

CONSTITUTION OF FRIENDS CHURCH IN KENYA (QUAKERS)

1ST DRAFT

INDEX

PREAMBLE

We, members of Friends Church in Kenya (Quakers) acknowledge the supremacy of the Almighty God under whose authority, reverence and fear we enact this Constitution, and which we adopt for ourselves and for our future generations for the furtherance of the Gospel of Jesus Christ through the Friends Church in Kenya (Quakers)

This Constitution is enacted pursuant to the resolution of the Annual Conference of East Africa Yearly Meeting of Friends (Quakers) held at Kidundu (Vihiga County) on 26th day of August 1979 which allowed formation of various Yearly Meetings in Kenya and further where it was resolved to establish Friends Church in Kenya (Quakers) to be the umbrella body to unify and harmonize the operations of the said Yearly Meetings.

INTERPRETATION

Throughout this Constitution, unless otherwise specifically provide for, the following words shall bear the meaning specified below:-

"CONSTITUTION" means Constitution of Friends Church in Kenya "FCK".

"BOARD" means Central General Board of FCK.

"YEARLY MEETING" means constituent assemblies of the Friends church in Kenya"

"GENERAL SUPERINTENDENT" means the most Senior Pastor of the Quaker Church.

"EAYM" means East Africa Yearly Meeting"

"TRIENNIAL CONFERENCE" means Meeting after three years

ARTICLE 1: NAME AND LOCATION

- 1.1 This Constitution relates to the Friends Church in Kenya (Quakers) hereinafter referred to as FCK.
- 1.2 The physical and registered office of FCK shall be at Kaimosi Friends Mission in Vihiga County in the Republic of Kenya. The mailing address shall be Post Office Box 131-50309 TIRIKI Kenya. Email: friendschurch1@yahoo.com.
Website:www.fck.or.ke

ARTICLE 2: OBJECTIVES

- 2.1 To be the Umbrella body of all Yearly Meetings within Kenya, and the Institutions under them, and to harmonize operations and relationships among the Yearly Meetings and Institutions in the Republic of Kenya and generally to oversight their self-regulation.
- 2.2 To establish and or accept new Yearly Meetings, including their relative auxiliary organizations such as the United Society of Friends Women, the Quakermen, Young Friends Program and the Quaker Children Program and other Quaker organizations in the Republic of Kenya which are to be subject at all times to the oversight of FCK.
- 2.3 To function as a fellowship of Christians, to spur unity and growth among Quakers in Kenya. To promote Christian faith and life and Christian Service to fellow men in accordance with the principles and practice of the Quaker Statement of Faith and Practice.
- 2.4 To establish and uphold peace and social concerns committees with a view to settling disputes among its members
- 2.5 To provide spiritual guidance, care and counseling to its members in order to fulfill the Great Commission of our Lord Jesus Christ.
- 2.6 To train and equip men, women and youth with biblical training and knowledge, to provide facilities for a combination of instruction, study and research for Pastors, Evangelists, Teachers and Lay leaders with a calling in biblical theological training for the furtherance of pastoral care of its members.
- 2.7 To establish, maintain and operate Community centers, Recreation centers, Youth camps, Schools, Colleges, Bible colleges, Rest homes, Hospitals and Homes for missionaries of FCK as may be deemed necessary by FCK.

- 2.8 In consultation with the Yearly Meetings, inherit and own any moveable and immovable property owned by Yearly Meetings within the boundaries of FCK.
- 2.9 To acquire, own, develop maintain, operate, sell, exchange, dispose off, manage or deal with property both real and personal in the Republic of Kenya or elsewhere to such extent as may be necessary or convenient in the furtherance of the purposes of FCK.
- 2.10 To establish a print and electronic media station, carry out printing and publication activities including making, acquiring, selling and disposing of printed matter such as books, trade magazines leaflets, music and literature compatible with the purposes of FCK.
- 2.11 To acquire by gift, donation, devise or bequest, real and personal property for the use, benefit and furtherance of the purpose and objectives of FCK.
- 2.12 Build commitment and capacity of the Yearly Meetings to ensure transparency and accountability with particular emphasis on spiritual and financial matters.
- 2.13 Mobilize internal and external resources to promote programs of FCK.
- 2.14 Identify and monitor issues that may affect the standing and status of FCK including reputational risk.
- 2.15 Perform such other functions that are incidental or conducive to the attainment of these objectives, including objectives that may be amended and/or adopted from time to time.

ARTICLE 3: STATEMENT OF FAITH AND PRACTICE.

3A Faith.

We members of FCK shall subscribe to the following fundamental Christian beliefs:

- A1 The Bible is inspired by God and is the sole infallible and authoritative word of God being the only guide for Christian faith and conduct. The Bible and invoking the Name of God shall at all times be revered and avoided in secular function such as in swearing.
- A2 Quaker faith believes that there is that of God in every man and that God and man have direct relationship and mutual correspondence.

- A3 There is only one God, eternally existent in three (3) persons, God the Father, God the Son and God the Holy Spirit. God is the Creator of all things and the source of all life. God created the universe, the earth and all that is in it and created man to worship Him, have dominion over it and take care of it. Whoever kills fellow man kills a being created in the image of God.
- A4 The Universal sinfulness and guilt of human nature since the fall, that caused mankind to fall short of the glory of God, rendering them powerless and subject to God's wrath and condemnation, the only means of salvation is by grace, a turning to God in repentance and faith in the Lord Jesus Christ and a lifelong submission to the regenerating work of the Holy Spirit.
- A5 The deity and humanity of Jesus Christ.
- A6 The redemptive work of Jesus Christ on the Cross that reconciled mankind with God, mankind with each other and mankind with the environment, Christ's work that provided healing for the human body in answer to the prayer of faith, and to the human condition of poverty through hard work.
- A7 The Ministry of God the Holy Spirit in baptism of Christians to become true children of God clean, filled with His powers, gifts, teachings, leading, working through saints and disciples.
- A8 The sanctifying power of the Holy Spirit by whose indwelling the Christian is enabled to have direct union and communication with God and bring true inward witness and spiritual renewal without the prompting of symbols and or ceremonial rites.
- A9 The Church is a divine universal body of Jesus Christ made up of believers, called out of the world to faith in Jesus Christ, confesses allegiance to Him. The Church is characterized by the teaching of God's Word, Holiness, Unity and Mission/Service/Evangelism. Through evangelism the Church proclaims salvation and healing through Jesus Christ and through discipleship, it nurtures believers to be the light of the world and the salt of the earth.

