



MEMBERSHIP GUIDELINES AND CODE OF CONDUCT



1.0 THE ASSOCIATION

An association working with land owners and communities to sustainably conserve and manage wildlife and their habitats outside state protected areas through policy advocacy, networking, communication and capacity building.

1.1 Interpretation

“Association” means The Kenya Wildlife Conservancies Association (KWCA);

“Co-managed conservancy” means a conservancy setup on public land through a legal arrangement between government agency that owns or manages the land and a community or private entity, for purposes that include wildlife conservation;

“Committee” means a committee established under clause 24 of the KWCA Constitution;

“Conservancy” means land managed by an individual landowner, body corporate, group of owners or a community for purposes of integrated compatible land uses where wildlife conservation is a primary objective;

“Conservancy Manager” means any person employed or designated by a conservancy for purposes of managing a conservancy;

“Community conservancy” means community owned land managed by a legally registered community institution for purposes of integrated compatible land uses where wildlife conservation is a primary objective;

“Group conservancy” means a single conservancy created by the pooling of contiguous lands by private land owners for purposes of integrated compatible land uses where wildlife conservation is a primary objective;

“Court” means the Environment and Land Court established under the Environment and Court Act, Cap 12A, Laws of Kenya;

“Constitution” refers to the Constitution of KWCA;

“Land” adopts the interpretation under Article 260 of the Constitution of Kenya 2010;

“National Conservancy Council” means the Assembly of Members of the Conservancy and shall be composed of one representative from each regional association;

“Person” means a natural or corporate entity recognized in law;

“Private conservancy” means a conservancy established on private land by a private individual or body corporate for purposes of integrated compatible land uses where wildlife conservation is a primary objective;

“Sanctuary” means an area of land or of land or water set aside and maintained by community, individual or private entity for the conservation and protection of one or more species of wildlife;

“Wildlife” means any wild and indigenous animal, plant or microorganism or parts thereof within its constituent habitat or ecosystem on land or in water, as well as species that have been introduced into or established in Kenya.

2.0 CITATION

- 2.1 These guidelines shall form the basis of membership and shall operate as memorandum of understanding, binding the Association and the individual member and the members inter se.
- 2.2 The Code of Conduct, Part II shall be read together with the guidelines and shall bind every member that subscribes thereto and is admitted as a member of the Association.
- 2.3 The code of conduct sets a minimum standard of operational rules on the conduct of members in their daily operations and in relating to the public and stakeholders.

Part 1: Membership Registration Guidelines

3.0 MEMBERSHIP CATEGORIES

3.1 Full Membership

A formal or legal entity (CBO, Company, Cooperative, Trust or Association) established to manage land, wildlife and other natural resources on community and private land as a conservancy, shall be admitted as a full member of the Association upon completion of the application form “Appendix A’ herein , subsequent payment of the requisite processing fees and subscriptions, and membership approval by the National Conservancy Council and endorsement by members annual general meeting.

3.1.1.Community Conservancy Admission

The criteria for admission to full membership for a community conservancy shall be as follows:

- Be a registered owner of community land under the Community Land Act 2016 and acquire a certificate of title as proof of landownership or in the process of transition from repealed trust lands or group ranches and any other registration regime or;

- An entity that legally acquires rights of use of the community land through lease, concession agreements, or easement with legally binding agreement as per provisions of Community Land Act 2016;
- The criteria for admission as Community Conservancies shall be, in addition to the above, in so far applicable, include the following;
 - i. A majority resolution by the community assembly through duly signed minutes, to dedicate and manage a specified portion of their land for conservation of wildlife integrated with other compatible land uses; OR
 - ii. An interim decision by community land management committee on behalf of the community assembly, pending the majority resolution, to establish a conservancy on community land; AND
 - iii. A decision by a legal board of an entity established by a community assembly to manage conservation related activities on community land;
 - iv. A letter of confirmation from the county warden of Kenya Wildlife Service that the land is viable for wildlife conservation; OR
 - v. Endorsement by the County Government of the conservancy, where land is yet to be registered under the Community Land Act, and directly administered by the county government; OR
 - vi. A letter from the respective landscape level conservancies association/entity representing the conservancies.
 - vii. Members shall comply with the Kenyan Constitution and the Community Land Act 2016 gender provisions in the composition of the committee where not more than two-third of the committee members will of the same gender

