



GEOLOGICAL SOCIETY OF KENYA BY-LAWS 2021

BL 1. DEFINITIONS

- a) “Approval/Approved” shall mean the approval of or by the Governing Council or General Meeting of the Society.
- b) “Chapters” shall mean elected Chapter office bearers established in clause 12 of the Constitution.
- c) The “Constitution” shall mean the Constitution adopted at the Annual General Meeting (AGM) on the 26th day of March 2021, and all subsequent amendments thereto and shall become effective upon promulgation, ratification and filing at the Attorney General’s office.
- d) The term “Geology” shall include a broad range of closely related disciplines contributing to the study of the earth sciences.
- e) The term “Geologist” shall include, inter alia, geophysicists, Geochemists, mining and quarrying geologists, engineering geologists, petroleum geologists, hydro geologists, and other persons qualified by training and experience to teach and/or practice the science of geology.
- f) The “Governing Council” shall mean the elected authoritative body established in clause 9(II) of the Constitution.
- g) “Member” shall mean a member of the Geological Society of Kenya.
- h) “Membership Certificate” shall mean a certificate issued as a to members of the Society
- i) “Society” shall mean the Geological Society of Kenya
- j) A Professional Geologist shall be a geologist qualified by education, training, and experience as approved by the Professional Committee,
- k) For professional registration purposes, an applicant shall be required to have a degree in “Geology” or its equivalent, the equivalency being left to the discretion of the Professional Committee which may require the applicant’s transcripts for determination of registrability.
- l) “Active member” paid up member adherent to the professional code of conduct

BL 2. MEMBERS’ DECLARATION

All persons who are declared or accepted to be members and all candidates for election as members shall sign a declaration to abide by the Constitution and By-Laws of the Society, and to be bound by the Principles of Professional Conduct and Code of Conduct promulgated by the Society.

BL 3. REINSTATEMENT OF MEMBERSHIP

Any member whose name is removed from the Register of the Society may be reinstated at the discretion of the Governing Council and on such terms as they may consider appropriate.

BL 4. FEES AND SUBSCRIPTIONS

The Governing Council shall recommend to the General Meeting a review of the amount of fees payable for Entrance, Transfer of Membership Class and Annual subscription.

The first annual subscription shall be accompanied with an application for membership and the membership fees and thereafter the annual subscription shall be paid on the 1st of January of each year. The scales for annual subscriptions shall be as follows:

No	Membership Categories	Membership fees	Annual subscription fees
1.	<i>Professional Members</i>	5,000	7,000
2.	<i>Graduate Members</i>	3,000	7,000
3.	<i>Student Members</i>	500	500
4.	<i>Technician members</i>	2,000	2,500
5.	<i>Fellow/Honorary Members</i>	Nil	Nil
6.	<i>Associate Members</i>	10,000	10,000
7.	<i>Institution Members</i>	20,000	50,000
8.	<i>Firm Members</i>	5,000	15,000
9.	<i>Visiting Members;</i> <i>East Africans</i> <i>Non-East Africans</i>	20,000 50,000	20,000 50,000
10.	Corporate membership categories;	Diamond Platinum Gold Silver Bronze	3,000,000 2,000,000 1,000,000 500,000 300,000

BL 5. REMOVAL FROM OFFICE

- a) If any member of the Council dies, resigns or is removed from office before the expiry of the term of office, the vacancy created shall be filled in accordance with this By Laws
- b) Any member of the Council may be removed from office at an AGM by a vote of at least two thirds of all its members present on the grounds of: -
 - i. Inability to perform the functions of the office arising from mental or physical disability;
 - ii. Suspension or expulsion as provided in relevant laws, or rules and regulations; or
 - iii. Failure to attend three consecutive meetings without reasonable grounds acceptable to the Council.
- c) Before removal of any member of Council, the member shall be;
 - i. Informed of the reasons for removal in writing.
 - ii. Given an opportunity to put in a defense against allegations, either in person or through an advocate.

- d) The conduct of proceedings of the Council and every committee of the Council consisting of members of the committee shall be as may be prescribed from time to time by the Council.
- e) The Council may by a simple majority resolution engage any person who is not a member of the Council to provide such expertise as may be required for the better discharge of its functions and the attainment of objects of the Society.

BL 6. NOMINATION TO PUBLIC BODIES

- a) The Council shall nominate the Society's representatives to statutory or public bodies to serve and articulate the objects of the Society.
- b) A person who has been nominated by the Council to a statutory body shall seek guidance and directions from the Council on matters affecting the Society and shall regularly and when required by the Council, report to the committee the deliberations of the statutory or public body that effect the Society and its members.
- c) A person who has been nominated by the Governing Council to serve on any statutory or public body may at any time be recalled by the Council notwithstanding that the position has been gazette and the Council shall replace the vacant position within fourteen days. The person nominated shall serve for the unexpired term.

