

**REPUBLIC OF KENYA**

**THE CONSTITUTION OF THE  
KENYA TCHOUKBALL FEDERATION**

**2025**

The Supreme Law Governing the Sport of Tchoukball  
in the Republic of Kenya

Adopted pursuant to the sovereign will of the Members  
and in recognition of the Constitution of Kenya, 2010

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## **PREAMBLE**

WE, THE MEMBERS OF THE KENYA TCHOUKBALL FEDERATION—

ACKNOWLEDGING the supremacy of the Almighty God of all creation;

HONOURING the Founding President and all those who pioneered and developed the sport of Tchoukball in Kenya and continue to promote its growth and excellence;

PROUD of our diverse membership drawn from all forty-seven counties, eight regions, and all communities of Kenya, and determined to compete and cooperate in unity as one indivisible sporting family;

RESPECTFUL of the Olympic values of excellence, respect, and friendship, and the spirit of fair play that is the heritage of sport;

COMMITTED to nurturing and protecting the well-being of all athletes, officials, men, women, youth, children, persons with disabilities, and all stakeholders of the Federation without discrimination;

RECOGNISING the aspirations of all members for a Federation based on the essential values of transparency, accountability, good governance, diversity, inclusivity, sporting integrity, and the rule of law;

AFFIRMING our sovereign authority over the governance of Tchoukball in Kenya while maintaining fraternal relations with international Tchoukball bodies;

EXERCISING our sovereign and inalienable right to determine the form of governance of our Federation and having participated fully in the making of this Constitution;

ADOPT, ENACT and give this Constitution to ourselves and to future generations of Tchoukball in Kenya.

**GOD BLESS THE KENYA TCHOUKBALL FEDERATION  
GOD BLESS KENYA**

## **CHAPTER ONE — SOVEREIGNTY OF THE MEMBERS AND SUPREMACY OF THIS CONSTITUTION**

### **Article 1. Sovereignty of the Members**

- (1) All sovereign power of the Kenya Tchoukball Federation belongs to the members and shall be exercised only in accordance with this Constitution.
- (2) The members may exercise their sovereign power either directly or through their democratically elected representatives.
- (3) Sovereign power under this Constitution is delegated to the following Federation organs, which shall perform their functions in accordance with this Constitution—
  - (a) the General Assembly, the Regional Assemblies, and the County Assemblies;
  - (b) the National Executive Committee (the Board), the Regional Executive Committees, and the County Executive Committees; and
  - (c) the Judicial and Disciplinary Tribunals and independent committees.
- (4) The sovereign power of the members is exercised at—
  - (a) the national level;
  - (b) the regional level (eight regions); and
  - (c) the county level (forty-seven counties).

### **Article 2. Supremacy of this Constitution**

- (1) This Constitution is the supreme law of the Federation and binds all members, officials, organs, and affiliated entities at all levels of governance.
- (2) No person may claim or exercise authority within the Federation except as authorised under this Constitution.
- (3) The validity or legality of this Constitution is not subject to challenge by or before any internal organ of the Federation, except through the amendment procedures provided herein.
- (4) Any rule, by-law, regulation, or decision that is inconsistent with this Constitution is void to the extent of the inconsistency.
- (5) The Federation is a sovereign sports organisation and shall not be subjugated to any external body in matters of internal governance.
- (6) The Federation recognises and may collaborate with—
  - (a) the International Tchoukball Federation (FITB);
  - (b) the Confederation of African Tchoukball (CATB);
  - (c) the Government of Kenya through the Ministry responsible for sports; and
  - (d) other relevant national and international bodies,

provided that such collaboration does not compromise the sovereignty of the Federation or violate this Constitution.

- (7) Where any statute, regulation, or directive of an external body conflicts with this Constitution, this Constitution shall prevail in all matters concerning the internal governance of the Federation.

### **Article 3. Defence of this Constitution**

- (1) Every member has an obligation to respect, uphold and defend this Constitution.
- (2) Any attempt to establish governance of the Federation otherwise than in compliance with this Constitution is unlawful.
- (3) No external body, government agency, or international organisation shall have authority to amend, suspend, or override any provision of this Constitution.

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## **CHAPTER TWO — THE FEDERATION**

### **Article 4. Declaration of the Federation**

- (1) The Kenya Tchoukball Federation (KTF) is the sole national governing body for the sport of Tchoukball in the Republic of Kenya.
- (2) The Federation shall be a democratic organisation founded on the national values and principles of governance referred to in Article 10.
- (3) The Federation may seek membership in international Tchoukball bodies on terms that are consistent with this Constitution and the sovereignty of the Federation.

### **Article 5. Jurisdiction of the Federation**

- (1) The jurisdiction of the Federation extends to the entire territory of the Republic of Kenya, comprising all forty-seven counties.
- (2) The Federation shall have authority over all matters relating to the sport of Tchoukball within Kenya, including but not limited to—
  - (a) the organisation, development, and promotion of Tchoukball;
  - (b) the selection and preparation of national teams;
  - (c) the organisation of national, regional, and county competitions and leagues;
  - (d) the registration and licensing of players, coaches, officials, and clubs;
  - (e) the discipline of all persons and entities under its jurisdiction; and
  - (f) the representation of Kenyan Tchoukball in international affairs.

### **Article 6. Devolution and Administrative Structure**

- (1) The Federation adopts a three-tier administrative structure mirroring the administrative boundaries of the Republic of Kenya—
  - (a) National Level: The Kenya Tchoukball Federation (KTF);
  - (b) Regional Level: Eight (8) Regional Tchoukball Associations (RTAs); and
  - (c) County Level: Forty-seven (47) County Tchoukball Associations (CTAs).
- (2) The eight regions and their constituent counties are as specified in the First Schedule.
- (3) The governments at the national, regional, and county levels are distinct and inter-dependent and shall conduct their mutual relations on the basis of consultation and cooperation.
- (4) The principle of subsidiarity shall apply such that functions are performed at the lowest level at which they can be effectively performed.
- (5) A national Federation organ shall ensure reasonable access to its services in all parts of Kenya, so far as it is appropriate to do so having regard to the nature of the service.

### **Article 7. Official Languages**

- (1) The official languages of the Federation are Kiswahili and English.
- (2) The Federation shall promote the use of Kenyan Sign language and other communication formats accessible to persons with disabilities.
- (3) All official documents of the Federation shall be available in both Kiswahili and English.
- (4) In case of conflict between language versions, the English version shall prevail unless the General Assembly determines otherwise.

### **Article 8. Federation and Religion**

- (1) The Federation shall be non-sectarian and shall not discriminate against any member on the basis of religion.
- (2) The Federation shall respect and accommodate the religious observances of its members in the scheduling of activities where reasonably practicable.

### **Article 9. Federation Symbols and Colours**

- (1) The official symbols of the Federation are—
  - (a) the Federation logo;
  - (b) the Federation anthem;
  - (c) the Federation colours; and
  - (d) the Federation seal.
- (2) The Federation symbols are as set out in the Second Schedule.
- (3) The Federation shall celebrate the following days—
  - (a) Tchoukball Day, to be observed annually on a date determined by the Executive Committee;
  - (b) Federation Anniversary Day, marking the founding of the Federation; and
  - (c) such other days as may be prescribed by the General Assembly.
- (4) No person shall use the Federation symbols for commercial purposes without the prior written authorisation of the Executive Committee.

### **Article 10. National Values and Principles of Governance**

- (1) The national values and principles of governance in this Article bind all Federation organs, officials, and members whenever any of them—
  - (a) applies or interprets this Constitution;
  - (b) enacts, applies or interprets any rule or by-law; or
  - (c) makes or implements decisions.
- (2) The national values and principles of governance include—
  - (a) patriotism, unity, sharing and devolution of power, the rule of law, democracy and participation of members;
  - (b) human dignity, equity, social justice, inclusiveness, equality, non-discrimination and protection of the marginalised;
  - (c) diversity and representation in all aspects including regional, professional, sectoral, ability, generational, and gender diversity;
  - (d) good governance, integrity, transparency and accountability;
  - (e) sporting excellence, fair play, and respect for the rules of the game; and
  - (f) sustainable development of the sport.

### **Article 11. Sport Culture and Development**

- (1) This Constitution recognises the development of Tchoukball as fundamental to the sporting heritage of Kenya.
- (2) The Federation shall—
  - (a) promote all forms of Tchoukball expression through competitions, exhibitions, and educational programmes;
  - (b) recognise the role of grassroots development in the growth of the sport;
  - (c) promote the intellectual property rights of the Federation and its members; and
  - (d) develop the sport in all forty-seven counties of Kenya.

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## **CHAPTER THREE — MEMBERSHIP**

### **Article 12. Entitlements of Members**

- (1) Every member is entitled to—
  - (a) the rights, privileges and benefits of membership, subject to the limits provided or permitted by this Constitution; and
  - (b) a membership card and any document of registration or identification issued by the Federation.
- (2) A membership card or other document may be denied, suspended or revoked only in accordance with this Constitution and any regulations made thereunder.