3.1.2 Private and Group Conservancies Admission

The criteria for admission as private and group conservancies shall include the following:

- Be a registered owner of private land and provide a copy of title deed as proof of landownership; OR
- An entity that legally acquires rights of use of the private land or amalgamated private lands through lease, concession agreements, or easement with legally binding agreement;
- A decision by the board of the private land to establish a conservancy on the land;
- A letter by the landowner confirming that the land is managed as a conservancy, in the case of individual persons;

- A letter of confirmation from the county warden of Kenya Wildlife Service that the land is viable for wildlife conservation;
- Have land dedicated for wildlife conservation among other compatible land uses on a long-term basis, preferably for a renewable period of not less than 10 years.

3.1.3 Co-Managed Conservancies Admission

The criteria for admission as co-managed conservancies shall include the following:

- Be a legally or formally registered entity that acquires rights of occupancy and use of the public land from the government agency through a legal agreement or instrument, including lease or easement, which is proof of grant of the rights;
- A decision by the board of management of the legal entity assigned land rights by the government agency; and
- Have the land rights granted for a preferably long-term basis of over 10 years to support wildlife conservation among other compatible land uses.

Conditions for Membership

A conservancy shall be deemed a full member when it satisfies the conditions of membership and

- i. Agrees to be bound by KWCA Constitution;
- ii. Subscribe to KWCA long term vision, "Across Kenya there are vast and connected landscapes where people and wildlife co-exist";
- iii. Subscribe to the Code of Conduct and Ethics governing membership made under Clause 15 of the Constitution of KWCA;
- iv. Pays the annual membership fees as stipulated in section 24 of KWCA Constitution.

3.2 Affiliate Membership

Any legal entity registered in Kenya or elsewhere as an Association, NGO, Company, Trust or Self help group may be admitted to the Association as an affiliate member upon application and payment of registration fees prescribed in Appendix "B" herein.

The entity must be actively involved in supporting conservancies and conservation initiatives in community or privately owned land and programs including research, promoting conservancies

investments, social and livelihood aspects, best practices, land management and governance and any other activity in support of conservation of wildlife.

Land scape level associations drawing membership from conservancies in ecosystems recognized by KWS and KWCA shall become automatic affiliate members upon approval by the National Conservancy Council and ratified by members assembly.

Rights and obligations of members under the affiliate membership category shall be regulated by KWCA Constitution and any other approved and ratified decisions by National Conservancy Council.

4.0 PROCEDURE AND CRITERIA FOR ADMISSION TO FULL MEMBERSHIP

- 4.1 An entity or person applying for full membership shall submit to the Association in writing completed form “Appendix A” together with evidence of payment of prescribed non-refundable registration fee and return the same by courier or email to the Association secretariat.
- 4.2 The completed application form shall be accompanied by copies of the following documents;
 - Certified copies of documents demonstrating land ownership or rights of use of the land e.g. title deed, lease documents, agreement;
 - Endorsement letter by either county warden of KWS, or authorised official of respective landscape level association, county department responsible for wildlife;
 - Brief written description of the conservancy institution, governance and management arrangement, land area and wildlife conservation status;
 - A map of the conservancy, which provides its geographical coordinates and demonstrates its location within the larger area it occurs;
 - Names and contacts of key persons with decision making authority including conservancy manager or board representative;
 - Any such information and or document that the Association Secretariat may deem necessary;
 - A signed declaration within the membership form that the information in the completed application is true.

- 4.3 The secretariat shall acknowledge completeness of the application for full membership within 14 days of receipt and process the application within 90 days by the National Conservancy Council. In case of delay, reasons for such delay shall be communicated to the applicant.
- 4.4 Upon approval by the National Conservancy Council, the member shall be admitted as provisional member.
- 4.5 In case a membership application is rejected, the applicant shall be notified within 14 days from date of meeting reasons thereof and measures to take up to address reasons for rejection of membership.
- 4.6 The applicant shall be admitted to full membership by a resolution of the next Annual General meeting of the Association.
- 4.7 Upon admission as a provisional or a full member, a non-refundable annual subscription fee shall be paid, and the member issued with a membership number and certificate.

