

# **BY-LAWS SUMMARY FOR MEMBERS**

## **CONTENTS**

- 1.0 Objectives of savings and credit co-operatives (SACCO)
- 2.0 Co-operative principles and values
- 3.0 Membership
- 4.0 Rights of members
- 5.0 Obligation of members
- 6.0 Cessation of membership
- 7.0 Suspension of a member
- 8.0 Withdrawal from society
- 9.0 Payment on cessation of membership
- 10.0 Members' personal statement
- 11.0 Loans to members
- 12.0 Nominee
- 13.0 Funds of the society
- 14.0 Management committee
- 15.0 General meetings
- 16.0 New compliance requirements

## 1.0 OBJECTIVES OF SAVINGS AND CREDIT SOCIETIES

1.1 The objectives for which the Society is established are to organize and promote the welfare and economic interest of its members in accordance with the following co-operative values and principles.

### 1.2 IN PARTICULAR, THE SOCIETY SHALL UNDERTAKE:

- a) To promote thrift among its members by affording them an opportunity to accumulate savings and deposits and thereby create a source of funds from which loans can be made to them exclusively for provident and productive purposes, at fair and reasonable rates of interest; thereby enabling them to use and control their money for their mutual benefit..
- b) To ensure personal growth through the introduction of new products and services that will promote the economic base of the members.
- c) To ensure progress of members and society through continuous education programs on proper use of credit, reduction of poverty, human dignity and co-operation
- d) To apply the co-operative principle of cooperation among cooperatives in order to promote members' interest. In furtherance to the objects of the society shall affiliate to the relevant National cooperative union and the Apex society

1.3 For the attainment of the above objects, the society may do acts and things that are permissible under the Act, Rules and these by-laws including but not limited to acquire property and chattels and doing all such other things as are incidental or consequential to the economic enhancement of its members interests provided such act is approved by the members in a general meeting

## 2.0 CO-OPERATIVE PRINCIPLES AND VALUES

The society shall act in accordance with the following cooperative principles and relevant values:

### PRINCIPLES

- (a) ***Voluntary and open membership***  
The society shall always be guided by the principle of voluntary and open membership in its member recruitment drives without political, ethnic, religious, gender or social discrimination
- (b) ***Democratic member control***  
The society will be fully controlled by members who will have equal voting rights on the basis of one member one vote
- (c) ***Economic participation by members***  
Members shall contribute equitably to the capital of the society and share in the results of its operations
- (d) ***Autonomy and independence;***  
The society shall operate on mutually acceptable terms with its stakeholders who will ensure its autonomy and independence.
- (e) ***Education, training and information***  
The society shall foster reciprocal, on going education programmes for members, leaders, staff and the community so that they can teach and learn from each other or from the appropriate resource persons in understanding and carrying out their respective roles
- (f) ***Cooperation among cooperatives***  
In order to better serve the interests of the members and the community, the society shall actively cooperate with other cooperatives locally, regionally, nationally and internationally
- (g) ***Concern for community in general***  
The society shall show concern to the community in which it exists and operates

### VALUES

The values shall be self help, mutual responsibility, equality and equity. It shall practice honesty, openness and social responsibility in all its activities

### **3.0 MEMBERSHIP**

The membership shall consist of: -

- (a) Original members who signed the application for registration
- (b) New members subsequently admitted in accordance with these by-laws;

### **3.1 QUALIFICATION FOR MEMBERSHIP**

A person who possesses the following qualification shall be eligible for membership:-

- (a) Has attained the age of 18 years
- (b) Is of good character and sound mind
- (c) Pays the entrance fee and share capital as prescribed in these By-Laws
- (d) Provided that no member shall belong to more than one sacco society having similar objectives

### **3.2 APPLICATION FOR MEMBERSHIP**

Every applicant for membership shall complete an “application for membership” form. This form shall be drawn to show all the information required for the purpose of registration of members

### **3.3 ADMISSION INTO MEMBERSHIP**

An applicant shall be admitted to membership on application upon payment of an entrance fee of **Kshs 500 (five hundred only)** and for such other minimum shares as shall be fixed by the general meeting from time to time. This is a one-off payment.