### **Article 13. Categories of Membership**

- (1) Membership of the Federation shall be categorised as follows—
  - (a) Individual Members, comprising—
    - (i) Players (Senior, Youth, Junior, and Para-athletes);
    - (ii) Coaches;
    - (iii) Referees and Match Officials;
    - (iv) Administrators;
    - (v) Technical Officials; and
    - (vi) Honorary Members.
  - (b) Institutional Members, comprising—
    - (i) Clubs;
    - (ii) County Tchoukball Associations (CTAs);
    - (iii) Regional Tchoukball Associations (RTAs);
    - (iv) Educational Institutions; and
    - (v) Corporate Partners.
- (2) The rights and obligations of each category of membership shall be as prescribed in the regulations.

### **Article 14. Acquisition of Membership**

- (1) Membership may be acquired by—
  - (a) registration as a player, coach, referee, or administrator with a club affiliated to the Federation;
  - (b) affiliation of a club or institution to the Federation through a County Tchoukball Association;
  - (c) conferment of honorary membership by the General Assembly; or
  - (d) such other means as may be prescribed in the regulations.
- (2) A person is eligible for individual membership if the person—
  - (a) is a Kenyan citizen or permanent resident, or a foreign national with a valid work or residence permit;
  - (b) has attained the age prescribed for the relevant category of membership;
  - (c) is of good character and has not been sanctioned for a serious integrity violation in sport; and
  - (d) has paid the prescribed membership fees.
- (3) An institution is eligible for institutional membership if it—
  - (a) is registered under the laws of Kenya or is a recognised educational institution;

- (b) has submitted a proper application with the required documentation;
- (c) has adopted rules consistent with this Constitution; and
- (d) has paid the prescribed affiliation fees.

### **Article 15. Honorary Membership and Life Membership**

(1) The General Assembly may, on the recommendation of the Executive Committee, confer honorary membership or life membership upon any person who has rendered distinguished service to—

- (a) the Federation;
- (b) Tchoukball in Kenya; or
- (c) sport in Kenya generally.

(2) Honorary members shall have the right to attend and speak at General Assemblies but shall not have voting rights unless they are otherwise entitled to vote.

(3) Life members shall enjoy all rights of membership without payment of annual fees.

### **Article 16. Suspension and Termination of Membership**

(1) Membership may be suspended or terminated if the member—

- (a) has failed to pay prescribed fees for a period exceeding twelve months;
- (b) has been found guilty of a serious disciplinary offence;
- (c) has brought the Federation into disrepute;
- (d) has been convicted of a criminal offence involving dishonesty or moral turpitude; or
- (e) has ceased to meet the eligibility requirements for membership.

(2) No membership shall be suspended or terminated without—

- (a) notice to the member of the grounds for the proposed action;
- (b) an opportunity for the member to be heard; and
- (c) a decision by the competent authority giving reasons.

(3) A member whose membership is suspended or terminated may appeal to the Appeals Tribunal.

### **Article 17. Single Leadership Capacity Rule**

(1) No person shall hold more than one leadership position in the Federation at any level at the same time.

(2) For the purposes of this Article, 'leadership position' includes—

- (a) any elected or appointed position on the National Executive Committee;
- (b) any elected or appointed position on a Regional Executive Committee;
- (c) any elected or appointed position on a County Executive Committee;
- (d) any elected or appointed position on a Club;
- (e) chairperson or member of any Standing Commission;
- (f) chairperson or member of the Judicial Tribunal or Appeals Tribunal; and
- (g) any other position designated as a leadership position by the Executive Committee.

(3) A person who holds a leadership position and is elected or appointed to another leadership position shall, within fourteen days, resign from one of the positions.

(4) Failure to comply with clause (3) shall result in automatic vacation of both positions.

**Article 18. Dual Club Membership**

- (1) A person may hold membership in only one club at a time for the purposes of competition.
- (2) A person may hold multiple categories of individual membership simultaneously where not inconsistent.
- (3) Transfer of membership between clubs shall be governed by the transfer regulations.

**Article 19. Legislation on Membership**

- (1) The General Assembly shall enact regulations—
  - (a) prescribing procedures for the acquisition, retention, suspension, and termination of membership;
  - (b) prescribing membership fees and affiliation fees;
  - (c) governing the transfer of players between clubs;
  - (d) prescribing the duties and rights of members; and
  - (e) generally giving effect to the provisions of this Chapter.

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## **CHAPTER FOUR — BILL OF RIGHTS AND FUNDAMENTAL FREEDOMS**

### **Part 1 — General Provisions**

#### **Article 20. Rights and Fundamental Freedoms**

- (1) The Bill of Rights is an integral part of the Federation's democratic governance and is the framework for sporting, social, and administrative policies.
- (2) The purpose of recognising and protecting rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote fair play and the realisation of the potential of all members.
- (3) The rights and fundamental freedoms in the Bill of Rights—
  - (a) belong to each member and are not granted by the Federation;
  - (b) do not exclude other rights and freedoms recognised by law or international sporting conventions; and
  - (c) are subject only to the limitations contemplated in this Constitution.

#### **Article 21. Application of Bill of Rights**

- (1) The Bill of Rights applies to all rules and regulations of the Federation and binds all Federation organs and all members.
- (2) Every member shall enjoy the rights and fundamental freedoms in the Bill of Rights to the greatest extent consistent with the nature of the right or freedom.
- (3) In applying a provision of the Bill of Rights, the Judicial Tribunal shall—
  - (a) develop the rules to the extent that they do not give effect to a right or freedom; and
  - (b) adopt the interpretation that most favours the enforcement of a right or freedom.

#### **Article 22. Implementation of Rights**

- (1) It is a fundamental duty of the Federation and every Federation organ to observe, respect, protect, promote and fulfil the rights and freedoms in the Bill of Rights.
- (2) The Federation shall take regulatory, policy and other measures to achieve the progressive realisation of the rights guaranteed under this Chapter.
- (3) All Federation organs and officials have the duty to address the needs of all groups within the sporting community, including men, women, children, youth, older persons, persons with disabilities, and minority or marginalised communities.

#### **Article 23. Enforcement of Bill of Rights**

- (1) Every member has the right to institute proceedings before the Judicial Tribunal claiming that a right or freedom in the Bill of Rights has been denied, violated, infringed, or is threatened.
- (2) In addition to a person acting in their own interest, proceedings under clause (1) may be instituted by—
  - (a) a person acting on behalf of another person who cannot act in their own name;
  - (b) a person acting as a member of, or in the interest of, a group or class of members;
  - (c) a person acting in the public interest; or
  - (d) an affiliated institution acting in the interest of one or more of its members.

#### **Article 24. Limitation of Rights**

(1) A right or freedom in the Bill of Rights shall not be limited except by rule, and then only to the extent that the limitation is reasonable and justifiable in a democratic sporting organisation based on dignity, equality and fair play.

(2) Despite clause (1), the following rights and freedoms shall not be limited—

- (a) freedom from torture and cruel, inhuman or degrading treatment or punishment;
- (b) freedom from discrimination on grounds of race, sex, disability, religion, or ethnic origin;
- (c) the right to a fair hearing; and
- (d) the right to appeal.

## **Part 2 — Rights and Fundamental Freedoms**

### **Article 25. Right to Participate**

(1) Every member has the right to participate in the activities of the Federation in accordance with the rules.

(2) The right to participate includes the right to—

- (a) be selected for teams and competitions on merit;
- (b) access training, coaching, and development programmes;
- (c) compete in a safe environment; and
- (d) be treated with dignity and respect.

### **Article 26. Equality and Freedom from Discrimination**

(1) Every member is equal before the rules of the Federation and has the right to equal protection and equal benefit of the rules.

(2) Equality includes the full and equal enjoyment of all rights and freedoms.

(3) Men and women have the right to equal treatment, including the right to equal opportunities in sporting, administrative, and leadership positions.

(4) The Federation shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, language, birth, or economic status.

(5) To give full effect to the realisation of equality, the Federation shall take measures including affirmative action programmes designed to redress any disadvantage suffered by individuals or groups.

(6) Not more than two-thirds of the members of elective or appointive bodies of the Federation shall be of the same gender.

### **Article 27. Human Dignity**

(1) Every member has inherent dignity and the right to have that dignity respected and protected.

(2) No member shall be subjected to harassment, bullying, hazing, or any form of abuse.

### **Article 28. Freedom and Security of the Person**

(1) Every member has the right to freedom and security of the person, which includes the right not to be—

- (a) subjected to any form of violence, whether physical, verbal, or psychological;
- (b) subjected to torture in any manner;
- (c) treated or punished in a cruel, inhuman or degrading manner; or
- (d) subjected to sexual harassment or abuse.

### **Article 29. Privacy**

- (1) Every member has the right to privacy, which includes the right not to have—
  - (a) their person or property searched unreasonably;
  - (b) information relating to their personal affairs unnecessarily required or revealed; or
  - (c) the privacy of their communications infringed.
- (2) The Federation shall protect the personal data of members in accordance with applicable data protection laws.

### **Article 30. Freedom of Expression**

- (1) Every member has the right to freedom of expression, subject to the rules regarding public statements on behalf of the Federation.
- (2) The right to freedom of expression does not extend to—
  - (a) incitement to violence;
  - (b) hate speech; or
  - (c) statements that bring the Federation into disrepute.