3 B) Testimonies.

The following testimonies of the Friends Church are recognized and practiced by all its members.

We believe:

- B1 In the baptism of the Holy Spirit and communion is with Christ Jesus Himself who is the Bread of life.
- B2 That the saving grace of God is an inward and personal experience.
- B3 That war is against the principles and precepts of our divine Lord Jesus Christ, the Prince of Peace, who teaches us to love our enemies and commands us to put on spiritual weapons rather than carnal weapons (Eph. 6:20, Gal 5:16-18 NIV)
- B4 That Christian ideals compel simplicity and modesty as a style of life and conduct and respect for a Christian's conscience on all matters.
- B5 That the command of our Lord Jesus Christ and the Holy Spirit, by whom the Friends Church is founded and led, affirms that we are not to swear any oaths. Any departure from this standard betrays the cause of truth (James 5:12, Matt 5:34, NIV)
- B6 That the inner peace that Christ gives "My peace I give you" necessitates the practice and promotion of peace among the people of all nations and cultures (Blessed are the peacemakers for they shall be called children of God).
- B7 That the priesthood is for all believers, according to the gift of the Holy Spirit: (Eph 4:11 - 16) NIV) but pastoral leadership has an important role and function in our churches. Pastors who are trained and qualified are to give spiritual leadership to all our members. The church shall financially care for the Pastors.
- B8 That because of the evils that accompany the taking of alcoholic drinks, smoking, gambling, betting, etc. Friends Church by the Spirit of Christ by whom it is led, affirms that the practice of the above is contrary to that Spirit. The Friends shall therefore not engage in business that necessitates the buying and selling of alcoholic drinks, tobacco, cigarettes, arms or any such thing that is contrary to the Spirit of Christ.
- B9 That Friends Church places the greatest emphasis upon the Christian Marriage of one male and one female and the Christian

nurture of children as the highest privilege and the most sacred duty of both the Christian home and the church. (1 Tim 3:2-6 NIV).
We believe in marriage from love and religious unity in family.
Marriages shall be solemnized by an ordained and licensed Pastor.

B10 That the members shall not engage in bribes nor be bribed in order to induce favors (Eccl. 7:7). You are my friend if you do what I command you (John 15:14)

3C Core values of the Friends

Simplicity

Peace

Integrity (Truth)

Community (Humanity, family)

Equality

Stewardship (Service, hard work)

C1 Quaker Peace testimony

- (a) We believe that the peace on earth is possible to people of goodwill and that as an individual or group and nation we mutually assist one another to realize it.
- (b) That the deepest foundation of peace is Love which lies in the nature of God and that its character must be inclusive of the whole of life that is peace inseparable of Justice.

C2 Quakers and Simplicity

We believe in simplicity the selflessness and the remembrance of our humble status as waiting servants of God.

C3 Honesty and Integrity

That the Quaker Testimony to truthfulness is central to the practice of its faith by members of the Friends Church.

ARTICLE 4: POWERS

FCK shall possess all lawful powers necessary to enable it to carry out its objectives and purposes as set out in article 2 which powers shall include but not limited to the following:

- 4.1 To receive, hold, administer and expend funds and property, subject to trusts duly received
- 4.2 To receive property by gift, device or bequest subject to the laws regulating the transfer of property by will, and to otherwise acquire and hold the property, real or personal, including shares of stocks, bonds, and securities of other corporations.
- 4.3 To contract and be contracted.
- 4.4 By resolution of the Central General Board to borrow money, contract debts and issue bonds, notes, debentures and to secure the same for the purpose of furthering the objectives of FCK. Any document required to give effect to any of these transactions shall be sealed with the Common Seal of FCK.
- 4.5 To convey, exchange, lease, mortgage, purchase, encumber, transfer upon trust or otherwise dispose of any or all property real or personal, wherever located, subject to the provisions of the law pertaining to such property.
- 4.6 To perform any and all other acts necessary for the management, operation and administration of the affairs and attainment of the objectives and purpose of FCK.

ARTICLE 5: MANDATE

- 5.1 FCK shall have the mandate to coordinate activities of constituent Yearly Meetings and also have the oversight role over all of them.
- 5.2 All moveable and immoveable assets of the Quaker Churches and Institutions currently held by Yearly Meetings shall continue to be held as such except no disposition of such assets shall be effected without the knowledge and/or consent of FCK.
- 5.3 For the avoidance of doubt, all movable and immoveable property of the Church shall belong to the Yearly Meeting within which territorial jurisdiction the property falls. However, property acquired by FCK by

purchase or gift, with or without the assistance of constituent Yearly Meetings or Institutions shall be acquired and held in the name of FCK.

- 5.4 FCK shall consider and decide on applications for membership and establishment and/or reorganization of new and/or existing Yearly Meetings in accordance with this constitution
- 5.5 FCK shall be the policy making organ of the constituent Yearly Meetings
- 5.6 FCK shall provide guidance on spiritual matters to the Yearly Meetings
- 5.7 The Presiding Clerk of FCK shall be the sole spokesperson of all Friends [Quakers] Churches in Kenya
- 5.8 FCK shall establish Chaplaincies and provide guidance in chaplaincy and ensure the development of policies rules and procedures of its management.