A new member will be required to pay **Kshs 850 per month (eight hundred and fifty only)** as share capital contribution in addition to entrance fees, non-refundable but transferable, up to a maximum of **Ksh 40,000 (Forty thousand only)**

Upon admission the member’s name shall be entered in the membership register and a membership number issued

The member shall sign or make a thumb mark in the register of members in the presence of two members of the committee to indicate his/her acceptance of the by-laws of the society

Members shall be admitted by the management committee subject to confirmation by the next general meeting

The member shall pay for a copy of the society’s by-laws at its actual cost to the society in case of replacement.

### **3.4 REFUSAL OF MEMBERSHIP**

The management Committee may refuse admission to person after assigning reasons for their decision. Such a person, if otherwise eligible for membership, shall have the rights to appeal to the next general meeting

#### **4.0 RIGHTS OF MEMBERS**

A member of the society shall have the rights to:

1. Attend and participate in decision making at all general meetings of the society and vote
2. Be elected to organs of the society, subject to these by-laws
3. Enjoy the use of all the facilities and services of the society subject to the society's by-laws
4. All legitimate information relating to the society, including, internal regulations, registers, minutes of general meeting and supervisory committees reports, annual accounts, inventories and investigations reports at the society's registered office

#### **5.0 OBLIGATIONS OF MEMBERS**

A member of the society shall have the obligation to:

- a) Observe and comply with all the society's by-laws and decision taken by the relevant organs of the society
- b) Buy and pay up for shares or make any other regular payments provided for in these by-laws
- c) Meet the debt of the society in case of insolvency in accordance with the provision of the Act and these by-laws

#### **6.0 CESSATION OF MEMBERSHIP**

Members in the society shall cease with effect from the date of :-

- a) Death
- b) Withdrawal
- c) Expulsion
- d) Being certified insane
- e) Transferring shares to another member
- f) Failure to remit share contribution and loan repayment for a continuous period of six months without valid reasons or leave of the society
- g) Ceasing to hold qualification for membership as specified in these by-law provided that members who have lost the common bond may retain their membership

#### **7.0 SUSPENSION**

The management committee may suspend a member subject to the decision of the general meeting to expel who:-

- a) Fails to fulfill his/her obligation to the society whether stated in these By-Laws, general internal regulations, a resolution of the general meeting or in contravention of any other legal document, provided such a member has been called upon to do so but has failed
- b) Is convicted in a court of law for a criminal offence involving dishonesty or fraud or is imprisoned for a period of three months or more

- c) Is a member of another society having similar objects
- d) Acts in any manner prejudicial to the interests of the society

Provided that no member shall remain in suspension for a period of more than 12 months

#### **7.1 PROCEDURE OF SUSPENSION**

- a) Upon formal and written proof that a member has committed a violation punishable by expulsion, the management committee shall serve a thirty (30) days written notice to the member stating the reason(s) for the proposed expulsion and requiring him/her to file a defense
- b) Upon the expiry of the 30 days and taking into consideration the member's defense if any, the management committee shall initiate an administrative inquiry and make a decision on its findings within fifteen (15) days

**7.2** Any member suspended by the committee shall appeal to the next general meeting which shall have power to either lift the suspension or expel the member

**7.3** A member who is expelled from the society shall have the right to appeal to the tribunal

#### **8.0 WITHDRAWAL FROM SOCIETY**

A member may at anytime withdraw from the society by giving at least ninety (90) days written notice to the management committee

#### **9.0 PAYMENT ON CESSATION OF MEMBERSHIP**

**9.1** On cessation of membership, a person shall be refunded the following amounts within sixty (60) days:-

- a) The nominal value of shares and deposits
- b) Any dividends or interests due prior to the cessation date
- c) Any deposits or any other funds held by the society on his/her behalf
- d) Partial withdrawal of deposits from the society shall not be allowed under any circumstance