5.0 PROCEDURE AND CRITERIA FOR ADMISSION TO AFFILIATE MEMBERSHIP

- 5.1 An entity applying to affiliate membership of the Association shall apply in writing in the prescribed form "Appendix B" and return the same by courier or email to the Association secretariat, accompanied by evidence of payment of prescribed non-refundable registration fee.
- 5.2 An affiliate member may join the Association by a written memorandum of understanding for a specified period of time and such member shall enjoy such benefits as are due to affiliate members.
- 5.3 The Association shall consider the following in processing an application for membership;
 - Completeness of the application in line with 5.1 above.
 - Certificate of registration of the applicant.
 - Evidence of support or partnership with member conservancies of the Association.
 - Any other requirement that by the Association.
- 5.4 Upon admission as an affiliate member, a non-refundable annual fee shall be paid, and the member issued with a membership number and certificate, or signed memorandum of understanding.

6.0 MEMBERSHIP BENEFITS

Full members of the Association shall be entitled to the following benefits;

- Attend and participate in events, conferences, workshops, and all ordinary and extraordinary general meetings of the Association.
- A right to vote on decisions and election processes of the Association including the right to be elected as member representative at the National Conservancy Council through the landscape level associations or member of office bearers. In exercise of this right, each member is entitled to one vote.
- Access relevant information within the custody of the Association through periodic bulletins or on a need to know basis through official communication channels.
- Amplify and expand exposure of members information, successes, opportunities, products including tourism and conservation practices, that is shared with the Association to the wider public and if possible, in worldwide network.
- Being profiled in KWCA publications including State of Conservancies Report, National Map of Conservancies, case studies, website and social media platforms.
- Access to capacity building opportunities, technical information, fundraising opportunities and conservancy tools that facilitates effective conservancy management and governance.
- Participate in advocacy activities and platforms at national, regional and conservancy levels that advance enabling environment for conservancies growth;
- Access to benefits and incentives jointly negotiated with the Association to promote conservation as a beneficial land use.
- Linkage with relevant government regulatory agencies and partnership with government and non-government agencies and private sector.
- To be represented by the Association collectively or individually at the international and national level on matters that affect conservancy programs and growth.
- The association by invitation may act as a neutral party in dispute or conflict resolution on matters affecting a member conservancy.

Affiliate members of the Association shall be entitled to the following benefits:

- i. Affiliate members shall be entitled to such benefits as shall be contained in the Memorandum of understanding signed at the admission of the affiliate member.
- ii. Affiliate members shall have access to relevant information and knowledge in the custody with the Association and its membership, as detailed in the specific memorandum of understanding.
- iii. Affiliate members shall benefit from profile placement on the KWCA website and publications.
- iv. Affiliate members shall have the benefit of ready partnerships with the membership of KWCA.
- v. Affiliate members may be involved in joint fundraising and resource mobilization of the Association or its membership.

7.0 CESSATION OF MEMBERSHIP

- 7.1 A full member may be temporarily suspended upon the recommendation of the ethics and conduct committee and approval by the National Conservancy Council, with reasons and conditions to remedy the cause of the suspension given.
- 7.2 A Conservancy shall cease to be a Member of the Association on;
 - Voluntary resignation.
 - Insolvency and or compounding with creditors.
 - Winding up of the Conservancy.
 - Significant change in the land use of the conservancy into non-compatible land uses to conservation, which render the existing conservation land area and practices unviable to operate or managed as a conservancy.
 - Expulsion on acting in breach of the conditions of membership in this guide and code of conduct or acting in breach of the Constitution of the Association.
 - Failure to renew annual membership subscription fee for two consecutive years. Such a member shall be required to make membership application afresh.
 - By resolution and vote of members at a General or Special General meeting. Where a member is expelled under the grounds V, VI, and VII, such a member shall be given

opportunity to be heard by the ethics and conduct committee, which shall consider reasons thereof.

