
ASSOCIATION OF DESIGNERS OF KENYA

The logo of the Association of Designers of Kenya (ADKE) is a large, stylized graphic in the background. It features a central white circle containing the letters 'ADKE' in a light red font. This central circle is surrounded by three curved, overlapping bands in green, red, and blue. At the top, bottom-left, and bottom-right of these bands are circular elements resembling rivets or bolts, each with a white center and a colored outer ring matching the band's color.

**The Constitution
And
By-Laws**

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CONSTITUTION OF THE ASSOCIATION OF DESIGNERS OF KENYA

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The **Association of Designers of Kenya**” (herein called “The Association) is a professional society of the Designers established to promote, protect, and develop professional practices and standards of design in Kenya.

Specifically, the Association;

1. *Shall represent the diverse interests of Designers in Kenya;*
2. *Commit to Continuous Professional Development for its members;*
3. *Shall work with stakeholders to further Academic Mentorship Programme;*
4. *Shall establish programmes that promotes and foster better ties between Designers and the other Built Environment Professionals;*
5. *Shall contribute to and set standards for theoretical, practical and management training leading to acceptance to its Membership qualifications;*
6. *Shall create revenue generating activities for welfare being of its members;*
7. *Do all other things incidental or conducive to the attainment of the above objects or any of them;*

The Association shall have no political object. Notwithstanding this provision, by a resolution of the Governing Council, the Association in a non-partisan manner. The Association reserves right and duty to participate contribute or comment on issues of public interest.

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BY-LAWS OF THE ASSOCIATION OF DESIGNERS OF KENYA.

SECTION 1 – DEFINITIONS

Name of the Association

1) a) The name of the Association is **Association of Designers of Kenya** herein called “the Association ”

b) It shall be abbreviated as ADKE

Declaration

2) The Association is a body corporate not for gain but committed to promote, encourage and improve the application of Design and other related practices in Kenya.

Definitions

3) a) The constitution shall mean the Constitution of Association of Designers of Kenya and all subsequent amendments, code of conduct and regulations thereto.

b) The “Governing Council” shall mean the Governing Council established by this constitution

c) The “Advisory Committee” shall mean the Advisory Committee established by this constitution

SECTION 2 – ORGANIZATION

Headquarters

4) a) The Headquarters of the Association shall be in Nairobi.

b) In order to further the objects of the Association, the Governing Council may propose to the Annual General Meeting to set up Branches of the Association in Kenya for the holding of meetings, for discussions on subjects or for other activities, falling within the objects of the Association.

Qualification of the association

5) A qualifying academic programme in Design related field and acknowledged by the Association shall form the basic foundation of qualification of members among other qualifications set by the Association.

b) Each member or firm shall belong to a chapter of Association so established under this constitution.

Establishment of special committees

6) a) To further the objects of the Association, there is established below committees

- i. Advocacy & Education*
- ii. Continuous Professional Development*
- iii. Professional Ethics and Practice*
- iv. Management.*

b) The Governing Council shall develop specific regulations to govern the membership and administrative affairs of each committee.

Establishment of the secretariat

- 7)** a) There is established secretariat to carry out functions as are necessary to allow the Governing council discharge its responsibilities.
- b) The Governing Council shall appoint the Chief Executive Officer, who shall be the registrar and shall perform duties as may set forth.
- c) The Governing Council shall determine the terms of service of the Association employees.

SECTION 3 –OPERATIONS

Declarations

- 8)** a) The Association shall operate under this constitution with the provision of subjecting this document to all members before they are duly registered with the Association.
- b) The Association shall otherwise operate in accordance with any law, policy, or regulations of design practice in the country or as such the Ministry responsible for matters of Design may, from time to time adopt, with respect to the operations of such Associations.

Calendar year

- 9)** The year of the Association shall start on the first day of January each year

SECTION 4- MEMBERSHIP.