ARTICLE 6: MEMBERSHIP

6A. Membership

- .1 Membership of FCK shall be the legally established Yearly Meetings in Kenya.
- .2 All persons shall be considered members of FCK provided that they shall be registered members of constituent Yearly Meetings through Monthly Meetings and/or local Churches. Constituent Yearly Meetings in consultation with their Monthly Meetings shall maintain accurate registers of their members. The registers shall be availed for inspection by FCK annually and/or upon requisition by the FCK.
- .3 A member shall be a person who confesses Jesus Christ as his/her personal Lord and Savior, and has accepted to live in accordance with the Quaker Faith and Practice as adopted by FCK and has been confirmed in the Friends Church through catechism classes I and II.
- .4 Membership renewal through constituent Yearly Meetings shall be by “kipawa”, an annual subscription of an amount to be determined by the Central General Board of FCK from time to time.

6B Subscription

- 1 Annual subscription fee shall ordinarily be due and payable in the first month of the calendar year.
- 2 In December of each year the Administrative Secretary of FCK shall forward to Yearly Meetings whose subscriptions remain unpaid a notice asking for settlement.

6C Cessation of membership

Membership shall be terminated upon gross misconduct and violation of the Quaker Faith and Practice as determined by the Central General Board.

ARTICLE 7: BOUNDARIES OF FCK

- 7.1 Pursuant to a resolution of the Annual conference of East Africa Yearly Meeting of Friends (Quakers) held at Kidundu in Vihiga County on 26th day of August 1979 which allowed the formation of various Yearly Meetings in Kenya, and further, pursuant to Section 53 of the Societies Act CAP 108, also resolved to establish Friends Church in Kenya (FCK) to be the umbrella body of the Yearly Meetings, to encourage self-regulation, unify and harmonize the operations of all the Yearly Meetings within the Republic of Kenya.
- 7.2 All Yearly Meetings will hence forth bear the same name as FCK with an addition of the name of the Yearly Meeting - example - Friends Church in Kenya Bware Yearly Meeting as will be determined in boundaries as set out in Article 9.

ARTICLE 8: ESTABLISHMENT OF YEARLY MEETINGS.

- 8.1 A new Yearly Meeting may be created from a constituent Yearly Meeting and shall satisfy the minimum requirement as hereunder:
 - a) From the effective date of this Constitution, there shall be no overlapping in the areas covered by Yearly Meetings to be established and shall maintain clear boundaries as defined by FCK.
 - b) Have a membership base of at least 10,000 fully registered members.
 - c) Should be in a position to fund FCK in the tune of one million Kenya

shillings (Kshs.1,000,000/=).

- d) Have an asset base of Kenya shillings Fifty Million (Kshs.50,000,000/=).
 - e) Have at least the existence of twenty (20) qualified monthly meetings with corresponding village meetings at a ratio of at least two (2) village meetings for each monthly meeting.
 - f) Quarterly Meetings shall convert to Quarterly Coordinating Committees (QCC) whose functions will include overseeing development in their respective Monthly Meetings, promotion of peace and, from time to time, organize seminars for governance and other concerns for leaders.
- 8.2 Applications for membership shall be made to FCK by an interim Committee of the proposed Yearly Meeting through the existing Yearly Meeting.
- 8.3 The Central General Board shall upon being satisfied that the application is merited, forward the same with its recommendation to the next Triennial Conference for consideration at its next business session.
- 8.4 On approval of the application by the Triennial Conference, FCK shall arrange for the legal registration of the new Yearly Meeting in accordance with the law.
- 8.5 The proposed Yearly Meeting shall then submit its proposals for the inauguration to the mother Yearly Meeting. The mother Yearly Meeting shall then prepare a program for inauguration purposes to be officiated by FCK.
- 8.6 In the event of a dispute as to the creation of the proposed new Yearly Meeting, FCK shall appoint a committee to deliberate on the dispute and forward its findings to the Central General Board which shall give its verdict based thereon and forward the same to the Triennial Conference whose decision on the matter shall be final.
- 8.7 FCK shall establish internal dispute resolution mechanisms for any internal wrangles.
- 8.8 Where a Yearly Meeting falls below qualification for a Yearly Meeting stated above, and/or where by a minute of the General Board of the Yearly Meeting a resolution is made to wind down or merge or reconstitute a Yearly Meeting(s), an application (where applicable) shall be made to FCK for winding down, merging or reconstituting the Yearly Meeting(s) whose decision will then be transmitted in the same manner as for establishment

of a new Yearly Meeting. FCK may by its own motion instigate the winding down, merging or reconstitution of Yearly Meeting(s)

ARTICLE 9: AFFILIATION

9.1 Affiliation with International Quaker Organizations

FCK shall be affiliated to Friends United Meeting (FUM), Friends World Committee for Consultation (FWCC) and other International Quaker bodies which subscribe to the Quaker 'statement of Faith and Practice' and may collaborate with these organizations in matters of mission work as may be approved by the Central General Board.

9.2 Affiliation with Non-Quaker Christian Organizations

FCK may be affiliated to other Christian organizations such as National Council of Churches of Kenya (NCCCK), All Africa Conference of Churches (AACC) and others that subscribe to Christian values as may be approved by the Central General Board.

9.3 Other Community Based and Non-Governmental Organizations (NGO)

FCK in its mandate to serve may affiliate or collaborate with other organizations that propagate human and social welfare for the benefit of mankind as may be approved by the Central General Board.