### **Article 31. Freedom of Association**

- (1) Every member has the right to freedom of association, which includes the right to form, join or participate in the activities of clubs and associations.
- (2) A member shall not be compelled to join any association other than as required for participation in organised competition.

### **Article 32. Political Rights**

- (1) Every member is free to make political choices within the Federation, which includes the right—
  - (a) to participate in Federation governance;
  - (b) to vote in Federation elections; and
  - (c) to be a candidate for office within the Federation.
- (2) Every adult member has the right, without unreasonable restrictions—
  - (a) to be registered as a voter;
  - (b) to vote by secret ballot in any election, whether in person, by proxy, or by electronic means; and
  - (c) to be a candidate for any elective position for which they are eligible.

### **Article 33. Fair Administrative Action**

- (1) Every member has the right to administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair.
- (2) If a right of a member has been or is likely to be adversely affected by administrative action, the member has the right to be given written reasons for the action.

### **Article 34. Access to Information**

- (1) Every member has the right of access to—
  - (a) information held by the Federation relating to the governance and activities of the Federation; and
  - (b) information held by the Federation that is required for the exercise or protection of any right.

(2) The Federation shall publish and publicise important information affecting members.

### **Part 3 — Specific Application of Rights**

#### **Article 35. Rights of Athletes**

- (1) Every athlete has the right—
- (a) to access quality coaching and training;
  - (b) to a safe training and competition environment;
  - (c) to be protected from exploitation;
  - (d) to education regarding their rights and responsibilities;
  - (e) to express views through appropriate channels; and
  - (f) to protection of their physical and mental health.

#### **Article 36. Rights of Children**

- (1) Every child participating in Tchoukball has the right—
- (a) to age-appropriate training and competition;
  - (b) to be protected from abuse, neglect, harmful practices, and exploitation;
  - (c) to parental or guardian involvement in decisions affecting their participation; and
  - (d) to have their best interests as the paramount consideration in every matter concerning them.
- (2) For the purposes of this Article, a child is any person under the age of eighteen years.
- (3) The Federation shall develop and implement a comprehensive child safeguarding policy.

#### **Article 37. Women**

- (1) The Federation recognises the unique role of women in sport and shall take measures to ensure that women—
- (a) have equal access to participation and development opportunities;
  - (b) are represented in leadership positions at all levels;
  - (c) are protected from gender-based discrimination and violence;
  - (d) have access to resources for the development of women's Tchoukball; and
  - (e) are supported during and after pregnancy and maternity.
- (2) The Federation shall actively promote and develop women's Tchoukball programmes.

#### **Article 38. Men**

- (1) The Federation recognises the important role of men in sport and shall take measures to ensure that men—
- (a) have equal access to participation and development opportunities;
  - (b) are represented in leadership positions at all levels;
  - (c) are protected from discrimination and violence;
  - (d) have access to resources for the development of men's Tchoukball;
  - (e) are supported in balancing sporting and family responsibilities; and
  - (f) are encouraged to participate as role models, mentors, and advocates for the sport.
- (2) The Federation shall actively promote and develop men's Tchoukball programmes at all levels.

#### **Article 39. Youth**

- (1) The Federation shall take measures to ensure that the youth—
  - (a) access relevant education and training;
  - (b) have opportunities to participate and be represented in governance;
  - (c) have pathways for development to elite competition;
  - (d) are protected from harmful practices and exploitation; and
  - (e) are involved in the development of youth programmes.
- (2) For the purposes of this Constitution, 'youth' means persons aged between eighteen and thirty-five years.

#### **Article 40. Persons with Disabilities**

- (1) A person with any disability is entitled—
  - (a) to be treated with dignity and respect;
  - (b) to reasonable accommodations to facilitate participation;
  - (c) to access facilities adapted to their needs;
  - (d) to equal opportunities for competition and development; and
  - (e) to be represented in leadership positions.
- (2) The Federation shall promote and develop para-Tchoukball programmes.
- (3) The Federation shall ensure that at least five percent of leadership positions are held by persons with disabilities.

#### **Article 41. Older Persons**

- (1) The Federation shall take measures to ensure the rights of older persons—
  - (a) to fully participate in the affairs of the Federation;
  - (b) to continue participation in the sport at appropriate levels;
  - (c) to live in dignity and respect and be free from abuse; and
  - (d) to contribute their experience and wisdom to the development of the sport.
- (2) For the purposes of this Article, 'older persons' means persons aged sixty years and above.

#### **Article 42. Minorities and Marginalised Groups**

- (1) The Federation shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups—
  - (a) participate and are represented in governance and other spheres of the Federation;
  - (b) are provided special opportunities for development;
  - (c) have access to resources for sport development in their communities; and
  - (d) have their cultural values and practices respected where consistent with this Constitution.

## **CHAPTER FIVE — PROPERTY AND FINANCE**

### **Part 1 — Property**

#### **Article 43. Principles of Property Management**

- (1) Property of the Federation shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable.
- (2) The Federation shall maintain accurate records of all property.
- (3) Property of the Federation shall not be used for private benefit.

#### **Article 44. Classification of Property**

- (1) Property of the Federation is classified as—
  - (a) movable property, including equipment, vehicles, and inventory;
  - (b) immovable property, including land and buildings; and
  - (c) intellectual property, including trademarks, copyrights, and the Federation's name and symbols.

#### **Article 45. Protection of Federation Property**

- (1) The Federation shall protect its property from loss, damage, or misappropriation.
- (2) Property of the Federation shall not be disposed of except in accordance with procedures prescribed by the General Assembly.
- (3) The Federation shall support, promote and protect its intellectual property rights.

### **Part 2 — Finance**

#### **Article 46. Principles of Public Finance**

- (1) The following principles shall guide all aspects of public finance in the Federation—
  - (a) openness and accountability, including public participation in financial matters;
  - (b) prudent and responsible use of public funds;
  - (c) clear fiscal reporting;
  - (d) equitable sharing of resources among the national, regional, and county levels; and
  - (e) expenditure that promotes the equitable development of the sport in all counties.

#### **Article 47. Revenue of the Federation**

- (1) The revenue of the Federation shall consist of—
  - (a) membership and affiliation fees;
  - (b) competition entry fees and levies;
  - (c) sponsorship and commercial revenue;
  - (d) grants from government and international bodies;
  - (e) donations and bequests; and
  - (f) any other lawful income.
- (2) A portion of revenue shall be allocated to regional and county levels as determined by the General Assembly.

#### **Article 48. Federation Consolidated Fund**

- (1) There is established a Federation Consolidated Fund into which shall be paid all money raised or received by or on behalf of the Federation.
- (2) Money shall only be withdrawn from the Consolidated Fund in accordance with this Constitution.

**Article 49. Budget**

- (1) The Treasurer shall prepare annual estimates of revenue and expenditure for approval by the General Assembly.
- (2) The Executive Committee shall not authorise expenditure exceeding the approved budget without the prior approval of the General Assembly.
- (3) The budget shall allocate resources equitably among the national, regional, and county levels.

**Article 50. Financial Reporting and Audit**

- (1) The Federation shall maintain proper books of account and financial records.
- (2) The accounts of the Federation shall be audited annually by a qualified independent auditor appointed by the General Assembly.
- (3) The audited accounts shall be presented to the Annual General Assembly.
- (4) The Federation shall publish its audited accounts within six months after the end of each financial year.
- (5) All financial records shall be open to inspection by members upon reasonable notice.

## **CHAPTER SIX — LEADERSHIP AND INTEGRITY**

### **Article 51. Responsibilities of Leadership**

- (1) Authority assigned to an official—
  - (a) is a trust to be exercised in a manner that—
    - (i) is consistent with the purposes and objects of this Constitution;
    - (ii) demonstrates respect for the members;
    - (iii) brings honour to the sport and dignity to the office; and
    - (iv) promotes confidence in the integrity of the office; and
  - (b) vests in the official the responsibility to serve the members, rather than the power to rule them.
- (2) The guiding principles of leadership and integrity include—
  - (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
  - (b) objectivity and impartiality in decision making;
  - (c) selfless service based solely on the interests of the sport;
  - (d) accountability to the members for decisions and actions;
  - (e) discipline and commitment in service to the Federation; and
  - (f) promoting diversity and inclusivity in all aspects of the Federation.

### **Article 52. Conduct of Officials**

- (1) An official shall behave, whether in public and official life, in private life, or in association with other persons, in a manner that avoids—
  - (a) any conflict between personal interests and official duties;
  - (b) compromising any Federation interest in favour of a personal interest; or
  - (c) demeaning the office the official holds.
- (2) A person who contravenes this Article shall be subject to the applicable disciplinary procedure.

### **Article 53. Financial Integrity of Officials**

- (1) A gift or donation to an official on a public or official occasion is a gift or donation to the Federation and shall be declared and recorded.
- (2) An official shall not—
  - (a) seek or accept a personal benefit in circumstances that compromise the integrity of the official; or
  - (b) misuse Federation funds or property.

### **Article 54. Declaration of Interests**

- (1) Every official shall make a declaration of interests upon assuming office and annually thereafter.
- (2) An official shall declare any conflict of interest in any matter before any organ of which they are a member and shall not participate in the consideration or decision of that matter.
- (3) The declaration of interests shall be submitted to the Ethics and Integrity Committee and shall be available for inspection by any member.