#### **10.0 MEMBERS' PERSONAL STATEMENT**

The society may use "check off system" standing orders or cash for payment of members' shares, deposit and loan repayment. However, when direct payments have to be made, they shall be paid directly into the society's bank account and a receipt issued by the society on submission of the bank slip

Every member shall receive regular statements at least once every three months, which shall contain particulars of membership, shares, deposits and loan transactions with the society

#### **11.0 LOANS TO MEMBERS**

- a) The society shall have a loan policy approved by the general meeting
- b) All loans shall be approved by the committee with recommendation from the credit committee
- c) Loans shall only be given for worthy purposes that benefit the borrower

- d) The rate of interest on loans shall be determined by the general meeting on recommendation by the management committee

#### **11.1 APPLICATION FOR LOAN**

- a) The loan shall be applied for on forms provided by the society
- b) The loan application in each case shall set forth the amount applied for, the purpose for which the loan is desired, the terms of repayment, the security if any, and such other information as the management committee may require
- c) All applications for loans and reports thereon shall be filed as permanent records of the society

#### **11.2 LOAN GRANTING**

- a) Loans shall be granted by the committee in respect to the credit limit approved by the general meeting
- b) No loan shall be granted except for a specified and approved purpose, for a definite period and at a fixed rate of interest
- c) No loan shall be made to any member in excess of 5% of the society's total share capital and reserves
- d) Loans may be granted to executive Officers, employees of the society who are members only if:
  - (i) The loan is in accordance with these By-Laws and is not on terms more favourable than those extended to other borrowers
  - (ii) The loan is approved by the credit committee and thereafter by the management committee
  - (iii) The applicant takes no part in the consideration of his application at either the credit or management committee meeting

#### **11.3 SECURITY FOR LOANS**

The credit committee shall require the member to give the following securities for loans:-

- a) The shares and deposits of a member
- b) The shares and deposits of guarantor(s)
- c) Any other as it may consider necessary

Provided that

- i. The committee shall not accept as guarantor, a member who has taken a loan and has already guaranteed three loans
- ii. No member of the management and supervisory committee member shall act as endorser or guarantor for borrowers from the society
- iii. A borrower may apply to the management committee for change of guarantors

#### **11.4 REPAYMENT OF LOANS**

- a) Loans shall be repaid according to the terms in the loan application form. However, a borrower may, on any day on which the society is open for business, repay his loan in whole or in part prior to its maturity, subject to approval of the management committee
- b) Any request for an extension of time in which to pay shall be accepted by the management committee only in exceptional circumstances; provided such extension shall not result in financial losses to the society. Any extension so granted shall be treated as a new loan and an extension agreement shall be executed and signed
- c) A member repaying loan(s) will be allowed to reduce his/her shares in order to lower financial burden but not below 1% of the loan(s) being serviced

### **11.5 RE-FINANCING OF LOANS**

- a) Member shall notify society when he/she intends to refinance loan
- b) The Re-financed of a loan shall be allowed by the management committee only when the society has satisfied all loan demands and has sufficient funds
- c) The Re-financed loan shall be treated as a new-loan, and subjected to the normal loan approval procedures

### **11.6 DEFAULTERS**

A member who fails to repay his/her loan for four consecutive months will be deemed to have defaulted. Society will therefore take the following recovery measures:-

- a) Guarantors to defaulting member will be notified through honorary secretary of the total outstanding loan/s due from said member
- b) After notification, society will give guarantors two months to trace and facilitate immediate resumption of loan repayment
- c) After expiry of the two months given to guarantors and no payment is forthcoming, society will apportion outstanding loan to guarantors and start recovery from them.

### **12.0 NOMINEE**

Every member shall nominate in writing one or two persons as nominee(s). The nomination shall be attested to by two witnesses who are members of the society. The names of such nominee(s) shall be entered in the nominee register.