9.4 All affiliate organizations shall derive their mandate to work with any Yearly Meetings and institutions of FCK

ARTICLE 10: OFFICE BEARERS

10.1) FCK shall have the following office bearers:

- a) The Presiding Clerk
- b) The Vice Presiding Clerk
- c) The Recording Clerk
- d) The Vice Recording Clerk
- e) The Treasurer

- i) All office bearers shall hold office for a period of three (3) consecutive years but shall be eligible for re-nomination for a further term, subject to a maximum term of six (6) consecutive years.
- ii) Any church member who ceases to be a member of the FCK shall automatically cease to be an office bearer thereof.
- iii) An office bearer may be removed from office for failure to live in accordance with the Quaker statement of Faith and Practice. The

vacancy thus created shall be filled by nomination at the Triennial Meeting or at the Central General Board whichever is earlier.

ARTICLE 11: QUALIFICATIONS AND DUTIES OF OFFICE BEARERS.

11A Presiding Clerk.

Qualifications

Required qualification for this office shall include;

- (I) A 1st Degree preferably in theology from a reputable Institution,
- (ii) Administrative experience
- (iii) Fluent in English and Kiswahili languages.
- (iv) The ideal candidate must be a mature, full member of a Yearly Meeting and who understands the Quaker Faith and Practice
- (v) Aged between 35 and 70 years.

Duties

- I. Shall preside over the business sessions of FCK, in particular the business meetings of the Central General Board and the Triennial Conference.
- II. Shall be an ex-officio member of all other committees and commissions that may be set up under this Constitution or by FCK from time to time.
- III. Shall liaise with constituent yearly meetings on the proper administration and development of subordinate meetings.
- IV. Shall be leader of the laity and shall be required to perform all duties that go with that office.
- V. Shall be the spokesperson of FCK.
- VI. Shall be a signatory to all the accounts of FCK.

11B. Vice Presiding Clerk

Qualifications

Required qualifications for this office shall be same as the Presiding Clerk

Duties

- i. Shall deputize the Presiding Clerk and shall preside over the business meetings and perform all other duties in the absence of the Presiding Clerk.
- ii. Shall perform any other duties assigned by the Presiding Clerk or the Central General Board.
- iii. Shall chair the meetings of the Executive Committee

11C. Recording Clerk.

Qualifications

Required qualifications for this office shall include;

- a. At least a diploma certificate.
- b. Fluent in English and Kiswahili languages.
- c. Experience in note taking and record keeping
- d. The ideal candidate must be mature, full member of a Yearly Meeting and who understands the Quaker Faith and Practice
- e. Aged below 70years

Duties

- (i) Shall record, maintain and preserve minutes of all business sessions and shall preserve records of proceedings of the Triennial Conference and the Central General Board.
- ii) Shall circulate the minutes to all members of the business sessions concerned immediately after the sessions are finalized.
- iii) Shall ensure that all resolutions are clearly recorded and communicated to the implementing authority of FCK.

11D. Vice Recording Clerk

Shall deputize the Recording Clerk and shall perform the duties of the Recording clerk in his/her absence.

11E. The Treasurer

The Treasurer shall be responsible for the financial management of FCK. Shall receive and disburse under direction of the Central General Board all monies of FCK. The Treasurer shall prepare, present and administer budgetary functions of the FCK and read interim financial reports at the executive meetings and an audited financial report at the Triennial Meeting. The Treasurer shall be expected to be knowledgeable in financial matters.

ARTICLE 12: ADMINISTRATIVE ORGANS OF THE CHURCH

12A General Superintendent

- (i) Shall be the most Senior Pastor of the Church aged between 35 and 70.
- (ii) The required qualification of the office shall include a Master's Degree in theology and administrative experience of not less than 10 years.
- (iii) Shall be appointed by the Central General Board on the recommendation of the Executive Committee on full time employment. He/she shall serve on an initial five (5) years contract renewable provided that he/she does not hold office for more than ten (10) consecutive years.
- (iv) He/she shall report and be answerable to the Central General Board through the Presiding Clerk.
- (v) Shall be in charge of all pastoral matters and shall ensure the propagation of and the practice of the faith and worship are relevant to the Quaker Statement of Faith as enshrined herein and that application of the same is uniformly undertaken at all missions of constituent yearly meetings.
- (v) Shall be available to counsel meetings with internal problems.
- (vi) Shall be an ex-officio member of the Central General Board and its sub committees.
- (vii) Shall have power to appoint a need-based assistant to perform such duties as are required of the General Superintendent save that such appointment must be approved by the Presiding Clerk in writing

12B. The Secretariat

FCK shall establish a Secretariat whose functions shall be to coordinate the administrative activities of FCK. The secretariat shall be managed by an Administrative Secretary who shall be a full time employee and shall attend to the day-to-day running of the affairs of FCK.

12C. The Administrative Secretary

- i) Shall be appointed by the Central General Board on the recommendations of the Executive Committee on full time employment.
 - ii) Required qualification of this office shall include administrative experience and some training in theology. Must be an active full member of a Yearly Meeting of FCK aged between 35 and 70 year
 - iii) Shall be the chief Executive Officer of FCK and it shall be his/her responsibility to coordinate all administrative, public relations and other activities of FCK so as to achieve its objectives.
 - iv) Shall report and be answerable to the Central General Board through the Presiding Clerk
 - v) Shall implement the provisions of the Constitution to the extent of the cordial and uniform functioning of FCK.
- V1) Shall serve on an initial five (5) years contract renewable provided that he/she does not hold office for more than ten (10) consecutive years.
- V11) Shall be an ex-officio member of the Central General board and its sub committees.

