRANCHES

Branches of the Association may be formed with the approval of the Committee and they will adopt the same Constitution as that of the Headquarters with the following exceptions:

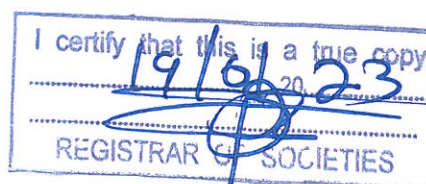
- (a) The aims and objects will not include the formation of branches
- (b) Amendments to the Constitution can only be made by the Headquarters of the Association in accordance with the provisions of rule 15.
- (c) The provisions of Rule 15 shall apply to branches but in addition, branches will not be dissolved without consultation with their Headquarters

15. AMENDMENTS TO THE CONSTITUTION

Amendments to the constitution of the Association must be approved by at least two thirds majority of members at a General Meeting of the Association but they cannot be implemented without the prior consent in writing of the Registrar obtained upon application to him made in writing and signed by three of the office bearers.

16. DISSOLUTION

- (a) The Association shall not be dissolved except by a resolution passed at a General Meeting of members by a vote of two-thirds of the members present. The quorum at the meeting shall be as shown in rule 8 (e). If no quorum is obtained the proposal to dissolve the



Association 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 Society at least 14 days before the date of the meeting. The quorum for this second meeting shall be the number of members present

- (b) Provided, however, that no dissolution shall be effected without prior permission in writing of the registrar obtained upon application to him made in writing and signed by three of the office bearers.
- (c) When the dissolution of the Association has been approved by the Registrar, no further action shall be taken by the Committee or any office bearer of the Society in connection with the aims of the Association other than to get in and liquidate for cash all the assets of the Association. Subject to the payment of all the debts of the Association, the balance thereof shall be used for such educational purposes as may be resolved by the meeting at which the resolution for dissolution is passed.