Provided that a member shall have the right to change his/her nominee(s) in writing in the presence of two attesting witnesses who are members of the society

#### **12.1 PAYMENT TO NOMINEE**

The society after obtaining such documentary proof of the death of a member as it may consider necessary, shall pay to the nominee the value of the deceased member's deposits, interest and dividend after deducting monies owed to the society, if any.

#### **12.2 ADMISSION OF NOMINEE**

A nominee may be admitted to membership of the society if qualified. The deposits, interest and dividends due to the deceased member shall be transferred to the account of the nominee

### **13.0 FUNDS OF THE SOCIETY**

The funds of the society shall consist of:-

- a) Entrance fee
- b) An unlimited number of shares of the **Kshs 100/=** each
- c) Deposits from members and loan from non members
- d) Administration fees and penalties
- e) Statutory reserve fund and any other reserve fund as may be kept by the society
- f) Any surplus resulting from operations of the society

- g) All donations, gifts from other bodies, organization and individuals
- h) Funds obtained from lawful miscellaneous sources

**13.1** The funds of the society shall only be applied to the promotion of the stated objects of the society as set forth in these By-Laws, and shall be invested in:-

- a) Such investment and securities as are authorized for the investment of trust funds
- b) The shares of any other cooperative society
- c) Any bank licensed under the Banking Act
- d) The stock of any statutory body established in Kenya or in any limited liability company incorporated in Kenya or in any other manner approved by a resolution at a general meeting of the society
- e) Loans to members

### **13.2 SHARES**

Every member shall hold at least **10 Shares** of **Kshs 100/=** each as shall be fixed by the general meeting. However, no member shall hold more than one fifth of the total shares of the society

### **13.3 TRANSFER OF SHARES/DEPOSITS**

With the approval of the management committee, a member may at any time transfer shares to another member but not to any other person. Such transfers must be in writing and at nominal value

All transfers of shares shall be registered with the society and no transfer shall be valid unless so registered. A fee of **Kshs 500/=** shall be payable by the transferee for each such transfer

### **13.4 LIABILITY**

The liability of a member shall be limited to the nominal value of the shares held by him/her

In the event of liquidation, where available funds are insufficient to pay the full nominal value of the shares held by members; the funds shall be distributed pro-rata among the shareholders according to the amount of shares held by each

### **13.5 POWERS TO BORROW**

- a) Loans may be obtained from non members subject to the maximum amount and terms approved by the general meeting
- b) For the securing of any loans accepted by the society under paragraph (a) above, the society may grant a charge over its assets. The authority to grant a charge shall be reserved to the general meeting
- c) The rate of interest on loans shall not exceed the current market rates

### **13.6 RECEIPTING OF MONEY**

- a) Money received on account of shares, deposits, loans, interest's fees or fines shall be evidenced by a printed receipt in a form to be approved by the management committee. Every member paying any money to the society shall be identified on the receipt
- b) Should the receipt issued by the society be lost or destroyed, immediate notice of such fact shall be given to the treasurer who may be authorized by the management committee to issue a duplicate receipt at a reasonable fee

- c) The management committee may require the member to sign an indemnity to protect the society against any loss due to the issuance of such duplicate

### **13.7 PAYMENTS/ DISBURSEMENT**

Payments made by the society shall be evidenced in writing in a form approved by the management committee

## **14.0 THE MANAGEMENT COMMITTEE**

- a) The management committee shall be the governing body of the society elected from the general membership and shall consist of 9 members. It shall include the chairman, vice chairman, treasurer and secretary all of whom shall be elected by the committee from amongst the members of the committee
- b) Members of the committee shall hold office for a period of three years provided that, one third of the committee members shall retire every year but will be eligible for reelection
- c) Where the membership of the committee falls below five the committee may co-opt qualified member(s) into the committee until the next general meeting

### **14.1 ELIGIBILITY FOR MEMBERSHIP TO THE MANAGEMENT COMMITTEE**

No person shall be eligible for membership in the management committee of the society if he/she: -