ARTICLE13: SEARCH COMMITTEE

- 13.1 FCK shall establish a Search Committee that shall consist of six (6) members who shall be persons of high integrity.
- 13.2 Constituent Yearly Meetings shall be clustered on the basis of geographical areas to form six (6) groups; and each cluster shall nominate one (1) member to serve on the Search committee, due consideration shall be given to gender and age balance. The role of the Search Committee shall be to identify persons to serve in the office of FCK

- 13.3 At its first meeting the Committee shall choose from amongst its members a chairperson and secretary.
- 13.4 The Search committee may consult constituent Yearly Meetings on persons to be considered for nomination with regard to their standing and conduct in the church.
- 13.5 The Search Committee shall meet prior to and during the Triennial Conference and at the last session of the conference present to the delegates the names of nominees for various offices for approval and shall ensure no member holds more than one position in the church.
- 13.6 In the event of any office becoming vacant for whatever cause between the Triennial Sessions, the Search Committee shall receive and consider suitable proposals for the purpose of replacement subject to the confirmation of the Central General Board.
- 13.7 Members of the search Committee shall hold office for a maximum period of three (3) consecutive years.
- 13.8 The Search Committee shall be an independent body of FCK which shall not be subject to direction from any authority or person in the church.
- 13.9 Salaried personnel of FCK shall not participate in the deliberations of the Search Committee. Similarly a member of the Search Committee shall not be eligible for appointment to any office.
- 13.10 The method of nomination shall be by consensus and shall nominate leaders with qualities stipulated in 1st Timothy 3:2-12 and as stated in other parts of the bible.
- 13.11 Constituent Yearly Meetings and their auxiliary bodies such as United Society of Friends Women, Young Friends Program, Quaker Men and the Quaker Children Program shall have their own Search Committees that shall adopt and follow the same procedures and principles as FCK

ARTICLE 14: THE CENTRAL GENERAL BOARD

- 14.1 The Governance of FCK shall be vested in the Board which shall perform such functions as specified in this Constitution
- 14.2 The Central General Board shall have overall and full power between the Triennial Sessions to manage the Church, devise general objectives by which the Church carries out its functions, nominate principal officers, deliberate on all reports of the Church finances and administer the Constitution and Rules of the Church. The Board shall encourage effective witness of the Faith and Practice of Friends [Quakers] and shall also strengthen the traditional testimonies of the Friends as biblically interpreted in the Statement of Faith and Practice.
- 14.3 **The Central General Board shall consist of the following members.**
- a) All Office Bearers of FCK
 - b) The General Superintendent.
 - c) The Administrative Secretary
 - d) Three (3) members from each constituent Yearly Meeting namely the Presiding Clerk, General Superintendent and the Chairperson of United Society of Friends Women.
 - e) National Chairpersons of United Society of Friends Women, Young Friends Program, Quaker Men and the Quaker Children Program Coordinator.
 - f) Chairpersons of all Commissions and Committees of FCK
 - g) Such other member as the Central General Board or the Triennial Conference may at their absolute discretion choose to co-opt
- 14.4 **Principal functions of the Central General Board shall be:**
- i) Legal authority of FCK and shall have the overall administration of its business on behalf of the Triennial Conference.
 - ii) To devise the general objectives by which FCK carries out its functions.
 - iii) To deliberate on all functional reports of the finances of FCK, individual institutions and special projects and programs and general administration.

- iv) The Board shall have power to recruit, terminate or discipline all employees of FCK.
- v) To administer the Constitution and Rules of FCK, approve affiliation with outside organizations and all matters incidental thereto.
- vi) Responsible for the agenda, procedure and conduct of the Triennial Conference.
- vii) To appoint members of functional committees necessary for efficient administration of FCK and spell terms of reference or duties of such committees.
- viii) Appointment of Trustees.
- ix) To consider FCK Annual Report and Audited Accounts for the previous year as well as Budget approval and control.
- x) Engage with the Government through the Presiding Clerk or such other person as the Central General Board may decide.
- xi) Facilitate and promote communication between members.
- xii) To direct the Secretariat on contractual matters.
- xiii) To make regulations for the effective and efficient conduct of business by the Board or any other Committee.

14.5 The Board shall meet at least three [3] times in a calendar year and shall regulate its own business.

ARTICLE 15: THE EXECUTIVE COMMITTEE

15.1 The Central General Board shall appoint from its membership an Executive Committee consisting of the following members.

- a) Office Bearers of FCK
- b) General Superintendent of FCK.
- c) Administrative Secretary of FCK
- d) National Chairperson of the United Society of Friends Women.
- e) National chairperson of Quaker men.
- f) National chairperson of Young Friends Program.
- g) National Quaker Children Program Coordinator.
- h) The Chairperson of FCK Board of Trustees.
- i) Chairpersons of all Committees and Commissions of FCK.

15.2 The Executive Committee shall be chaired by the Vice Presiding Clerk.

15.3 The Minutes of the Executive Committee shall be recorded by the Recording Clerk.

- 15.4 It shall meet at such times as the business of FCK shall dictate and not less than four times a year and shall be answerable to the Central General Board.
- 15.5 The Executive Committee shall be responsible for coordinating the work and activities of FCK and provide guidance and make recommendation to the Central General Board regarding matters relating to property, institutions and projects/programs for approval. It shall also solicit for funds and personnel from both external and internal sources for the purpose of running and sustainability of such projects/programs
- 15.6 It shall perform such other duties as may be assigned or delegated to it by the Central General Board or the Triennial Conference

ARTICLE 16: COMMITTEES AND COMMISSIONS OF FCK

- 16.1 The Central General Board shall establish a number of committees and commissions as it shall deem necessary to serve and perform desirable functions. These are,
- a) Human Resource Committee
 - b) Stewardship and Finance Committee
 - c) Peace and Social Concerns Commission
 - d) Mission Commission
 - e) Literature and Publication Commission
 - f) Education Commission
 - g) Service Commission
 - h) Constitution Commission
 - i) Healthcare Commission
 - j) Any other area that the Central General Board shall deem necessary.
- 16.2 Each constituent Yearly Meeting shall forward one (1) representative for each Commission/Committee to FCK to serve in each one of them. Once a committee/commission is constituted, members thereof shall appoint their chairperson, vice chairperson and secretary for the fulfilment of the intended purpose, due consideration being given to gender balance and the

youth.