Qualification of
Membership

10) a) Individual shall be members of the Association if they have undergone educational academic qualification in Design whose qualifications are determined by the council.

b) All persons or organizations who are declared or accepted to be members shall sign a declaration to abide by this Constitution, By-laws and regulations of the Association, and to be bound by the Code of Conduct.

c) The membership to the Association shall consist of:

- i. *Those founder members who satisfied the conditions for membership.*
- ii. *The members of any Association or society of Design who were members at the time of adoption of this constitution who shall apply to be members of the Association.*
- iii. *Any other member excluded by clause (i) and (ii) who shall apply to be members of the Association pursuant to qualifications in this constitution.*

Chapters of the
Association

d) The Association has established the following **chapters**;

1) Graphic Design Chapter which covered the following paraprofessionals; Advertising, Illustrators, Art Directors, Print Media, Graphic Designers, Photographers and Visual Communicators

2) Industrial Design Chapter which covers the following paraprofessionals; Furniture Designers, Furnishings, Packaging, Industrial Designers and Product Designers

3) Interior Design Chapter which covers the following paraprofessionals; Interior Designers, Events & Planning and Display & Exhibition Designers

4) **Art & Design Chapter** which covers the following paraprofessional; Sculptors, Ceramics, Jewelry & Metal Smoothers, Dyers & Colourists and Glass & Visual Arts

5) A special chapter on **Administration and Education** covering Art & Design Schools, Design Educators and publishers is available.

11) The Association accepts memberships in various categories, as indicated below.

i. Graduate Member who shall

- a) Holder a Bachelor degree in Design or its equivalent qualification recognized by the Association.
- b) Be eligible to vote on any issue concerning the Association subject to the payment of all dues that may be set by the Association from time to time.
- c) Fulfill such other conditions as the regulations prescribe.

ii. Technician member who

- a) Hold a Diploma or Higher National Diploma in Design or its equivalent qualification from a recognized institution or equivalent.
- b) Be eligible to vote on any issue concerning the Association subject to the payment of all dues that may be set by the Association from time to time.
- c) Fulfill such other conditions as the regulations prescribe.

NOTE: *Persons holding certificate in Design or its equivalent qualification must undergo a qualification criteria set out by the regulations provided by the Association.*

iii. Corporate member: to qualify, a candidate:

- a) must hold a University Degree in Design or equivalent from a recognized Association
- b) Been a private practitioner, an employee of a professional firm or a public officer or

otherwise engaged in the work design for a period not less than 6 years.

- c) Been a member of this Association for a consecutive period of not less than 4 years.
- d) Must have undertaken Professional trainings as guided by the regulations developed by the Continuous Professional Development committee
- e) Shall be registered or eligible for registration by the board of registration in Kenya.

iv) Student Member who

- a) Shall include persons enrolled as a student for a bachelor degree or diploma in Design or its equivalent at an institution of Higher Learning in Kenya.
- b) may attend all Association meetings and enjoy all other rights and privileges
- c) Upon graduation and undertaking practical internship programme lasting not less than one year, a member shall acquire Graduate membership status through upgrading.
- d) Shall fulfill such conditions as the regulations prescribe.

v) Firm Member

- a) Entail companies, professional firms, bodies or institutions that offer services of design profession or related services.
- b) Shall fulfill such conditions as the regulations prescribe.

vi) Honorary Member

- a) shall be such person who in the opinion of the Governing Council has contributed to the advancement of the design profession in Kenya.
- b) Shall not pay any subscription fees to the Association.

vii) Institution Partner

a) shall be a firm, company, body or Institution which provides allied services and products of design profession.

b) There shall be a charter so established to provide a working framework.

Rights of Members

12) a) The name and address of every member shall be maintained at the Secretariat and such other particulars as the Governing Council may from time to time prescribe.

b) The rights and privileges of a member of any category are personal and shall not be transferred in any manner to any other person.

c) A member wishing to advance to another class of membership shall make an upgrading application as shall be provided in the regulations thereof.

d) A registration number shall be issued to a member upon registration

e) A Certificate of Membership indicating registration number shall be issued to a member upon registration and payment of all dues thereof.

f) All members of the Association shall have right to participate in any activities of the Association by attending or subscription.

SECTION 5- ADMINISTRATION AND GOVERNANCE

Constitution of
Governing
Council

13)a) The activities of the Association shall be administered by the Governing Council constituted by;

- i. *Chairperson*
- ii. *Secretary*
- iii. *Treasurer*
- iv. *Chairperson of Interior Design Chapter*
- v. *Chairperson of Graphic Design Chapter*
- vi. *Chairperson of Product Design Chapter*
- vii. *Registrar*

b) A member of the Governing Council shall hold office for a term of three years but shall, on the basis of satisfactory performance, be eligible for reappointment.

d) The Governing Council shall direct, control and administer the affairs of the Association. It shall carry out rules and instructions of this Association and shall act for and on behalf of the Association in all matters within its jurisdiction.

e) The Governing Council members shall be guided by the administrative regulations established thereof.

f) The Governing Council shall meet at the discretion of the Chairperson, not less frequently than once every two months.