### **Article 55. Ethics and Integrity Committee**

- (1) There shall be an Ethics and Integrity Committee responsible for—
  - (a) promoting standards of integrity among officials and members;
  - (b) receiving and maintaining declarations of interests;
  - (c) investigating complaints of integrity violations;
  - (d) making recommendations to the Executive Committee on integrity matters; and
  - (e) developing and reviewing the code of conduct.
- (2) The composition and procedures of the Ethics and Integrity Committee shall be prescribed by regulations.
- (3) Members of the Ethics and Integrity Committee shall be independent and shall not hold any other leadership position in the Federation.

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## **CHAPTER SEVEN — REPRESENTATION AND ELECTIONS**

### **Part 1 — Electoral System**

#### **Article 56. General Principles for Elections**

- (1) The electoral system shall comply with the following principles—
  - (a) freedom of eligible members to exercise their electoral rights;
  - (b) not more than two-thirds of elected or appointed officials shall be of the same gender;
  - (c) fair representation of persons with disabilities, youth, and other marginalised groups;
  - (d) universal suffrage based on fair representation and equality of vote;
  - (e) regional diversity, with representation from all eight regions where practicable; and
  - (f) free and fair elections, which are—
    - (i) by secret ballot;
    - (ii) free from violence, intimidation, improper influence or corruption;
    - (iii) conducted by an independent electoral body;
    - (iv) transparent; and
    - (v) administered in an impartial, neutral, efficient, accurate and accountable manner.

#### **Article 57. Electoral Methods**

- (1) Elections may be conducted—
  - (a) in person at a General Assembly or other designated meeting;
  - (b) by electronic voting using a secure and verifiable platform; or
  - (c) by a combination of in-person and electronic voting.
- (2) Electronic voting shall be permitted where—
  - (a) the platform used ensures the secrecy of the ballot;
  - (b) the platform used ensures the integrity and security of votes;
  - (c) the identity of voters can be verified;
  - (d) the results can be independently verified; and
  - (e) the Electoral Commission certifies the platform as fit for purpose.
- (3) The Electoral Commission shall make provisions to ensure that members in all forty-seven counties can participate in elections.

#### **Article 58. Electoral Commission**

- (1) There is established the Federation Electoral Commission.
- (2) The Commission shall consist of a chairperson and not fewer than four other members appointed by the General Assembly, ensuring—
  - (a) regional diversity;
  - (b) gender balance; and
  - (c) inclusion of persons with relevant expertise.
- (3) A person is not eligible for appointment to the Commission if the person—
  - (a) has, within the preceding five years, held elective office in the Federation;
  - (b) is a candidate for any elective office; or
  - (c) holds any other leadership position in the Federation.
- (4) The Commission is responsible for—

- (a) conducting all elections and referenda of the Federation at all levels;
- (b) maintaining the register of eligible voters;
- (c) verifying the eligibility of candidates and presidential nominees;
- (d) developing and enforcing the electoral code of conduct;
- (e) resolving electoral disputes other than petitions challenging election results;
- (f) voter education;
- (g) certifying electronic voting platforms; and
- (h) declaring election results.

### **Article 59. Eligibility to Vote**

- (1) A member qualifies to vote if the member—
  - (a) is an adult individual member in good standing;
  - (b) has been a member for not less than six months prior to the election; and
  - (c) is not subject to any suspension.
- (2) Institutional members shall vote through their designated delegates as prescribed in the regulations.
- (3) Voting rights shall be exercised in accordance with the electoral regulations.

## **Part 2 — Election of President and Approval of Nominees**

### **Article 60. Election of the President**

- (1) The President shall be the only official directly elected by the electorate.
- (2) A person qualifies for nomination as a presidential candidate if the person—
  - (a) is a citizen of Kenya;
  - (b) has been a member of the Federation for at least four years;
  - (c) has held a leadership position in the Federation, a club, a County Tchoukball Association, or a Regional Tchoukball Association for at least two years;
  - (d) is of good standing and has no outstanding disciplinary matters;
  - (e) is nominated by at least three affiliated clubs from at least two different regions, or by at least one Regional Tchoukball Association; and
  - (f) meets such other requirements as may be prescribed in the regulations.
- (3) A person is disqualified from being elected as President if the person—
  - (a) holds a conflicting leadership position in another sports organisation;
  - (b) has been found guilty of a serious integrity violation within the preceding five years;
  - (c) is of unsound mind;
  - (d) is an undischarged bankrupt;
  - (e) has been convicted of a criminal offence involving dishonesty within the preceding five years; or
  - (f) holds any other leadership position in the Federation.
- (4) The election shall be by secret ballot, which may be conducted in person or electronically.
- (5) A candidate shall be declared elected if the candidate receives more than half of all valid votes cast.
- (6) If no candidate receives more than half of the valid votes in the first round, a run-off election shall be held between the two candidates who received the highest number of votes.

### **Article 61. Presidential Nominees for Executive Committee**

- (1) The President-elect shall, within thirty days of election, nominate persons to fill the following positions on the Executive Committee—
  - (a) Vice President;
  - (b) Secretary General;
  - (c) Treasurer;
  - (d) not more than eight other members of the Executive Committee.
- (2) The President's nominees shall collectively reflect—
  - (a) regional diversity, with representation from at least five of the eight regions;
  - (b) gender diversity, with not more than two-thirds of the nominees being of the same gender;
  - (c) generational diversity, including youth representation;
  - (d) professional diversity, including persons with expertise in law, finance, sports administration, marketing, and technical aspects of the sport;
  - (e) sectoral diversity, including representation from players, coaches, referees, and administrators;
  - (f) ability diversity, including persons with disabilities where possible; and
  - (g) inclusivity of marginalised and minority groups.
- (3) No person shall be nominated who—
  - (a) does not meet the eligibility requirements for office;
  - (b) holds any other leadership position in the Federation; or
  - (c) is disqualified under this Constitution.
- (4) The President shall submit the list of nominees to the Electoral Commission for verification of eligibility.
- (5) The Electoral Commission shall, within fourteen days, verify the eligibility of nominees and publish the list.

## **Article 62. Approval of Presidential Nominees**

- (1) The President's nominees shall be submitted to the General Assembly for approval.
- (2) The General Assembly shall consider and vote on the nominees within sixty days of the President's election.
- (3) The General Assembly may—
  - (a) approve all nominees;
  - (b) reject any individual nominee by a majority vote; or
  - (c) reject the entire list if it does not reflect the diversity requirements of Article 61(2).
- (4) If the General Assembly rejects a nominee, the President shall, within fourteen days, submit an alternative nominee for that position.
- (5) If the General Assembly rejects the entire list, the President shall, within thirty days, submit a new list that addresses the concerns raised.
- (6) If the General Assembly rejects a second list or if the President fails to submit nominees within the prescribed time, the General Assembly may elect the Executive Committee members directly.
- (7) Voting on nominees may be conducted in person or electronically.

## **Article 63. Diversity Compliance**

- (1) The Electoral Commission shall verify that the composition of the Executive Committee complies with the diversity requirements.

(2) If the composition does not comply, the Electoral Commission shall notify the President to make adjustments.

(3) The Executive Committee shall not be constituted until the diversity requirements are met.

#### **Article 64. Term of Office**

(1) The President and members of the Executive Committee shall hold office for a term of four years.

(2) The President shall not hold office for more than two consecutive terms.

(3) A member of the Executive Committee (other than the President) may be reappointed for a maximum of two consecutive terms in the same position.

(4) A former President who has served two consecutive terms may be eligible for re-election after the lapse of at least one full term.

#### **Article 65. Vacation of Office**

(1) The office of an elected or appointed official becomes vacant if the official—

(a) dies;

(b) resigns in writing;

(c) is removed from office in accordance with this Constitution;

(d) is absent from three consecutive meetings without valid reason;

(e) becomes disqualified from holding office;

(f) assumes another leadership position in the Federation; or

(g) completes their term of office.

(2) A vacancy in a position other than President shall be filled by a person nominated by the President and approved by the Executive Committee.

(3) A vacancy in the office of President shall be filled in accordance with Article 80.

#### **Article 66. Electoral Disputes**

(1) Any dispute concerning the conduct of an election shall be referred to the Electoral Commission.

(2) A petition challenging the result of an election shall be filed with the Appeals Tribunal within fourteen days of the declaration of results.

(3) The Appeals Tribunal shall hear and determine the petition within thirty days.

## **CHAPTER EIGHT — THE GENERAL ASSEMBLY**

### **Part 1 — Establishment and Role**

#### **Article 67. Establishment of the General Assembly**

- (1) There is established the General Assembly of the Kenya Tchoukball Federation, which is the supreme decision-making body of the Federation.
- (2) The General Assembly shall perform its functions in accordance with this Constitution.

#### **Article 68. Role of the General Assembly**

- (1) The legislative authority of the Federation is derived from the members and is vested in and exercised by the General Assembly.
- (2) The General Assembly manifests the diversity of the membership, represents the will of the members, and exercises their sovereignty.
- (3) The General Assembly may consider and pass amendments to this Constitution.
- (4) The General Assembly shall protect this Constitution and promote the democratic governance of the Federation.
- (5) No person or body, other than the General Assembly, has the power to make provision having the force of constitutional rules in the Federation except under authority conferred by this Constitution.

