

**THE KENYA GIRL GUIDES BILL, 2022**

**ARRANGEMENT OF CLAUSES**

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**THE KENYA GIRL GUIDES BILL, 2022**

**A Bill for**

**AN ACT of Parliament to establish the Kenya Girl Guides Association and to protect its activities and interests and matters connected therewith and incidental thereto.**

**ENACTED** by the Parliament of Kenya as follows—

Short title.       **1.** This Act may be cited as the Kenya Girl Guides Association Act, 2022.

Interpretation.   **2.** In this Act, unless the context otherwise requires—

“Association” means the Kenya Girl Guides Association established by section 3 of this Act;

“Chief Commissioner” means the person holding or acting in the office of Chief Commissioner of Kenya under the constitution of the Association;

“constitution” means the constitution of the Association adopted by the National Council in accordance with section 6;

“National Council” means the Kenya Girl Guides National Council established by section 4;

“Girl Guide” means a Warranted Officer, Rainbow, Brownie, Girl Guide, Ranger Guide, Young Leader, Bravo Guide and Trefoil Guild, recognized as such under the rules of the Association and includes all officers of the Association;

Establishment  
of the  
Association.

**3.**(1) There is hereby established an Association to be known as the Kenya Girl Guides Association, the functions, aims, objectives and practices of which shall be in accordance with constitution adopted by the National Council.

(2) The Association shall not be regarded as the servant or agent of the Government or as enjoying any status, immunity or privilege of the Government.

(3) The Service shall be the successor of the **Girl Guides Association** existing immediately before the commencement of this section.

(4) Subject to this Act, all the rights, duties, obligations, assets and liabilities of the **Girl Guides Association** existing at the commencement of this section shall be transferred to the Association.

(5) Any person who held office as a member of the National Council, Executive Committee or as the Chief Commissioner, an officer or member of staff of the **Girl Guides Association** immediately before the commencement of this section shall continue to hold office as if that person had been appointed under this Act.

(6) Any reference to the **Girl Guides of Association** in any document, instrument or proceedings shall, on and after the commencement of this section, be construed to be a reference to the Association.

(7) Any register kept, registration or enrollment effected, certificate issued, notice or information given, or other thing done by the **Girl Guides Association** which, immediately before the commencement date of this section, was in force or effect shall continue in force and have effect as if kept, effected, issued, given, made or done by the **Girl Guides Association**.

The National Council.

**4.(1)** For the proper governance of the Association there shall be a National Council which shall exercise all the powers and perform all the duties conferred or imposed on it in accordance with the Association's Constitution.

(2) The National Council shall consist of—

- (a) the Patron;
- (b) a chairperson elected in accordance with the constitution;
- (c) fifteen National Executive Board members elected in accordance with the constitution;
- (d) not more than five members to be known as nominated members nominated in accordance with the constitution ;
- (e) not more than thirty members to be known as elected members elected in accordance with the constitution;
- (f) co-opted members; and
- (g) not more than ten life members.

(2) The National Executive Board may co-opt not more than five persons for such purpose and for such period as it may determine.

Functions of the National Council.

**5.(1)** The National Council shall maintain and oversee the Association within Kenya which shall serve as a channel of communication between the World Association of Girl Guides and Girl Scouts and between the Association and the Regional and County Boards as well as the general public.

(2) The National Executive Board shall, in addition to any other powers conferred on it under this Act or the constitution,—

- (a) oversee over the National Executive Board;
- (b) oversee the development, publication and distribution of rules concerning guiding administration;
- (c) ensure compliance with policies and standards of the Association as set out in the constitution and regulations;
- (d) establish and administer, in accordance with the principles of the Association, a fund for administrative purposes and furtherance of guiding work;
- (e) administer and cause a record to be kept of any property held by the association, including to alter, enlarge, build, add to, acquire, mortgage, lease or dispose of the property of the association in a manner that is beneficial to it;
- (f) considering National Executive Board reports for ratification and adoption; and
- (g) holding elections and making appointments for members of the National Council.

Powers of the  
National  
Council.

**6.(1)** The National Council shall have the power to adopt a constitution for the Association and regulate its relation with other members of the World Association of Girl Guides and Girl Scouts World Conference.

(2) In addition to the power under subsection (1) and the constitution, the National Council shall have the power to do such things as are consistent with this Act that are, in its opinion, necessary for the continued well-

being of the association and the Girl Guide Movement in Kenya.

The National  
Chairman.

**7.**(1) There shall be the National Chairperson of the National Council who shall be nominated by the National Executive Board and elected by members in the Annual General Meeting in accordance with the constitution.

(2) The National Chairperson shall—

- (a) provide overall leadership as the Chairperson of National Council;
- (b) maintain an overview of the Association in relation to the contemporary society taking a considered view of broad issues outside the Association;
- (c) explore external relationships with the National Government and County Governments, partners, supporters, friends of guiding and collaboration with likeminded Organizations for the furtherance of Guiding in the Country; and
- (d) ensure excellent governance of the Association, including exercise of ethical and strategic leadership, regulatory compliance and financial stewardship.

(3) The National Chairperson shall serve for a term of three years and shall be eligible for election for one further term of three years, in accordance with the Constitution.