- a) Is not a member of the society
- b) Is under eighteen years of age
- c) Is unable to read and write
- d) Receives any remuneration, salary or other payments from the society save as in accordance with this Act
- e) Is a committee member in two other societies
- f) Lends money on own account
- g) Is an undischarged bankrupt
- h) Is of unsound mind
- i) Has been convicted of any offence involving dishonesty or is sentenced to imprisonment for a term exceeding three months
- j) Has been convicted of any offence under this act or Rule
- k) Has any uncleared debt owing to the society at the end of its financial year other than in respect of a loan granted under the provision of any regulations made under this Act
- l) Is a person against whom any amount of money is due under a decree, decision or order or is pending recovery under this Act

### **14.2 MANAGEMENT COMMITTEE MEETINGS**

- a) Meetings of the management committee shall be held at least once a month subject to a maximum of 15 meetings in a year. At least 5 of the total number of committee members shall form a quorum for the disposal of business
- b) If a member of the committee fails to attend three consecutive meetings without being excused thereon, or otherwise fails to perform his/her duties, the position may be declared vacant and filled as provided for in these By- Laws

### **14.3 RECORD OF BUSINESS OF THE MANAGEMENT COMMITTEE**

All business discussed or decided at the committee meeting shall be recorded without erasures and corrections in a minute book, which within one week of the meeting, shall

be signed by the chairman of the meeting and at least one other committee member who was present at the meeting, to indicate that in their opinion the minutes are a true and complete record of all matters discussed or decided at the meeting

At the next meeting, after approving any alterations or variations, which shall be written immediately below the above signatures and not as alterations to the original record, the meeting shall by resolution authorize its chairman to sign and date the final record.

#### **14.4 DUTIES AND POWER OF THE MANAGEMENT COMMITTEE**

The management committee of the society shall subject to any directions from the general meeting generally direct the affairs of the society. Its procedures, powers and duties shall be as prescribed by the Act, in the Rules and these By- Laws. In particular, it shall:-

- a) Observe in all its transactions the Act, the rules, these bylaws and prudent business practices;
- b) Act upon all application for membership;
- c) Make provision for sufficient funds for loan to members;
- d) Ensure that true and accurate records and accounts of the society's money, properties, capital reserves, liabilities, income and expenditure are kept and maintained;
- e) Prepare and develop long term management plans and budgets for presentation at the general meeting;
- f) Propose to the general meeting the amount and kind of surety bond, or other security, which shall be given by the member of the committee or employee having custody or handling funds or property of the society;
- g) Determine and recommend to general meeting the interest rates on loans, the maximum maturities and terms of payments or amortization of loans from time to time and the maximum amounts that may be loaned with or without security to any member;
- h) Cause the audited accounts to be displayed in a conspicuous place at its registered office and branches at least two weeks before presentation of accounts to its members at the general meeting;
- i) Lay before the general meeting audited accounts, together with proposal for the disposal of net surplus, if any;
- j) Recommend to the general meeting the dividend rate to be paid on shares, if any and interest to be paid on deposits;
- k) Fill through co-option, vacancies occurring in the management committee between general meetings;
- l) Recommend investment of the society;
- m) Authorize the conveyance of properties;
- n) Authorize borrowing and lending operations of the society in accordance to the Act and the Rules;
- o) Designate a depository or depositories for the funds of the society;
- p) Employ and fix the remuneration of the employees in accordance with the terms and condition of service as approved by the commissioner;
- q) Impose fines as provided for under these By-Laws;
- r) Approve transfer of shares;
- s) Supervise the recovery and collection of loans from members and recommend to the general meeting the write off of bad debts;
- t) Perform or authorize any actions consistent with the Act, the rules and these By-Laws, unless specifically reserved for the general meeting;
- u) To provide adequate budget for education and training of members, the committee and staff and

- v) Perform such other duties as the general meeting may from time to time direct.