#### **Article 69. Functions of the General Assembly**

- (1) The General Assembly shall—
  - (a) elect the President;
  - (b) approve or reject the President's nominees for Executive Committee positions;
  - (c) approve amendments to this Constitution;
  - (d) approve the annual budget and financial reports;
  - (e) approve the strategic plan of the Federation;
  - (f) appoint the external auditor;
  - (g) approve affiliation to international bodies;
  - (h) ratify regulations made by the Executive Committee;
  - (i) consider and decide appeals from Regional Assemblies;
  - (j) confer honorary membership and life membership;
  - (k) remove elected officials from office; and
  - (l) perform any other function conferred by this Constitution.

### **Part 2 — Composition and Membership**

#### **Article 70. Composition of the General Assembly**

- (1) The General Assembly consists of—
  - (a) the President, who is the chairperson;
  - (b) the Vice President;
  - (c) the Secretary General;
  - (d) the Treasurer;
  - (e) other members of the Executive Committee;

- (f) two delegates from each affiliated club;
  - (g) the Chairperson of each County Tchoukball Association or their designated representative;
  - (h) the Chairperson of each Regional Tchoukball Association or their designated representative;
  - (i) the chairperson of the Athletes Commission;
  - (j) the chairperson of the Referees Commission;
  - (k) the chairperson of the Coaches Commission;
  - (l) the Founding President, if available; and
  - (m) honorary and life members, who may speak but not vote unless otherwise entitled.
- (2) Each member of the General Assembly entitled to vote shall have one vote.

### **Article 71. Voting in the General Assembly**

- (1) Except as otherwise provided in this Constitution, any question proposed for decision shall be determined by a majority of the members present and voting.
- (2) The chairperson has no casting vote, and in the case of a tie, the question is lost.
- (3) A member shall not vote on any question in which the member has a personal pecuniary interest.
- (4) Voting shall ordinarily be by show of hands unless a secret ballot is requested by at least one-third of the members present.
- (5) Voting may be conducted electronically where the General Assembly so resolves or where physical attendance is not practicable.

## **Part 3 — Meetings**

### **Article 72. Annual General Assembly**

- (1) The Annual General Assembly shall be held once in each financial year within six months of the end of that year.
- (2) The notice convening the Annual General Assembly shall be sent to all members at least thirty days before the meeting.
- (3) The agenda for the Annual General Assembly shall include—
  - (a) confirmation of the minutes of the previous meeting;
  - (b) the President's report;
  - (c) the Secretary General's report;
  - (d) the Treasurer's report and audited accounts;
  - (e) reports from Regional and County Associations;
  - (f) approval of the budget;
  - (g) elections or approval of nominees, if due;
  - (h) ratification of regulations; and
  - (i) any other business properly brought before the meeting.

### **Article 73. Extraordinary General Assembly**

- (1) An Extraordinary General Assembly may be convened by—
  - (a) the President;
  - (b) a resolution of the Executive Committee;
  - (c) a requisition signed by not less than one-third of the members entitled to vote; or
  - (d) a requisition signed by at least four Regional Tchoukball Associations.

- (2) A requisition shall state the objects of the meeting.
- (3) Notice of an Extraordinary General Assembly shall be sent to all members at least fourteen days before the meeting.
- (4) No business shall be transacted at an Extraordinary General Assembly other than that specified in the notice.
- (5) An Extraordinary General Assembly may be conducted electronically or through a hybrid format.

#### **Article 74. Quorum**

- (1) The quorum for the General Assembly shall be one-third of the members entitled to vote, provided that at least four regions are represented.
- (2) If a quorum is not present within thirty minutes of the appointed time, the meeting shall be adjourned to a date not less than fourteen days later.
- (3) At the adjourned meeting, the members present shall constitute a quorum, provided that at least three regions are represented.

#### **Article 75. Resolutions**

- (1) The General Assembly may pass ordinary resolutions and special resolutions.
- (2) An ordinary resolution requires a simple majority of members present and voting.
- (3) A special resolution requires approval by not less than two-thirds of the members present and voting.
- (4) The following matters require a special resolution—
  - (a) amendments to this Constitution;
  - (b) dissolution of the Federation;
  - (c) removal of an elected official;
  - (d) disposal of significant assets;
  - (e) rejection of the President's entire list of nominees; and
  - (f) any other matter specified in this Constitution.

## **CHAPTER NINE — THE EXECUTIVE**

### **Part 1 — Principles and Structure**

#### **Article 76. Principles of Executive Authority**

- (1) Executive authority derives from the members and shall be exercised in accordance with this Constitution.
- (2) Executive authority shall be exercised in a manner compatible with the principle of service to the members and for the benefit of the sport.

#### **Article 77. The National Executive**

- (1) The national executive of the Federation (the Board) comprises—
  - (a) the President;
  - (b) the Vice President;
  - (c) the Secretary General;
  - (d) the Treasurer; and
  - (e) not more than eight other members nominated by the President and approved by the General Assembly.
- (2) The composition of the national executive shall reflect—
  - (a) regional diversity from at least five of the eight regions;
  - (b) gender diversity with not more than two-thirds of the same gender;
  - (c) generational diversity including youth representation;
  - (d) professional, sectoral, and ability diversity; and
  - (e) inclusivity of marginalised groups.

### **Part 2 — The President**

#### **Article 78. Authority of the President**

- (1) The President—
  - (a) is the head of the Federation;
  - (b) exercises the executive authority of the Federation with the assistance of the Vice President and Executive Committee;
  - (c) is the official spokesperson of the Federation;
  - (d) is the chairperson of the General Assembly and the Executive Committee; and
  - (e) is a symbol of unity of the Federation.
- (2) The President shall—
  - (a) respect, uphold and safeguard this Constitution;
  - (b) safeguard the interests and sovereignty of the Federation;
  - (c) promote and enhance the unity of the membership;
  - (d) promote respect for the diversity of the members;
  - (e) ensure the protection of the rights of members and the rule of law; and
  - (f) promote the development of Tchoukball in all forty-seven counties.
- (3) The President shall represent the Federation in its relations with—
  - (a) the Government of Kenya;
  - (b) international Tchoukball bodies;

- (c) other national sports federations; and
- (d) sponsors and partners.

#### **Article 79. Functions of the President**

- (1) The President shall—
  - (a) convene and preside over meetings of the General Assembly and the Executive Committee;
  - (b) report to the Annual General Assembly on the state of the Federation;
  - (c) nominate persons for positions on the Executive Committee for approval by the General Assembly;
  - (d) sign official documents on behalf of the Federation;
  - (e) represent the Federation at national and international events; and
  - (f) perform any other function conferred by this Constitution or assigned by the General Assembly.
- (2) The President may delegate any function to the Vice President or another member of the Executive Committee.

#### **Article 80. Vacancy in the Office of President**

- (1) The office of President becomes vacant if the holder—
  - (a) dies;
  - (b) resigns in writing addressed to the General Assembly;
  - (c) is removed from office; or
  - (d) becomes disqualified to hold office.
- (2) When a vacancy occurs—
  - (a) the Vice President shall assume office as Acting President;
  - (b) the Executive Committee shall convene an Extraordinary General Assembly within ninety days to elect a new President; and
  - (c) the newly elected President shall serve for the remainder of the term.
- (3) If the office of Vice President is also vacant, the Secretary General shall act as President until an Extraordinary General Assembly elects a new President.

#### **Article 81. Removal of President**

- (1) The President may be removed from office on grounds of—
  - (a) gross violation of this Constitution;
  - (b) serious misconduct;
  - (c) inability to perform the functions of office due to physical or mental incapacity; or
  - (d) conviction of a criminal offence involving dishonesty.
- (2) A motion for the removal of the President may be moved at a General Assembly by not less than one-third of the members entitled to vote.
- (3) The President shall have the right to be heard before any vote on removal.
- (4) A resolution to remove the President requires a two-thirds majority of all members entitled to vote.
- (5) The vote on removal may be conducted electronically.

### **Part 3 — The Founding President**

### **Article 82. The Founding President**

- (1) The person who held office as President at the time of the founding of the Federation, or such other person as may be designated by the General Assembly, shall be recognised as the Founding President.
- (2) The Founding President shall hold the title for life.
- (3) The Founding President shall—
  - (a) be an ex officio member of the General Assembly with the right to speak;
  - (b) serve as an advisor to the President and Executive Committee on matters of Federation history and tradition;
  - (c) represent the Federation at ceremonial and commemorative events;
  - (d) be consulted on matters affecting the fundamental character of the Federation; and
  - (e) receive recognition and honours befitting the office.
- (4) The Founding President shall not have voting rights in the General Assembly by virtue of this office alone, but may vote if otherwise entitled.
- (5) The Founding President may hold another leadership position in the Federation if elected or appointed thereto, subject to the provisions of this Constitution.
- (6) If the Founding President is unable or unwilling to perform the functions of the office, the Executive Committee may designate an alternate person to represent the office at ceremonial functions.