16.3 Each Committee/Commissions may have at least three [3] co-opted members appointed by the Central General Board to serve special interests provided that such co-opted members shall have special expertise and/or experience for the better execution of the committee/commission's function not found in other members of the committee/commissions as shall have been drawn from constituent Yearly Meetings

16.4 FCK shall approve terms of reference for each Committee/Commission

ARTICLE 17: TRIENNIAL CONFERENCE

17.1 The Triennial Conference is the supreme body of FCK and shall be opened by the Presiding clerk and in his absence the Vice Presiding Clerk

17.2 The Triennial Conference shall function as the General Meeting of FCK combining business and worship. Representatives from constituent Yearly Meetings shall make up the Triennial Conference which shall unless otherwise stated by an appropriate notice, convene not later than the 31st day of December after every three years at a pre-selected venue on rotational basis within constituent Yearly Meetings. However, the Central General Board shall have the power to alter such venues as circumstances may dictate.

17.3 Central General Board shall decide on the number of representatives qualified to attend and participate in decision making at the Triennial Conference and in that event it shall apportion these among the constituent Yearly Meetings.

17.4. The Triennial Conference shall consider and transact all business forwarded to it from constituent Yearly Meetings including accepting nominations to fill all or any of the vacancies as the case may require.

17.5 The Triennial Conference shall receive and consider all Annual/Triennial Reports and Statements of Account and receive and decide all cases of appeal from decisions of Yearly Meetings or Institutions Commissions and Committees which may be brought before it.

17.6 The decision of the Triennial Conference on matters brought for its consideration and or recommendation shall be final.

17.7 Any member of a constituent Yearly Meeting may attend the Triennial Conference provided that a member who attends but is not arrogated role of representative of a Yearly Meeting shall have no right to participate in decision making at the business sessions of the conference. Business sessions shall end on Saturdays.

ARTICLE 18: COMMITTEES OF THE TRIENNIAL CONFERENCE

18A) Planning Committee

Shall be in charge of the planning of the Triennial conference and its membership shall include

- a) All Office Bearers of FCK.
- b) Presiding Clerks of all constituent Yearly Meetings
- c) National Chairpersons of United Society of Friends Women, Young Friends Programs, Quaker Men and the Quaker Children Program Coordinator
- d) The Committee shall elect a Chairperson and Secretary from its membership
- e) The General Superintendent and Administrative Secretary shall be ex-officio members of the Planning Committee
- f) Their duties and terms of reference shall be determined by the Central General Board

18 B) Epistle Committee

Members of the epistle committee shall be appointed from the delegates to the Triennial Conference. The main function of the Committee is to write the general epistle to Friends everywhere on behalf of the Triennial Conference. The letter is to be read and approved by the Conference. The Committee shall elect a Chairperson and Secretary from its membership. The General Superintendent shall be a member of the Epistle Committee whose membership shall be one representative from each constituent Yearly Meeting.

ARTICLE 19: CONDUCT AND DISCIPLINE.

- 19.1 Quaker faith believes that of God is in every man and that God and man have direct relationship and mutual correspondence.
- 19.2 All members of FCK shall conduct themselves in accordance with the Quaker Faith and Practice as provided for under Article 3 of this Constitution.
- 19.3 Any member who fails to live up to a consistent life, who is guilty of disorder or conduct unbecoming to a Christian, who habitually neglects attendance at meetings for worship without reasonable excuse or who denies fundamental doctrine of the Christian faith, is dealt with in love and prayers
- 19.4 If the exercise of due care and forbearance proves futile and the offender continues as before, the Central General Board shall execute a minute of disownment. The FCK Presiding Clerk shall furnish the offender with a copy of reports to the business session of the Central General Board that this has been done.
- 19.5 Appeals – a member who has been disciplined and is dissatisfied with the Church's decision may appeal to the Committee of Elders/Overseers
The same procedure will apply to disorderly Yearly Meetings.

ARTICLE 20: COMMITTEE OF ELDERS/OVERSEERS

- 20.1 There shall be established a Committee of Elders/Overseers which shall perform the role of guidance and counselling.
- 20.2 The Elders/Overseers Committee shall comprise not more than six (6) members and not less than five (5) members who shall be chosen by the Search Committee and shall serve for a term of six years renewable once.
- 20.3 The members of the Elders/Overseers Committee shall be persons
- a) Who have spiritual insight and the ability to judge well.
 - b) Whose intercessory powers can bring agreement and peace where there was none and through prayers is able to intercede with God on behalf of those in need spiritually.

20.4 Shall be living resources of the Quaker Faith and Practice and must be Friends of good standing in the Church as may be appointed from time to time. Both men and women are eligible for appointment as Elder/Overseers.

20.5 The duties and functions of the Committee of Elders shall be as hereunder:-

- a). To ensure and uphold acceptable standards among the Pastors.
- b). To give guidance and ensure that the moral life of the members of the Church is maintained.
- c). To pay careful attention to the needs of members and attendees in crisis.
- d). To observe those who are showing the first signs of spiritual gifts and encouraging and counseling those who are approaching the point of a spiritual decision for Christ.
- e). To receive, consider and arbitrate on any disciplinary cases commenced by members or group of members aggrieved by the decision of any of the other subordinate Committees and Meetings and thereby offer appropriate spiritual counsel.
- f). The Committee shall have jurisdiction to arbitrate on all matters of dispute between the Church, members and/or past members. No dispute shall be referred to a Court of Law between the Church, Members or past Members without approval of the Committee being first sought and obtained in writing.
- g). The proceedings of the Committee shall be reported to the Central General Board wherever it is next convened but should not be divulged in any other place.
- h). Shall have the authority to recommend the establishment of new Yearly Meetings or winding down, merging or reconstitution of the Yearly Meeting(s). Constituent Yearly Meetings shall have their own committees of elders who shall function in a similar manner as FCK

ARTICLE 21 BOARD OF TRUSTEES

21.1 Each constituent Yearly Meeting shall at the Triennial Conference nominate one representative whom the Central General Board may consider and appoint to serve on the Board of Trustees which will constitute seven (7)

members who shall be registered under the Land (Perpetual Succession) Act (Cap 286) the Laws of Kenya.