The
Advisory
Committee

14) a) There is established An Advisory Committee which shall constitute;

- i. *The chairperson of the Governing Council*
- ii. *The public officer in charge of matters of Design in the Ministry responsible for its matters.*
- iii. *Two distinguished persons practicing Design in Kenya.*

- iv. *Two distinguished persons from institutions of higher learning in Kenya.*
- v. *The Secretary of the Governing council*
- vi. *The Association Registrar*

b) The Committee shall;

- i. *Play an advisory role to the Governing council.*
- ii. *provide strategic directions and guidance to the Association*

c) Members mentioned in a) iii and iv shall serve for a period of two years renewable once.

Declaration of the
Governing council

15) a) It shall be the duty of the Governing Council to co-ordinate and control the affairs of the Association, regulate its membership and safeguard their interests.

b) The Council shall have responsibility of ensuring that the members adhere to the By-laws, regulations and code of conduct of the Association.

c) The Council shall have the power to appoint sub-committees as it may deem necessary to make reports on specific matters upon which such action as considered appropriate shall be taken by it.

d) The Council shall have control over the funds of the Association and shall defray all expenses therefrom.

e) In the event of any matter or question arising which is not covered wholly or in part by the regulations of the Association for the time being in force, then the Chairperson after due deliberation with other Council members shall convene a Special General Meeting during which they shall submit their proposal for ratification.

Voting of council
Members

16) a) The voting members at the Annual General Meetings of the Association shall be as prescribed by this constitution and By- Laws.

b) Elections of Governing Council members shall be held in an Annual General Meetings of the Association where applicable.

c) There shall be regulations governing the voting process which shall be tabled to all members 3 months to election for rectification and adoption

d) Election shall be by majority vote of eligible members provided by a quorum.

Resignation of a
council member

17) a) Any Governing Council member may resign from the Association by giving a written notice to the Chairperson of the Association.

b) Resignation shall not relieve the member so resigning of the obligation to pay any dues, or other charges theretofore accrued and unpaid.

c) Any membership may be revoked from the Association by two thirds votes from the general membership, if actions are deemed inappropriate by the Association pursuant to the regulations.

General meetings

18) a) General meetings of members may be held at least once every six months.

b) The General meetings shall be convened by the Secretary as the regulations may prescribe

c) Special meetings may be called by the Governing Council at any time either at its own discretion or at the written request of twenty five percent of members of the Association.

d) At least fourteen days' notice shall be given for any general meeting of the Association.

Annual General meetings

19) There shall be held at least Annual General Meeting at which the business shall include receiving a report from the Chairperson and the Treasurer, the election of Council members for the ensuing year if applicable, and any other agenda as prescribed by the regulations thereof.

Decisions at meetings

20) Every decision at any meeting shall be by majority vote unless otherwise required by the regulations.

Trustees

21) a) There shall be trustees of the Association who shall be responsible for the administration and management of the Association's funds, investments, securities and property.

b) Any properties, investments, securities, land, buildings and immovable property acquired by the Association shall be vested in the names of not less than three and not more than five trustees who shall be Graduate members of the Association, elected at an Annual General Meeting.

c) Trustees shall serve for a period of four years after being elected and such trustees shall be eligible for re-election for one further term.

Powers to remove and fill Vacancies of trustees

22) a) Any trustee who fails to act in accordance with any of the Association's rules shall be removed at a General Meeting if it is deemed fit and all vacancies occurring by such removal, resignation or death shall be filled at a general meeting.

b) All income received from any property vested in the trustees shall be paid to the Treasurer. Any expenditure in respect of such property which in the opinion of the trustees is necessary or desirable shall be reported by the Trustees to the Governing Council which shall authorize expenditure of such monies as its deemed fit.

SECTION 6- ENTREANCE FEE AND SUBSCRIPTIONS.