## **Part 4 — Other Executive Officers**

### **Article 83. The Vice President**

- (1) The Vice President shall be the principal assistant of the President and shall deputise for the President in the execution of the President's functions.
- (2) The Vice President shall perform functions conferred by this Constitution and any functions assigned by the President.
- (3) When the President is absent or temporarily incapacitated, the Vice President shall act as President.

### **Article 84. The Secretary General**

- (1) The Secretary General is the chief administrative officer of the Federation.
- (2) The Secretary General shall—
  - (a) be responsible for the day-to-day administration of the Federation;
  - (b) maintain the records and archives of the Federation;
  - (c) prepare the agenda for meetings;
  - (d) take minutes of meetings;
  - (e) issue notices of meetings;
  - (f) maintain the register of members;
  - (g) handle correspondence on behalf of the Federation;
  - (h) coordinate with Regional and County Associations; and
  - (i) perform any other function conferred by this Constitution or assigned by the Executive Committee.

### **Article 85. The Treasurer**

- (1) The Treasurer is the chief financial officer of the Federation.

- (2) The Treasurer shall—
- (a) be responsible for the financial management of the Federation;
  - (b) maintain proper books of account;
  - (c) prepare annual budgets for approval;
  - (d) present financial reports to the Executive Committee and General Assembly;
  - (e) ensure compliance with financial regulations;
  - (f) be a signatory to the Federation's bank accounts;
  - (g) oversee the allocation of resources to Regional and County levels; and
  - (h) perform any other function conferred by this Constitution or assigned by the Executive Committee.

## **Part 5 — The Executive Committee**

### **Article 86. Establishment of the Executive Committee**

- (1) There is established the Executive Committee of the Federation (also known as the Board).
- (2) The Executive Committee consists of—
- (a) the President, who is the chairperson;
  - (b) the Vice President;
  - (c) the Secretary General;
  - (d) the Treasurer; and
  - (e) not more than eight other members nominated by the President and approved by the General Assembly.
- (3) The composition shall comply with the diversity requirements of Article 77(2).

### **Article 87. Functions of the Executive Committee**

- (1) The Executive Committee is responsible for the management and administration of the Federation between General Assemblies.
- (2) The Executive Committee shall—
- (a) implement the decisions of the General Assembly;
  - (b) manage the affairs of the Federation in accordance with this Constitution;
  - (c) prepare and submit reports and budgets to the General Assembly;
  - (d) make regulations for the proper conduct of the affairs of the Federation;
  - (e) appoint and supervise staff of the Federation;
  - (f) appoint standing and ad hoc committees;
  - (g) represent the Federation in dealings with third parties;
  - (h) oversee Regional and County Associations; and
  - (i) perform any other function conferred by this Constitution.

### **Article 88. Meetings of the Executive Committee**

- (1) The Executive Committee shall meet at least once every three months.
- (2) The President or any three members of the Executive Committee may convene a meeting at any time.
- (3) The quorum for a meeting of the Executive Committee shall be one-half of the members.
- (4) Decisions shall be made by a majority of members present and voting.

- (5) The Executive Committee may conduct business by electronic means, including video conferencing.
- (6) Decisions made electronically shall have the same validity as decisions made at in-person meetings.

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## **CHAPTER TEN — JUDICIAL AND DISCIPLINARY ORGANS**

### **Part 1 — Judicial Authority**

#### **Article 89. Judicial Authority**

- (1) Judicial authority in matters arising under this Constitution and the regulations of the Federation is vested in the judicial organs established under this Chapter.
- (2) The judicial organs shall exercise their authority in accordance with this Constitution and shall not be subject to the control or direction of any person or authority.
- (3) Judicial proceedings shall be expeditious and shall not be delayed unnecessarily.

#### **Article 90. Principles of Judicial Proceedings**

- (1) In exercising judicial authority, the judicial organs shall be guided by the following principles—
  - (a) justice shall be done to all, irrespective of status;
  - (b) justice shall not be delayed;
  - (c) alternative forms of dispute resolution including mediation, conciliation and arbitration shall be promoted;
  - (d) justice shall be administered without undue regard to procedural technicalities; and
  - (e) the purpose and principles of this Constitution shall be protected and promoted.

### **Part 2 — The Judicial Tribunal**

#### **Article 91. Establishment of the Judicial Tribunal**

- (1) There is established the Judicial Tribunal of the Federation.
- (2) The Judicial Tribunal shall consist of a chairperson and not fewer than four other members appointed by the General Assembly.
- (3) Members of the Judicial Tribunal shall serve for a term of four years and may be reappointed for one further term.
- (4) A member of the Executive Committee or any other leadership position in the Federation is not eligible for appointment to the Judicial Tribunal.
- (5) The composition shall reflect regional and gender diversity.

#### **Article 92. Jurisdiction of the Judicial Tribunal**

- (1) The Judicial Tribunal has jurisdiction to hear and determine—
  - (a) disciplinary matters referred to it by the Executive Committee or the Ethics and Integrity Committee;
  - (b) disputes between members, clubs, County Associations, Regional Associations, or other affiliated entities;
  - (c) appeals from decisions of County or Regional disciplinary bodies;
  - (d) applications for the enforcement of the Bill of Rights; and
  - (e) any other matter referred to it under this Constitution.
- (2) The Judicial Tribunal may impose sanctions including—
  - (a) warnings;
  - (b) fines;
  - (c) suspension of membership or participation;

- (d) expulsion;
- (e) annulment of results; and
- (f) such other sanctions as may be appropriate.

### **Article 93. Procedures of the Judicial Tribunal**

- (1) The Judicial Tribunal shall adopt fair procedures that ensure—
  - (a) notice of the charges or claims to the parties;
  - (b) an opportunity for the parties to be heard, including remotely;
  - (c) the right of the parties to be represented;
  - (d) the right to present evidence and to examine witnesses; and
  - (e) reasons for the decision.
- (2) The procedures of the Judicial Tribunal shall be prescribed by regulations.
- (3) Hearings may be conducted electronically where appropriate.

## **Part 3 — The Appeals Tribunal**

### **Article 94. Establishment of the Appeals Tribunal**

- (1) There is established the Appeals Tribunal of the Federation.
- (2) The Appeals Tribunal shall consist of a chairperson and not fewer than four other members appointed by the General Assembly.
- (3) Members of the Appeals Tribunal shall have qualifications or experience in law or dispute resolution.
- (4) A member of the Executive Committee, the Judicial Tribunal, or any other leadership position is not eligible for appointment to the Appeals Tribunal.

### **Article 95. Jurisdiction of the Appeals Tribunal**

- (1) The Appeals Tribunal has jurisdiction to hear and determine—
  - (a) appeals from decisions of the Judicial Tribunal;
  - (b) appeals from decisions of the Electoral Commission on electoral disputes;
  - (c) petitions challenging election results; and
  - (d) any other matter referred to it under this Constitution.
- (2) The decision of the Appeals Tribunal is final and binding within the Federation.
- (3) Nothing in this Article affects the right of any person to seek recourse to the courts of Kenya on matters of law.

## **CHAPTER ELEVEN — DEVOLVED GOVERNANCE**

### **Part 1 — Objects and Principles**

#### **Article 96. Objects of Devolution**

- (1) The objects of the devolution of governance are—
  - (a) to promote democratic and accountable exercise of power;
  - (b) to give powers of self-governance to the regions and counties and enhance their participation in decision-making;
  - (c) to recognise the right of communities to manage their own sporting affairs;
  - (d) to ensure equitable distribution of resources across all forty-seven counties;
  - (e) to facilitate the decentralisation of Federation services; and
  - (f) to promote grassroots development of the sport in every county.

#### **Article 97. Principles of Devolved Governance**

- (1) Devolved governance is based on the following principles—
  - (a) county and regional units shall be viable, efficient, and effective;
  - (b) there shall be reliable and efficient channels of communication between national, regional, and county levels;
  - (c) powers and functions shall be distributed in accordance with the principle of subsidiarity;
  - (d) there shall be mutual respect and cooperation between all levels; and
  - (e) each level shall be accountable to the level above and to the members within its jurisdiction.

### **Part 2 — Regional Tchoukball Associations**

#### **Article 98. Regional Tchoukball Associations**

- (1) There shall be eight Regional Tchoukball Associations (RTAs) corresponding to the former provinces of Kenya as specified in the First Schedule.
- (2) Each Regional Tchoukball Association shall—
  - (a) promote and develop Tchoukball in its region;
  - (b) coordinate the activities of County Tchoukball Associations within its region;
  - (c) organise regional competitions;
  - (d) represent the region in the Federation;
  - (e) implement the policies and programmes of the Federation; and
  - (f) facilitate the sharing of resources and expertise among counties.

#### **Article 99. Regional Assembly**

- (1) There shall be a Regional Assembly for each Regional Tchoukball Association.
- (2) The Regional Assembly shall consist of delegates from County Tchoukball Associations within the region and representatives of clubs in the region.
- (3) The Regional Assembly shall elect the officers of the Regional Tchoukball Association.
- (4) No person shall hold a position on both the Regional Executive Committee and any other leadership position in the Federation.