The National  
Executive  
Board.

**8.**(1) There shall be an National Executive Board of the National Council which shall be the policy making organ of the Kenya Girl Guides Association.

(2) The National Executive Board shall—

- (a) develop and review policies, rules and regulations for the Association;
- (b) support the National Council through personal financial contribution and through active participation in fundraising programs;
- (c) promote Girl Guiding and related programmes;
- (d) mobilize resources for the Association;
- (e) approve policies, guidelines investments, business programmes and plans for the Association and make appropriate recommendations to the National Council;
- (f) engage in recruitment of Girl Guides;
- (g) monitor and evaluate programmes and projects and activities spearheaded by the Secretariat;
- (h) ensure compliance with the Constitution of the Association;
- (i) oversee the over the Regional and County Boards;
- (j) oversee the Activities of the Trustees Board and Guild Regiments;
- (k) coordinate National and International events;
- (l) advice on the management of any property held by the Association; and
- (m) participate in the work of the Council by attending National Executive Board meetings and by taking part in the work of one of the Executive Committee Sub Committees.

The Chief  
Commissioner.

**9.(1)** There shall be a Chief Commissioner of the Association who shall be appointed in accordance with the constitution.

(2) The Chief Commissioner shall serve for a term of three years and shall be eligible for one further term of three years in accordance with the constitution.

(3) The Chief Commissioner shall—

- (a) be the chairperson of the National Executive Board;
- (b) be the Titular Head of the Association;
- (c) confer awards warrants, certificates and other awards of the Association, in the name of the Association;
- (d) ensure that the Association is administered properly and competently accordingly to the direction of the State Council or Board either directly or through the National Executive Board;
- (e) promote the development of Girl Guiding;
- (f) coordinate the implementation of the Association's strategic plan and realization of its objectives;
- (g) ensure prudent management of resources and assets of the Association;
- (h) oversee the development and implementation of effective management and administrative policies and systems;



- (i) develop and implementing effective financial management policies and systems for monitoring and reporting financial performance;
- (j) ensure proper management and accountability of funds in line with the Association's financial and budgetary policies and procedures;
- (k) identify and sourcing for strategic development partners; and
- (l) ensure that annual financial audit is conducted and recommendations addressed.

The National Executive Officer and other staff.

**10.(1)** The National Executive Board shall appoint the National Executive Officer and such other members of staff of the Association as may be necessary for the achievement of the objectives of the Association.

(2) The National Executive Officer shall serve in accordance with the constitution.

(3) The National Executive Officer shall—

- (a) shall be responsible for the day to day management and administration of the Association;
- (b) oversee the Association operations to ensure efficiency, quality, service and cost effective management of resources;
- (c) spearhead formulation, implementation and review the policies, procedures, strategies, standards and guidelines of the Association;
- (d) provide of strategic leadership and ensure excellence in provision of Services at the Association;

- (e) spearhead the development agenda of the Association including formulation of projects and programmes;
- (f) manage any property held by the Association;
- (g) execute and communicate the strategies, decisions and policies of the National Executive Board;
- (h) develop and recommend to the National Executive Board the annual business plans for the Association;
- (i) provide of linkage between the National Executive Board and the Secretariat;
- (j) enhance collaboration and engagement with stakeholders and partners in support of development of the Association;
- (k) promotion of the corporate image of the Association;
- (l) ensure continuous improvement of the quality and value of services provided by the Association;
- (m) foster a culture that promotes ethical and good corporate governance;
- (n) ensure that the Association complies with the relevant legislation;
- (o) champion values and principles of the Association;
- (p) ensure prudent utilization of the Association assets and resources;

(q) facilitate the preparation of annual budgets and establishment of proper internal monitoring and control systems and procedures; and

(r) ensure capacity building and performance management of the employees of the Association.

Restriction on use of uniform of the Association.

**11.** A person who is not duly authorized and entitled so to do under the rules of the Association, shall not publicly wear, carry or bear a uniform, badge, token or emblem which is specifically adopted under those rules for the use under the authority of the Association or which could reasonably be held to be an imitation thereof so as to convey an impression that that person is entitled to wear, carry or bear the uniform, badge, token or emblem under those rules.

Restriction on sale of badges, etc.

**12.** A person shall not sell, or offer for sale, an article bearing a badge, token or emblem specifically adopted for use under the authority of the Association, or which could reasonably be held to be an imitation thereof, without the prior authority of the Commissioner, in writing, to do so.

False claim to connection with Association.

**13.** A person shall not, without due authority granted in accordance with the rules of the Association, form, organize or work in connection with or be concerned in forming, organizing, or working in connection with, any corps or body of persons claim or purport to be Girl Guides or otherwise to be connected with the Association or who hold themselves out, or pass themselves off, as Girl Guides or as otherwise connected with the Association.

Penalties.

**14.** A person who contravenes any of the provisions of this Act commits an offence and is liable, on conviction, to a penalty not less than two hundred thousand shillings or to a term of imprisonment not less than six months or to both.

*The Kenya Girl Guides Bill, 2022*

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Repeal.  
Cap. 220

**15.** The Girl Guides Act is repealed.