#### **14.5 INDEMNITY**

All committee members shall each provide an indemnity of an amount approved by the general meeting. A duly completed Form V in the schedule to the Rules shall be lodged with the Commissioner within 14 days upon election to the committee

#### **14.6 DECLARATION OF WEALTH**

Every committee member shall within 30 days of being elected declare wealth to the commissioner in the prescribed manner

#### **14.7 LEGAL STANDARD OF CARE**

In the conduct of the affairs of the society, the members of the committee shall exercise the prudence and diligence of ordinary men of business and shall be held jointly and severally liable for any losses sustained through any of their acts or failure to act, which are contrary to the Act, the Rules, the By-Laws or the directions of the general meeting

#### **14.8 SUSPENSION FROM THE MANAGEMENT COMMITTEE**

- a) The Commissioner may suspend from duty any committee member charged in a court of law with an offence involving fraud or dishonesty pending the determination of the matter
- b) The majority of the committee members suspend a committee member for: -
  1. Failure to disclose vested interest
  2. Any other good cause subject to ratification by the general meeting

#### **14.9 REMOVAL FROM THE MANAGEMENT COMMITTEE**

A member of the management committee shall cease to hold office if he/she

- a) Cease to hold qualification of a management committee member as specified in the Act, Rules and these By-Laws
- b) Is removed by the Commissioner under the provision of the Act
- c) Is voted out by two thirds majority of the society members present and voting at the general meeting

#### **14.10 EXECUTIVE OFFICERS**

The chairman, the vice chairman, the treasurer and the honorary secretary shall be termed as the "Executive officers of the Society" and shall be elected at a meeting of the Management Committee held within seven days after election at the General Meeting

#### **14.11 CHAIRMAN**

The chairman shall:

- a) Preside at general meetings, management committee meetings and joint meetings with the supervisory committee
- b) Perform such other duties as may be directed to perform by the management committee, not inconsistent with provision of Act, the rules and these By-Laws

#### **14.12 THE VICE CHAIRMAN**

The vice chairman shall perform: -

- a) The duties of the chairman during his/her absence
- b) Such other duties as may be directed by the management committee

#### **14.13 HONORARY SECRETARY**

The duties of the honorary secretary are to:

- a) Cause minutes of the general meetings, management committee meetings and joint meetings with the supervisory committee to be recorded
- b) Ensure that notices of the meetings are prepared and sent out
- c) Ensure that the society's correspondence is promptly and correctly attended to
- d) Perform such other duties as may be directed by the management committee

#### **14.14 TREASURER**

The duties of the treasurer shall be to:-

- a) Generally manage or cause to be managed the financial affairs of the society in a competent manner
- b) Ensure that a proper record is kept of all monies received and paid out by the society, its assets, liabilities, capital reserve and its income and expenses
- c) Ensure the safekeeping of the society money, securities and books of accounts
- d) Ensure that all payments and expenditures are duly authorized
- e) Ensure that within ten days after the closure of each month, a financial statement showing the condition of the society's finances at the end of the preceding month is prepared and submitted to the management committee for discussion
- f) Ensure compliance with all directions of the management committee the Act, the rule and these By-Laws on all financial matters
- g) Cause to be presented a statement of the ensuing month's cash flow
- h) Ensure sufficient fund are available for loans to members
- i) Perform such other duties as may be directed by management

#### **14.15 SUB COMMITTEES**

- a) Sub committees shall consist of persons drawn from the management committee
- b) The management commit may delegate to the sub committee some of its duties under these By-Laws as it deems fit
- c) These sub committees shall convene as directed by the management committee

#### **14.16 EDUCATION COMMITTEE**

The education committee shall consist of three members including the vice chairman who shall serve as its chairman. Its duties shall be to:-

- a) Organize education programmes for members, committee members, staff and the general public
- b) Ensure that both the committee members and the staff are well trained and prepared for the tasks they are entrusted with at the society
- c) Create cooperative awareness to the general public