#### **Article 100. Regional Executive Committee**

- (1) There shall be a Regional Executive Committee for each Regional Tchoukball Association.
- (2) The Regional Executive Committee shall consist of—
  - (a) a Chairperson;
  - (b) a Vice Chairperson;
  - (c) a Secretary;
  - (d) a Treasurer; and
  - (e) such other members as may be prescribed in the regional constitution.
- (3) The Regional Executive Committee shall manage the affairs of the Regional Tchoukball Association.
- (4) The composition shall comply with the gender diversity requirements.

### **Part 3 — County Tchoukball Associations**

#### **Article 101. County Tchoukball Associations**

- (1) There shall be a County Tchoukball Association (CTA) for each of the forty-seven counties of Kenya as specified in the First Schedule.
- (2) Each County Tchoukball Association shall—
  - (a) promote and develop Tchoukball in its county;
  - (b) affiliate clubs in its county;
  - (c) organise county competitions;
  - (d) implement grassroots development programmes;
  - (e) identify and develop talent; and
  - (f) represent the county in regional and national affairs.

#### **Article 102. County Assembly**

- (1) There shall be a County Assembly for each County Tchoukball Association.
- (2) The County Assembly shall consist of delegates from clubs affiliated to the County Tchoukball Association.
- (3) The County Assembly shall elect the officers of the County Tchoukball Association.

#### **Article 103. County Executive Committee**

- (1) There shall be a County Executive Committee for each County Tchoukball Association.
- (2) The County Executive Committee shall consist of—
  - (a) a Chairperson;
  - (b) a Vice Chairperson;
  - (c) a Secretary;
  - (d) a Treasurer; and
  - (e) such other members as may be prescribed in the county constitution.
- (3) The County Executive Committee shall manage the affairs of the County Tchoukball Association.
- (4) No person shall hold a position on both the County Executive Committee and any other leadership position in the Federation.

#### **Article 104. Relationship between Levels**

- (1) The national, regional, and county levels of governance are distinct and inter-dependent.

- (2) The national level shall—
- (a) provide policy guidance to Regional and County Associations;
  - (b) allocate resources equitably to Regional and County Associations;
  - (c) build the capacity of Regional and County Associations; and
  - (d) exercise oversight over Regional and County Associations.
- (3) Regional Associations shall—
- (a) coordinate County Associations within their region;
  - (b) allocate resources equitably to County Associations;
  - (c) build the capacity of County Associations; and
  - (d) report regularly to the Federation.
- (4) County Associations shall—
- (a) comply with the Constitution and regulations of the Federation;
  - (b) implement Federation policies and programmes;
  - (c) report regularly to the Regional Association and the Federation; and
  - (d) develop the sport at grassroots level.

## **CHAPTER TWELVE — COMMISSIONS AND COMMITTEES**

### **Part 1 — Standing Commissions**

#### **Article 105. Standing Commissions**

- (1) The following Standing Commissions are established—
  - (a) the Technical Commission;
  - (b) the Athletes Commission;
  - (c) the Referees Commission;
  - (d) the Coaches Commission;
  - (e) the Women's Commission;
  - (f) the Men's Commission;
  - (g) the Youth Commission;
  - (h) the Para-Tchoukball Commission;
  - (i) the Marketing and Communications Commission; and
  - (j) such other commissions as may be established by the General Assembly.
- (2) Each Commission shall have a chairperson and members appointed by the Executive Committee.
- (3) A person may only serve on one Commission at a time.
- (4) The functions and procedures of each Commission shall be prescribed by regulations.

#### **Article 106. Technical Commission**

- (1) The Technical Commission is responsible for—
  - (a) advising on technical matters relating to the sport;
  - (b) developing and reviewing the rules of play;
  - (c) standards for equipment and facilities;
  - (d) coaching and officiating standards; and
  - (e) technical aspects of competition organisation.

#### **Article 107. Athletes Commission**

- (1) The Athletes Commission shall—
  - (a) represent the interests of all athletes, male and female;
  - (b) advise the Executive Committee on matters affecting athletes;
  - (c) communicate the views of athletes to the Federation; and
  - (d) promote athlete welfare.
- (2) The majority of members of the Athletes Commission shall be active or recently active athletes.
- (3) The composition shall include equal representation of male and female athletes.

#### **Article 108. Referees Commission**

- (1) The Referees Commission shall—
  - (a) develop and implement referee training programmes;
  - (b) certify and grade referees;
  - (c) appoint referees to matches;
  - (d) monitor and evaluate referee performance; and

(e) advise on the rules of play.

**Article 109. Coaches Commission**

- (1) The Coaches Commission shall—
- (a) develop and implement coach education programmes;
  - (b) certify and grade coaches;
  - (c) monitor and evaluate coaching standards; and
  - (d) represent the interests of coaches.

**Part 2 — Ad Hoc Committees**

**Article 110. Ad Hoc Committees**

- (1) The Executive Committee may appoint ad hoc committees for specific purposes.
- (2) An ad hoc committee shall—
- (a) have terms of reference specified at the time of appointment;
  - (b) report to the Executive Committee; and
  - (c) be dissolved upon completion of its mandate.

## **CHAPTER THIRTEEN — NATIONAL TEAMS**

### **Article 111. National Teams**

- (1) The Federation shall select, prepare, and manage national teams to represent Kenya in international competitions.
- (2) National teams include—
  - (a) the senior men's team;
  - (b) the senior women's team;
  - (c) youth teams (under various age categories) for both men and women;
  - (d) para-Tchoukball teams; and
  - (e) such other teams as may be determined.

### **Article 112. Selection of National Teams**

- (1) Selection to national teams shall be based on merit, fitness, and availability.
- (2) The selection criteria shall be published in advance and applied fairly to all candidates.
- (3) A selection committee appointed by the Executive Committee shall recommend players for selection.
- (4) A player who disputes their non-selection may appeal to the Executive Committee.
- (5) The selection process shall ensure fair opportunity for players from all counties and regions.

### **Article 113. Rights and Obligations of National Team Players**

- (1) A player selected to a national team shall—
  - (a) make themselves available for national team duties;
  - (b) comply with the team code of conduct;
  - (c) maintain fitness standards;
  - (d) comply with anti-doping requirements; and
  - (e) represent Kenya with honour and dignity.
- (2) A national team player is entitled to—
  - (a) appropriate preparation and support;
  - (b) insurance coverage during national team activities;
  - (c) fair treatment;
  - (d) privacy and protection from harassment; and
  - (e) such allowances and benefits as may be determined.

### **Article 114. National Team Management**

- (1) The Executive Committee shall appoint—
  - (a) head coaches for national teams;
  - (b) team managers; and
  - (c) other support staff as required.
- (2) The head coach shall be responsible for the technical preparation and direction of the team.
- (3) The team manager shall be responsible for the administrative and logistical aspects of the team.

## **CHAPTER FOURTEEN — COMPETITIONS**

### **Article 115. Authority over Competitions**

- (1) The Federation has exclusive authority over the organisation of national Tchoukball competitions in Kenya.
- (2) No person or entity shall organise a national competition without the sanction of the Federation.
- (3) County and Regional Associations may organise competitions within their jurisdictions in accordance with Federation guidelines.

### **Article 116. National Competitions**

- (1) The Federation shall organise the following national competitions—
  - (a) the National League (men's and women's);
  - (b) the National Championship;
  - (c) the National Cup;
  - (d) youth competitions;
  - (e) schools competitions;
  - (f) para-Tchoukball competitions; and
  - (g) such other competitions as may be determined.
- (2) The rules and regulations for competitions shall be prescribed by the Technical Commission and approved by the Executive Committee.

### **Article 117. Registration for Competitions**

- (1) Only affiliated clubs and registered players may participate in national competitions.
- (2) Clubs and players shall register for competitions in accordance with the prescribed procedures and deadlines.
- (3) Registration may be completed electronically.

### **Article 118. Match Officials**

- (1) All matches in national competitions shall be officiated by certified referees.
- (2) The Referees Commission shall appoint match officials for all national competitions.
- (3) Match officials shall be independent and impartial.

### **Article 119. Anti-Doping**

- (1) The Federation adopts and is bound by the World Anti-Doping Code.
- (2) All members are subject to anti-doping testing as required by the Anti-Doping Agency of Kenya or international bodies.
- (3) A violation of anti-doping rules shall be a disciplinary offence.

### **Article 120. Match-Fixing and Corruption**

- (1) No person shall—
  - (a) fix or manipulate the result of a match;
  - (b) offer, give, or accept any bribe in connection with a match;
  - (c) bet on matches involving Kenyan teams or players; or
  - (d) fail to report any approach or offer to fix a match.

(2) A violation of this Article is a serious disciplinary offence punishable by expulsion.

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## **CHAPTER FIFTEEN — AMENDMENT OF THIS CONSTITUTION**

### **Article 121. Amendment of this Constitution**

- (1) This Constitution may be amended only by the General Assembly.
- (2) An amendment may be proposed by—
  - (a) the Executive Committee;
  - (b) a petition signed by not less than one-third of the members entitled to vote;
  - (c) at least four Regional Tchoukball Associations; or
  - (d) at least twelve County Tchoukball Associations.
- (3) A proposed amendment shall be circulated to all members at least thirty days before the General Assembly at which it is to be considered.