Fees payable

23) a) Entrance fees and annual subscriptions shall be paid to the Association in such manner as the regulations prescribe and membership shall be conditional upon such payment.

b) A Graduate, Technician, Corporate, and student Member who has not paid annual subscription, or who is a defaulter under the regulations, shall not be entitled to vote.

Auditors

24) a) There shall be an Auditor for the Association who shall be appointed at an Annual General Meeting.

b) The auditor shall have access, at all reasonable times to the accounts and securities and shall report thereon to the next General Meeting.

c) A copy of the report on the accounts and statements shall be furnished to all members at the same time as the notice convening the Annual General Meeting.

d) An auditor may be paid such fees for his/her duties as may be resolved by the Annual General Meeting appointing him/her or by the Governing Council.

SECTION 7- PROFESSIONAL CONDUCT

Code of professional
Conduct manual

25) a) The Association shall develop a Professional Code of Conduct as guided by the practice of design in Kenya and beyond.

b) Every member and firm shall be bound by the Professional Code of Conduct as prescribed in the regulations provided during and after registration.

SECTION 8- CONTINUOUS PROFESSIONAL DEVELOPMENT PROGRAMME(CPD)

Participation in
CPD
Programmes

26) a) All members shall participate in the Continuous Professional Development Programme conducted by the Association based on criteria approved by the Governing Council.

b) All members shall obtain the minimum recommended credit points to retain their membership by attending the Continuous Professional Development programmes which are endorsed by the Governing Council from time to time.

SECTION 9- ACADEMIC & MENTORSHIP PROGRAMME

27) a) The Association shall establish and maintain the academic and mentorship programme

b) There shall be a special committee formed of not more than 5 members formed to manage and develop such regulations and guidelines so required to run the programme.

c) All student members of the Association shall automatically belong to this programme.

d) The chairperson of this programme shall be co-opted to the governing council as required

SECTION 10- GENERAL PROVISIONS.

General provisions

28) a) No action of the Association, the Governing Council, The Advisory Committee, any other Committee, the secretariat or any special committee of the Association, or any office shall directly or indirectly nullify or contravene any act or policy of the Kenyan constitution.

b) No members of the Association may use the seal, logo, or initials of the Association on card, stationery, or any other manner to identify him unless otherwise directed the Chairperson.

c) All members of the Association serving in any committee or performing any other official duty on behalf of the Association are hereby held indemnified by all members of the Association jointly against a suit or action in respect of any matter or thing done by them in the execution of their duties in terms of this constitution

SECTION 11- INTERPRETATION OF THE CONSTITUTION.

Interpretation

29) In case of doubt as the meaning or interpretation of this constitution, the Governing Council shall be final arbiter and its decision shall be binding upon all members until then next Annual General Meeting where if so desired, the matter may be referred to members present and entitled to vote for decision by the majority.

SECTION 12- AMENDMENTS OF THE CONSTITUTION.

Amending this
Constitution

30) a) Amendments to this constitution may be made consistent with the regulations at any duly scheduled meeting of the Association upon written proposal signed by at least ten members at least 14 days before such a meeting. A two thirds majority is required for passage of such amendments.

b) This constitution may be automatically amended by the above procedure upon receipt of new rules concerning the Association or its members from otherwise establishment of the Ministry in charge of matters relating to Design.

SECTION 13- DISSOLUTION.

Dissolution

31) a) The dissolution of the Association must be approved by at least two-thirds majority of members present and entitled to vote at an Annual General Meeting, at which the proposed dissolution is properly on the Agenda.

b) If no quorum is obtained, the proposal to dissolve the Association shall be held one month later. Notice of this meeting shall be given to all members of the Association at least 14 days before the date of the meeting. The quorum for this second meeting shall be the number of members present.

c) In the event of the dissolution of the Association, the Governing Council last in office shall in consultation with the Trustees decide upon the disposal of the Association funds, investments, securities and property. Such disposal shall be in accordance with the objects of the Association under this constitution.

d) Subject to the payment of debts of the Association, the balance thereof shall be distributed in such other manner as may be decided upon by the Governing Council last in office in consultation with the Trustees.



WITNESS

This Constitution and By-Laws is a document belonging to and authored by the Association of Designers of Kenya herein referred to ADKE. These by-laws and regulations thereof contained in this document are applicable to all members of the Association categories of membership.

This constitution, by-laws and regulations thereof are meant to safeguard the interests of Designers in Kenya.