#### **14.17 CREDIT COMMITTEE**

The credit committee shall consist of three members of the management committee, none of whom shall be an executive officer. Its duties shall be to:-

- a) Hold regular meetings as the business of the society may require, but at least once a month
- b) Vet loan applicants and their guarantors and their ability to service their credit requirements
- c) Assist members solve their financial problems
- d) Maintain records of their deliberations on loans to members
- e) Forward its loan recommendations to the management committee for approval

#### **14.18 SUPERVISORY COMMITTEE**

- a) The society shall have a supervisory committee consisting of three members each elected at the general meeting for a period of three years and one member of the supervisory committee shall retire annually. No person who has been in the management committee within two (2) years preceding the date of the anticipated election shall be eligible for membership of the supervisory committee
- b) The supervisory committee meetings shall:-
  - 1) Hold quarterly save for exceptional joint meetings between its members and those of the management committee
  - 2) Have qualifications similar to those of management committee members
  - 3) Be required to have at least some knowledge of accounts
  - 4) Be removed by a resolution of the general meeting

#### **14.19 DUTIES OF THE SUPERVISORY COMMITTEE**

The supervisory committee shall include: -

- a) Countercheck the effectiveness of the society's internal control systems through
  - I. Carrying out investigations as may be necessary for the well being of the society and members in general and verifying the accuracy of the transactions of the society
  - II. Checking if cash and bank accounts are reconciled in good time
  - III. To establish whether the management of the society use managerial tools i.e. budget, trial balances, economic reports, long term plans and others and there after making necessary recommendations to the management committee
- b) Prepare periodic reports of its findings and present them to the management committee during joint committee meetings and prepare reports for presentations to the general meetings respectively
- c) Submission of its reports to the commissioner

**14.20** The supervisory committee shall not perform the duties or exercise any of the power of the management committee

**14.21** The supervisory committee shall be held liable for any loss incurred due to their negligence in performing their duties

#### **15.0 DUTIES OF GENERAL MEETINGS**

**15.1** The general meeting shall have the power and duties prescribed in the Act, Rules and these By-Laws. It shall:-

- i. Consider and confirm the minutes of the previous general meeting

- ii. Consider report of committees, the commissioner or his/her representative and the audited accounts on the society's activities during the past financial year
- iii. Consider and resolve on the manner in which any available surplus shall be distributed or invested, subject to Act and Rules
- iv. Elect or remove members of the management committee and the supervisory committee, subject to the Act, Rules and these By-Laws
  - v. Fix the indemnity for the elected committee members and management staff
  - vi. Consider recommendations from the management committee, appeal against suspensions of the members and refusal of membership by the management committee
- vii. Fix the maximum liability which the society may incur in loans and deposits from both members and non members
- viii. Approve the estimates of incomes and expenditure for the financial year following the general meeting
  - ix. Fix the honoraria, if any, for officers of employees of the society
  - x. Decide the management structure, including the establishment of branches to facilitate efficient and cost effective delivery of services to members.
  - xi. Appoint bankers, auditors and advocates of the society for the ensuing year
  - xii. Affiliate the society to National cooperative organization for SACCO societies and the Apex society, subject to approval of general meeting
  - xiii. Transact any other business of the society for which notice has been given to members in the manner prescribed in these By-Laws

**15.2** All members have a right to attend the general meeting and participate in its deliberations; however they may be required to identify themselves.

**16.0** It is worthy noting that savings and credit societies shall now be governed by the SACCO Societies Act 2008 and the regulations there under. **SASRA (Sacco Societies Regulatory Authority)** has been charged with the mandates of overseeing the Saccos and ensure they comply with the new regulation. These compliance issues include among others:

- + Maintenance of core capital of Ksh 10,000,000
- + Cash reserve of 15 % of the deposits taken by the society
- + Issuance of loans not more than 80% of the deposits taken
- + Writing of reports as spelt out in the regulation on monthly basis
- + Doing business with strictly the defined membership in the by-laws