### **Article 122. Procedure for Amendment**

- (1) An amendment to this Constitution requires a special resolution passed by not less than two-thirds of the members present and voting at a General Assembly.
- (2) An amendment affecting—
  - (a) the sovereignty of the members;
  - (b) the Bill of Rights;
  - (c) the term of office or method of election of the President;
  - (d) the three-tier administrative structure; or
  - (e) the procedure for amendment,

shall require the approval of three-quarters of the members present and voting.

- (3) An amendment shall come into effect upon—
  - (a) passage by the General Assembly; or
  - (b) such later date as may be specified in the resolution.
- (4) Voting on amendments may be conducted electronically.

### **Article 123. Limitations on Amendment**

- (1) No amendment shall be made to this Constitution that would—
  - (a) conflict with the Constitution of Kenya in respect of fundamental rights;
  - (b) abolish the Bill of Rights;
  - (c) abolish the three-tier administrative structure; or
  - (d) remove the sovereignty of the members.
- (2) For the avoidance of doubt, the Federation is not bound by the statutes or regulations of any external body in respect of amendments to this Constitution.

## **CHAPTER SIXTEEN — GENERAL PROVISIONS**

### **Article 124. Enforcement of this Constitution**

- (1) Every member has the right to institute proceedings claiming that this Constitution has been contravened or is threatened with contravention.
- (2) The Judicial Tribunal shall hear and determine proceedings under this Article.

### **Article 125. Interpretation**

- (1) In interpreting this Constitution—
  - (a) the interpretation that promotes the purpose, values and principles of this Constitution shall be preferred;
  - (b) the context in which the provision was enacted shall be taken into account; and
  - (c) provisions shall be construed in their grammatical, literal and ordinary sense.
- (2) The Judicial Tribunal may give an advisory opinion on the interpretation of this Constitution at the request of the Executive Committee.

### **Article 126. Definitions**

- (1) In this Constitution, unless the context otherwise requires—
  - "adult" means a person who has attained the age of eighteen years;
  - "affiliate" means a club, County Tchoukball Association, Regional Tchoukball Association, or other entity that is a member of the Federation;
  - "Board" means the Executive Committee of the Federation;
  - "Constitution" means this Constitution of the Kenya Tchoukball Federation;
  - "county" means one of the forty-seven counties of the Republic of Kenya;
  - "County Tchoukball Association" or "CTA" means an association established under Chapter Eleven for a county;
  - "electronic" includes any form of digital or online technology;
  - "Executive Committee" means the Executive Committee established under Article 86;
  - "Federation" or "KTF" means the Kenya Tchoukball Federation;
  - "Founding President" means the person designated under Article 82;
  - "General Assembly" means the General Assembly established under Article 67;
  - "leadership position" has the meaning assigned in Article 17;
  - "member" means a person or entity admitted to membership of the Federation;
  - "official" means a person holding office in the Federation;
  - "region" means one of the eight regions as defined in the First Schedule;
  - "Regional Tchoukball Association" or "RTA" means an association established under Chapter Eleven for a region;
  - "regulations" means regulations made under this Constitution;
  - "Tchoukball" means the sport of Tchoukball as defined by the rules adopted by the Federation;
  - "youth" means a person aged between eighteen and thirty-five years.

### **Article 127. Dissolution**

(1) The Federation may be dissolved only by a resolution passed by three-quarters of the members present and voting at a General Assembly convened for that purpose, with at least six of the eight regions represented.

(2) Upon dissolution—

- (a) all debts and liabilities of the Federation shall be paid;
- (b) any remaining assets shall be transferred to another sports body with similar objects or to a charitable organisation, as determined by the General Assembly; and
- (c) no assets shall be distributed to members.

### **Article 128. Transitional Provisions**

(1) Upon the adoption of this Constitution—

- (a) all existing rules, by-laws and regulations of the Federation shall remain in force to the extent that they are not inconsistent with this Constitution;
- (b) all existing officials shall continue in office until elections are held under this Constitution;
- (c) all existing members shall be deemed to be members under this Constitution;
- (d) all existing affiliations shall continue; and
- (e) the person holding office as President at the time of founding of the Federation shall be recognised as the Founding President.

(2) Elections under this Constitution shall be held at the first Annual General Assembly following its adoption.

(3) The Executive Committee shall take all measures necessary to—

- (a) establish County Tchoukball Associations in all forty-seven counties within three years;
- (b) establish Regional Tchoukball Associations in all eight regions within two years; and
- (c) implement all other provisions of this Constitution within twelve months.

## **SCHEDULES**

### **FIRST SCHEDULE — Regions and Counties (Article 6)**

The Federation is organised into three tiers: National, Regional (8), and County (47).

#### **1. NAIROBI REGION**

Nairobi County

#### **2. CENTRAL REGION**

- Kiambu County
- Kirinyaga County
- Murang'a County
- Nyandarua County
- Nyeri County

#### **3. COAST REGION**

- Kilifi County
- Kwale County
- Lamu County
- Mombasa County
- Taita-Taveta County
- Tana River County

#### **4. EASTERN REGION**

- Embu County
- Isiolo County
- Kitui County
- Machakos County
- Makueni County
- Marsabit County
- Meru County
- Tharaka-Nithi County

#### **5. NORTH EASTERN REGION**

- Garissa County
- Mandera County
- Wajir County

#### **6. NYANZA REGION**

- Homa Bay County

- Kisii County
- Kisumu County
- Migori County
- Nyamira County
- Siaya County

#### 7. RIFT VALLEY REGION

- Baringo County
- Bomet County
- Elgeyo-Marakwet County
- Kajiado County
- Kericho County
- Laikipia County
- Nakuru County
- Nandi County
- Narok County
- Samburu County
- Trans-Nzoia County
- Turkana County
- Uasin Gishu County
- West Pokot County

#### 8. WESTERN REGION

- Bungoma County
- Busia County
- Kakamega County
- Vihiga County

### **SECOND SCHEDULE — Federation Symbols (Article 9)**

#### 1. The Federation Logo

The official logo of the Kenya Tchoukball Federation shall incorporate:

- (a) the Tchoukball frame and ball;
- (b) the national colours of Kenya (black, red, green, and white);
- (c) the Maasai shield from the Kenyan coat of arms; and
- (d) the name "Kenya Tchoukball Federation" or "KTF".

#### 2. The Federation Colours

The official colours of the Federation shall be:

- (a) Primary: Black and Gold
- (b) Secondary: Red, Green, and White (national colours)

### 3. The Federation Seal

The Federation seal shall bear the Federation logo and the words 'Kenya Tchoukball Federation' and 'Official Seal'.

## **THIRD SCHEDULE — Oaths of Office (Article 51)**

### Oath/Affirmation of Office

I, \_\_\_\_\_, having been elected/appointed to the office of \_\_\_\_\_ in the Kenya Tchoukball Federation, do solemnly swear/affirm that I will—

- (a) faithfully and diligently discharge the duties of my office;
- (b) uphold this Constitution and all the rules and regulations of the Federation;
- (c) serve the members of the Federation with integrity and impartiality;
- (d) promote diversity, inclusivity, and fair play in all my actions; and
- (e) not hold any other leadership position in the Federation during my tenure.

[So help me God] — to be included in the oath form

## **FOURTH SCHEDULE — Distribution of Functions**

### 1. Functions of the General Assembly

- (a) Amendments to the Constitution
- (b) Election of President
- (c) Approval or rejection of Presidential nominees to the Executive Committee
- (d) Approval of annual budget and audited accounts
- (e) Approval of strategic plans
- (f) Affiliation to international bodies
- (g) Ratification of regulations
- (h) Conferment of honorary and life membership
- (i) Appointment of auditors
- (j) Removal of elected officials
- (k) Dissolution of the Federation

### 2. Functions of the Executive Committee

- (a) Day-to-day management of the Federation
- (b) Implementation of General Assembly decisions
- (c) Making regulations (subject to ratification)
- (d) Appointment of committees and commissions

- (e) Staff appointments
- (f) Approval of competition calendars
- (g) Selection of national teams
- (h) Negotiation of sponsorships and partnerships
- (i) Representation of the Federation
- (j) Allocation of resources to Regional and County levels

### 3. Functions of Regional Tchoukball Associations

- (a) Coordination of County Associations in the region
- (b) Organisation of regional competitions
- (c) Implementation of Federation policies at regional level
- (d) Capacity building for County Associations
- (e) Talent identification and development
- (f) Resource sharing among counties

### 4. Functions of County Tchoukball Associations

- (a) Promotion and development of Tchoukball in the county
- (b) Affiliation of clubs
- (c) Organisation of county competitions
- (d) Grassroots development
- (e) Identification and development of talent
- (f) Schools and youth programmes
- (g) Liaison with county government sports departments

## **ADOPTION AND PROMULGATION**

This Constitution was adopted by the General Assembly of the Kenya Tchoukball Federation on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
President

Kenya Tchoukball Federation

\_\_\_\_\_  
Secretary General

Kenya Tchoukball Federation

\_\_\_\_\_  
Founding President

Kenya Tchoukball Federation

**GOD BLESS THE KENYA TCHOUKBALL FEDERATION**

**GOD BLESS KENYA**