Membership Fees

- 7.3 The registration fee shall be paid into the account of the Association upon submission of membership forms. The registration fee shall be determined by the National Conservancy Council and may be reviewed from time to time and adopted by an annual general meeting of members.
- 7.4 An annual subscription fee shall be paid into the account of the Association upon admission as member. The annual subscription fee shall be determined by the National Conservancy Council and may be reviewed from time to time and adopted by an annual general meeting of members.
- The Association financial year runs from 1st January to 30th December, and annual subscription fee shall be payable by February 28th of each succeeding year.
 - Both registration and annual membership subscription fee are non-refundable.
 - An applicant or member may seek in writing temporally exemption from payment of prescribed fees under 7.1 and 7.2 above including reasons thereof, which shall be subject to approval of the National Conservancy Council.
 - Annual subscription fee is payable through a maximum of two instalments.

8.0 MEMBERSHIP APPLICATION GUIDE

- 8.1. Applications for membership may be made manually by delivering a fully filled registration form to KWCA offices, or online application by filling a soft copy of application form together with the accompanying documents which are sent to KWCA official email address info@kwcakenya.com.
- 8.2. An applicant shall attach to the membership application guide the following documents;
- Certificate of incorporation/Registration.
 - Details of Conservancy manager and contacts.
 - Conservancy map
 - Any details and documents that the Association deems necessary.

- 8.3. The Applicant shall pay the registration fees prescribed by the National Conservancy Council within 21 days of approval.
- 8.4. Applications made online shall be deemed made and received by the KWCA secretariat within 24 hours of dispatch of mail.

PART II: Code of Conduct and Ethics

9.0 ROLES AND RESPONSIBILITIES OF FULL MEMBERS

- 9.1 This Code of Conduct is made pursuant to the provisions of Clause 15 of the Constitution of the KWCA and binds all full and affiliate members admitted to the membership of KWCA.
- 9.2 Adherence to this code of conduct shall be a condition precedent to the admission of membership of the Association, and a copy thereof shall be issued to all new members on admission.
- 9.3 All newly admitted members shall sign a declaration to subscribe and adhere to the Constitution of the Association and the Code of conduct made pursuant to Clause 15 of the constitution.
- 9.4 The members code of conduct are anchored on the following principles:
- a) The Association and members are independent entities and each shall bear responsibility of its liabilities and obligations
 - b) The Association shall maintain confidentiality of members information and data to the extent that the information is of confidential nature.
 - c) Members shall respect and uphold bill of rights provided in chapter four of the Constitution of Kenya 2010 in their management and governance structures and processes
 - d) A member shall inform the Association of any conflict of interest with the Association that may jeopardise membership activities, rights or obligations
 - e) A member shall endeavour to observe social and environmental safeguard principles, gender equity and human rights in conservancy governance and management,
 - f) A member shall promote diversity, equity and inclusion, ensuring women and youth are adequately involved in decision making, management and benefit sharing in conservancies.

- g) Members shall commit to adhere to the KWCA safeguarding policy for prevention against Sexual Harassment, Exploitation and Abuse (SHEA) signing it alongside the conservancy declaration form.
- 9.5 All members shall endeavour to observe and enforce obligations under the Wildlife legislation gender equity and human rights in conservancy governance and management,
- 9.6 All members shall inform the Secretariat of any changes in land ownership of the member conservancy within a period of 60 days of the occurrence of the changes.
- 9.7 All members shall keep a record and inform the secretariat of the progress of projects undertaken jointly with the Association.
- 9.8 A member shall endeavour to observe unified protocols and standards on the governance and management of conservancies adopted in common by the Association in annual general meetings.
- 9.9 A member shall inform the Association secretariat of any conflict with another member of the Association with sufficient detail to enable Association intervene where appropriate.
- 9.10 A member of the Association shall not use the membership profile, activities and programs to promote a political, or negative ethnicity or religious cause.
- 9.11 A member shall not allow unethical behaviour in its management and governance process.