BL 7. ACCOUNTS

- a) The books of accounts and all documents relating thereto and a list of members of the Society shall be available for inspection at the registered office of the Society by any officer or member of the Society on giving not less than seven days' notice in writing to the Governing Council.
- b) Any expenditure of the Society's funds shall be approved by the Governing Council which shall be constituted by at least 60% of the members.
- c) Notwithstanding section (b) above, any member who fails to repay any debt he/she owes the Society, the Society with the approval of the two-thirds of the members present in an ordinary or annual general meeting may take necessary legal action to recover the said debt.
- d) The Society shall keep proper books and records of accounts of all funds, property, assets and accounts' liabilities of the Society, and to be audited as of the 31st December of every year.
- e) The Society shall present the audited accounts of the immediately preceding year at every AGM.

BL 8. PRINCIPLES OF PROFESSIONAL CONDUCT

- a) A member shall always discharge duties and shall not commit any act which will have the effect of avoiding or diminishing professional responsibility.
- b) A member shall at all times be honest in dealings and decisions shall be made with integrity of purpose.
- c) A member shall at all time be free from corruption.
- d) A member's advice shall at all times be impartial.

- e) A member must never place himself in a position where his/her duties are likely to create a conflict with the professional interest.
- f) A member shall at all times act in an honorable manner towards professional colleagues.
- g) A member may only advertise his/her professional services within the guidelines of the statutory bodies regulating the respective profession.

BL 9. CODE OF PROFESSIONAL CONDUCT

DEFINITION

The words used in this professional code shall be as defined under BL1.0 of this constitution Geology is a profession and the privilege of being a professional geologist requires the highest standards of professional integrity and responsibility, as well as professional knowledge.

I. Duties of Members to the Public and Employer

- a) A member in whatever capacity he is engaged shall exercise his professional skill and judgment to the best of his ability and shall act in all matters towards his clients, employers and others with whom his work is connected in an honorable manner with the best traditions of professional activity in this country.
- b) A member shall not perform professional work which, he does not believe himself competent to undertake.
- c) A member shall, whenever called upon to give an opinion in his- professional capacity, give an opinion which is objective and reliable to the best of his knowledge and ability. When his advice is not accepted, a member shall take all reasonable steps to ensure that the person overruling or neglecting this advice is aware of any danger which he believes may result from such overruling or neglect.
- d) A member should only express opinions which are founded upon knowledge and honest conviction and should never yield to undue and improper pressure to knowingly make false statements.
- e) A member shall avoid and discourage sensational, exaggerated and unwarranted statements that might induce participation in unsound enterprises and mislead the public.
- f) A member shall discharge his duties to his employer with complete fidelity
- g) A member shall not do anything or permit anything under his authority to be done, the probable and involuntary consequences of which in his professional judgment would endanger human life or safety, expose valuable property to the risk of destruction or seriously damage, or needlessly pollute the environment, except where legally

authorized to do so in the national or public interest.

- h) A member shall neither communicate to any third party nor publish any information of a confidential nature concerning the business of a client or his employer, unless required to do so by law.
- i) A member, without disclosing the fact to his client or employer, shall not be a director, nor have a substantial financial interest in nor be an agent for any company or firm or person carrying on the contracting, consulting or manufacturing business which is or may be involved in the work to which his employment relates,
- j) A member shall not receive, directly or indirectly, any royalty, gratuity or commission on any patented or protected article or process used on or for the purpose of the work in respect of which he is acting for a client, unless and until such royalty, gratuity or commission has been authorized in writing by that client.
- k) A member shall not be the medium of payments made on his client's behalf unless so requested by his client; nor shall he in connection with the work on which he is employed place contracts or orders except with the authority of and on behalf of his client.
- l) A member retained by one client shall not accept, without that client's written consent, an engagement by another client if the interests of the two clients in any way conflict.

II. Duties of Members to other Members

- a) A member shall not use the advantage of a salaried position to compete unfairly with other Geologists.
- b) A member shall not knowingly compete unfairly with any other member. There is no objection to advertising provided that this is confined to factual statements for the information of prospective clients in keeping with the dignity of the profession.
- c) A member shall not maliciously or recklessly injure, or attempt to injure, whether directly or indirectly, the professional reputation or personal or business prospects of any other member.
- d) A member shall not state as his own knowledge or belief information which he has obtained from another member and shall freely attributes other members as the source of such knowledge or belief.
- e) A member shall endeavor to cooperate with other geologist in the study of geology and dissemination of ideological knowledge.

III. Duties of Members to the Society

- a) A member shall endeavor to ensure that candidates for membership are fit and proper persons to be elected members.
- b) A member in connection with work in a country other than his own shall order his conduct according to this code of professional conduct, so far as it is applicable, but in those countries where there are recognized standards of professional conduct he shall adhere to them.
- c) A member shall be found guilty of improper conduct if in the opinion of executive committee he is in breach of this Code of Professional Conduct, or if he is convicted by a competent tribunal of an offence which in the opinion of executive committee renders him unfit to be a member, or if, as a result of having been adjudicated bankrupt, in the opinion of executive committee he is thereby precluded from performing his professional duties in a manner which is consistent with the standard of his profession.