21.2 Criteria for nomination of Trustees

- a) Complies with Chapter 6 of the Constitution of Kenya
- b) Distinguished service to the Quaker Community in Kenya
- c) Member of a Yearly Meeting registered with FCK.
- d) Represents a constituency of FCK.
- e) Good standing with the nominating Yearly Meeting

21.3 Trust Deed

Friends Church in Kenya shall cause to be registered and obtain a Certificate of Incorporation and thereby operationalize the Board of Trustees

- 21.4 The registered Trustees shall be responsible for the careful stewardship of all the assets and liabilities of FCK.
- 21.5 The registered Trustees shall be the legal entity of FCK capable of suing and being sued.
- 21.6 A Trustee shall hold office for a term of six (6) years renewable once.
- 21.7 A Trustee may lose his/her position in the event of:-
 - a) End of the term.
 - b) Death, insanity or indisposition of a Trustee.
 - c) Acceptance of his/her resignation by the Central General Board or Triennial Conference.
 - d) Fall below the Criteria for Nomination of Trustee
 - e) His/her removal from office by the Central General Board or Triennial Conference.
- 21.8 Any document requiring execution by the registered Trustees shall be deemed duly executed if the Common Seal of the Registered Trustees shall have been affixed thereon in the presence of any three (3) of the seven (7) registered Trustees who would then have signed the document.

- 21.9 In the event of death, resignation or removal of any one or more of the Trustees, it shall be the duty of the Central General Board to appoint a successor(s) without delay.
- 21.10 There shall be a Common Seal of the Registered Trustees which shall be circular in form with the words Friends Church in Kenya (Quakers) inscribed around the circumference and the words "Registered Trustees" inscribed in the center thereof, and such Common Seal shall be kept in the custody of the Trustees.
- 21.11 The quorum for any meeting of Trustees shall be two thirds (2/3) of the members.
- 21.12 A third of the Trustees shall retire at the interval of two years to ensure continuity. The original Trustees shall agree a staggered retirement plan to actualize this requirement.

ARTICLE 22: SCHOOLS AND COLLEGES UNDER SPONSORSHIP OF FCK.

- 22.1 All Quaker schools within the boundaries of FCK formerly managed by East Africa Yearly Meeting of Friends (Quakers) and those founded through the efforts of constituent Yearly Meetings and all Institutions of Higher Learning established by the Quaker Church, shall be managed/sponsored by FCK through constituent Yearly Meetings as provided under the relevant law governing Basic Education in Kenya
- 22.2 Every sponsored school shall be fully represented on the Board of Management by the nomination and subsequent appointment of three (3) representatives. The Sponsor shall also recommend one (1) of these for appointment as Chairperson of the Board of Management.
- 22.3 All Quaker-sponsored Schools shall be renamed starting with "Friends". Chaplains shall be posted to the Schools to teach Quaker Faith and Practice, and to be in-charge of the Schools' spiritual welfare.

ARTICLE 23 INSTITUTIONS AND SPECIAL PROJECTS

- 23.1 All Institutions and Projects initiated directly by FCK, subordinate Meetings or transferred from the former East Africa Yearly Meeting of Friends (Quakers) shall unless stated otherwise be managed by FCK through appointed Boards of Management or supervised on location by respective subordinate Meeting/Stakeholders:

- 23.2 The Boards of Management shall have full mandate to prudently manage the respective Institutions/Projects on properly drawn and implementable annual budgets. The Boards of Management shall with reference to FCK Personnel Manual developed by the Personnel Committee, employ and terminate employment of staff accordingly. All staff shall be answerable to the Central General Board through the Boards of Management.
- 23.3 Each Board of Management shall elect its own Chairperson and Secretary from among its membership.

ARTICLE 24: BANKERS

- 24.1 Funds of FCK shall be transacted through Banks in Kenya as shall be approved by the Central General Board.
- 24.2 The signatories to FCK Account(s) shall be the Presiding Clerk, the General Superintendent, the Treasurer and the Recording clerk. Any three (3) can transact business and the Treasurer's signature shall be mandatory.

ARTICLE 25: FUNDS OF FRIENDS CHURCH IN KENYA.

- 25.1 The sources of Funds shall be as hereunder:-
- a) From the contributions of constituent Yearly Meetings in such sums as shall be decided by the Central General Board from time to time, due regard being given to the approved budget. The budget of FCK shall be for a period of three (3) years.
 - b) By soliciting for revenue by way of grants, loans from lending institutions such as Banks, Co-operative Societies, bequests, gifts, funds drives, donations and sale of FCK assets, upon approval by Central General Board.
 - c) Investments.
 - d) Any other acceptable, moral and legal avenues as may be approved by the Central General Board.
 - e) FCK shall be empowered to set up special purpose vehicles for the purposes of investment and management of income generating activities.

25.2 There shall be maintained by the Treasurer and the Administrative Secretary a register of FCK Bank Account(s) at the registered office alongside with all Books/Records of Accounts.