APPENDIX A:



PO Box 1038, 00517,
Uhuru Gardens, Nairobi
E: info@kwcakenya.com
W: www.kwcakenya.com

MEMBERSHIP REGISTRATION FORM

Note: To be completed in Duplicate

Who can apply

1. Private and Community Conservancies registered in Kenya
2. Registered either as an association, CBO, company, trust or any other legally recognized form (evidence needed)
3. Wildlife Conservation is a key management objective
4. Has a defined area and a majority resolution to establish the conservancy
5. Conservation has management personnel and activities

Membership Requirements

1. A legally entity registered in Kenya either as an association, group, company, trust, cooperative, CBO/self-help or any other legally recognized form (evidence needed)
2. Has a clearly defined land area held privately or communally (attach Map)
3. Majority resolution to establish the conservancy (attach minutes or confirmation letter)
4. Wildlife Conservation is a key management objective in the management of the land.

A. MEMBERSHIP APPLICATION

1. Conservancy Name _____
2. Conservancy size _____ (ha) 1Ha=2.5acres
3. Conservancy Type: *(Tick where applicable)*

Private ☐ Group ☐ Community ☐ Co-Managed ☐

The applicant in these categories shall fulfil the conditions set out in part 3.1 of the Membership Registration guidelines for each category.

4. County _____ Constituency _____
5. Date Established _____ Date Registered _____

6. Registration Type: *(tick where applicable)*

Community Based Organization

☐

Association

☐

Company

☐

Trust

☐

Other (specify)

☐

7. Certificate/Registration Number (Attach copy) *: _____

8. Does your conservancy have a map _____ *(if yes please attach map)*

9. Status of conservancy *(tick where applicable)*

Operational

☐

Proposed

☐

Emerging

☐

Dormant

☐

Green listed

☐

Potential

☐

10. Total No. of rangers _____ Male _____ Female _____

No Trained by KWS _____ No. trained in house _____

11. Conservancy Membership

Number of direct beneficiaries _____

Landowners/Members _____ Male _____ Female _____

12. No. of tourist facilities _____ Total no of tourist beds _____

13. Do you have a management plan?

If yes, what is the period _____

14. Name(s) of tourist facilities _____

15. Contacts

Contact Person Name: _____ Position _____

Postal Address: _____ Code: _____ Town _____

Telephone Number (s) _____

E-mail Address: _____ Website _____

Office Location (name of place) _____

Nearest Urban Centre/town _____ Distance (km) _____

16. Main wildlife species (separately provide a species population estimates if possible)

17. Main attractions

18. Membership Fee (Ksh

) Cheque No

Note: A one off Registration fee of Kshs 5,000, shall be paid to Kenya Wildlife Conservancies Association Bank Account Equity Bank, Karen; Account no:1250260931076 upon submission of The membership form. An annual Membership fee of Kshs 10,000 shall be paid to the above account upon admission as member

DECLARATION

I

 (Name of Conservancy) apply for membership of KWCA. We agree to be bound by KWCA Constitution and confirm the above information to be accurate. KWCA retains rights of admission.

Conservancy Rubber Stamp:

For and on Behalf of

 (Conservancy Name)

Signed by Name

 Sign

 Date

FOR OFFICIAL USE ONLY

1. Received By:

 Date

2. Application circulated to KWCA members through email on Date:

3. Approved/Rejected by the National Conservancies Council

Signature:

 (Chairperson) Date

4. Certificate issued on

 Certificate No

Collected by

 Sign

APPENDIX B: AFFILIATE MEMBERSHIP APPLICATION FORM

NAME OF ORGANIZATION _____

PHYSICAL ADDRESS _____

P.O. BOX _____ CODE _____

TELEPHONE _____

MOBILE _____

EMAIL _____

REGISTRATION FEE: KSH _____

(The fee payable on registration shall be subject to revision by the National Conservancy Council)

SIGNED BY: NAME _____

POSITION _____

SIGNATURE _____

DATE _____

OFFICIAL STAMP/ SEAL: _____

1. The applicant shall state, in not more than 300 words on a separate sheet, the interest in conservation and the area of operation and any collaborative efforts with the Association or any of its members.
2. Affiliate members admitted by the National Conservancy Council and approved by the members assembly shall sign a memorandum of understanding governing the engagement within 90 days of approval.



Kenya Wildlife Conservancies Association

Living nature, Living people

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