25.3 FCK financial year shall be the usual calendar year (January - December).

ARTICLE 26; FCK DEVELOPMENT COMPANY

26.1 There shall be established FCK Company whose functions shall include

- a) The creation of a revolving fund to finance FCK development projects
- b) The management and administration of loan funds terms approved by the Central General Board

26.2 FCK shall appoint a Board of Directors to manage the Development Company and such Board of Directors shall be answerable to the Central General Board

ARTICLE 27; EXTERNAL AUDITOR

27.1 The Central General Board shall appoint Auditors for FCK.

27.2 The Treasurer's Accounts shall be audited by a Certified Public Accountant licensed to perform audit duties and appointed by the Central General Board before the Triennial Conference and shall submit audited Accounts for each year to the Triennial Conference.

27.3 The Auditor so appointed shall be paid an appropriate honorarium as may be resolved by the Central General Board.

27.4 The Auditor shall not be an Office Bearer or member of any standing Committees of FCK.

27.5 The appointment of Auditors shall be for one year and shall be renewed by the Central General Board annually.

ARTICLE 28: INSPECTION OF BOOKS OF ACCOUNTS

28.1 All Books of Accounts and all other official records of FCK pertaining to finance shall be maintained at the registered office of FCK or at such other Meeting Offices as shall be required and approved by the Central General Board.

28.2 Any member of a constituent Yearly Meeting, either on his/her behalf or on behalf of any subordinate Meeting may inspect any or all Books of Accounts of FCK, provided that such inspection shall not be carried out unless a formal notice of at least seven (7) days has been given to the Administrative Secretary and the Treasurer, both of whom shall cause the desired inspection to be carried out, at the registered office of FCK or at other offices of the Church.

ARTICLE 29: CHURCH ASSETS.

29.1 FCK shall acquire, retain and own property both moveable and immoveable essential in the furtherance of its objectives as provided for under article 2 of this constitution. Any such property shall vest in the Registered Trustees of FCK.

29.2 Any property acquired by FCK by purchase or gift, with or without the assistance of constituent Yearly Meetings or Institutions shall be held in the name of FCK Registered Trustees and shall be managed and administered by FCK through the Central General Board.

ARTICLE 30: QUORUM

A quorum shall be deemed to have been realized and business may be transacted at any of the Committees/Commissions and/or Board of FCK when one-third ($\frac{1}{3}$) of the members expected at such Committees/Commissions and/or Board are present, except for Board of Trustees which requires two thirds ($\frac{2}{3}$).

ARTICLE 31: AMENDMENTS TO THE CONSTITUTION

If it is desired to amend or add to this Constitution or to the Article thereof, the

proposals shall be submitted to the Central General Board which shall consider the merits and then forward to the Legal Advisor. The Legal Advisor shall give an opinion to the Central General Board which if there is merit, will refer to the Constitution Commission to formulate the necessary amendment. Proposals to amend the constitution shall be received one year prior to the next Triennial Conference which shall constitute the Constitution Commission which shall consider and approve or reject the proposals. The decision of the Conference shall be final

ARTICLE 32: DURATION OF FRIENDS CHURCH. IN KENYA (QUAKERS)

FCK shall continue to exist perpetually unless it is dissolved or its existence is otherwise terminated under the provisions of the laws of Kenya.

ARTICLE 33: DISSOLUTION

- 33.1 The FCK shall not be dissolved except by a resolution passed at a Triennial Conference of members by a vote of two thirds of the members present and voting at the Triennial Meeting provided that notice of such proposed dissolution has been given at least twelve (12) months previously at a meeting of the Central General Board. No dissolution shall be effected without the written approval of the Registrar of Societies first had and received on written application by at least three quarters (3/4) of the officers of the Central General Board.
- 33.2 Unless otherwise decided by the Triennial Conference on the recommendation of the Central General Board, where FCK is dissolved then:-
- A Where the assets available for distribution among the constituent Yearly Meetings shall be insufficient to repay the liabilities of FCK and meet other obligations, then the losses shall be borne by constituent Yearly Meetings as the Triennial Conference shall approve.
- B Where the assets available for distribution among its constituent Yearly Meetings shall be more than sufficient to repay the liabilities of FCK and meet other obligations, the excess shall be distributed among constituent Yearly Meetings as the Triennial Conference shall approve.

- C A reputable firm of Auditors appointed by the Triennial Conference shall supervise the winding up of the affairs of FCK.

ARTICLE 34: TRANSITIONAL PROVISIONS

Notwithstanding the enactment of this Constitution it is hereby declared that all rules, regulations or other provisions of FCK, so far as the same are not inconsistent therewith, have effect and be deemed to have been made under the Constitution and shall accordingly continue in full force and effect within FCK and replaced under the provisions of this constitution and shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Constitution.

ARTICLE 34: EFFECTIVE DATE

This Constitution shall come into force upon its ratification by the Triennial Conference, approval by the Registrar of Societies and Signing of the Minute of the Central General Board invoking the Constitution

ARTICLE 35: REAPEAL OF PREVIOUS CONSTITUTION

For the avoidance of doubt, the constitution in force immediately before the effective date shall stand repealed on the effective date.

APPENDIX A

Current Yearly Meetings of Friends Church in Kenya are:-

1. Bware Yearly Meeting
2. Central Yearly Meeting.
3. Chavakali Yearly Meeting.
4. Chebuyusi Yearly Meeting.
5. Chevaywa Yearly Meeting
6. Chwele Yearly Meeting.
7. Kaimosi Yearly Meeting.
8. North yearly Meeting.
9. ERSF Lugulu Yearly Meeting.
10. Elgon East Yearly Meeting.

11. Highlands Yearly Meeting.
12. Kakamega Yearly Meeting.
13. Lugari Yearly Meeting.
14. Malava Yearly Meeting.
15. Musingu Yearly Meeting
16. Nairobi Yearly Meeting.
17. Soy Yearly Meeting
18. Tongareni Yearly Meeting.
19. Tuloi Yearly Meeting.
20. Vihiga Yearly Meeting.
21. Vokoli Yearly Meeting
22. Kamsinga Yearly Meeting
23. West Yearly Meeting

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