



LAW SOCIETY OF KENYA

THE ADVOCATES' BENEVOLENT ASSOCIATION

THE ADVOCATES' BENEVOLENT ASSOCIATION RULES, 2026

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Adopted by the Members of the Advocates' Benevolent Association
on the day of, 2026.

1. Preamble

- 1.1. The Advocates' Benevolent Association makes the following Rules to govern the functions and administration of the Association.
- 1.2. The purpose of these Rules is to strengthen functions and administration of the Association and to enhance optimal realization of objectives and benefits of the Association to members and align the operations of the Association with the best industry practices.

2. Citation

- 2.1. These Rules may be cited as the Advocates Benevolent Association Rules, 2026

3. Application

- 3.1. These Rules shall apply to all members, organs, committees, officers and staff of the Advocates' Benevolent Association.

4. Interpretation

- 4.1. In these Rules, unless the context otherwise requires—

“Advocate” has the same meaning assigned to it in section 2 of the Advocates Act (Cap. 16);

“Association” means the Advocates' Benevolent Association;

“Board” means the-Board of Management of the Association;

“Branch” means a branch of the Society;

“Distressed Advocate” means a paid-up Life or Annual member who is deceased or facing a welfare situation, and qualifies for last expense payment, education, medical and related support as provided for by the Rules and Policies of the Association;

“Ex officio Member” means a person who is a member of the Board by virtue of office and not election, and who shall not vote;

“Financial Year” means the Financial Year of the Society.

“Member” means a Life Member or an Annual Member who has paid the prescribed fees;

“Paid-up member” means a person who has paid subscriptions of the current Year as an Annual Member or has paid Life Membership subscriptions to the Association;

“Society” means the Law Society of Kenya established under Section 3(1) of the Law Society of Kenya Act (Cap. 18);

5. Objects of the Association

The following are the objects of the Association:

- a) To help distressed members of the Association;
- b) Provide last expenses for deceased members as approved by the Board;
- c) Support the education of children of deceased members up to limits set by the Board of Management of the Association;
- d) Provide medical assistance to distressed members as approved by the Board; and
- e) To do all things as are incidental or conducive to the attainment of all or any of the foregoing objects and towards the advancements of members' welfare.

6. Qualification for Membership

The membership of the Association shall consist of every Advocate who is a paid-up member of the Society by virtue of Section 22(b) and 23 (1) of the Advocates Act.

7. Powers of the Association

7.1. The Association is a body corporate with a common seal and shall have power to sue and be sued.

- (a) The Association shall have the following powers;
acquiring, holding, charging, leasing and disposing of movable and immovable property in accordance with any written law;
- (b) Raising, borrowing, investing and managing funds through lawful and prudent financial instruments;
- (c) Receiving, administering and accounting for donations, grants, endowments and bequests;
- (d) Engaging staff, consultants, service providers and professional advisors;
- (e) Constituting committees, task forces and advisory panels;

- (f) Developing policies, guidelines and operational manuals to support implementation of welfare programmes; and
- (g) Undertaking any incidental or ancillary activity conducive to the attainment of its objects.

8. Membership to the Association

- 8.1. The Association shall consist of paid-up Life members and Annual members
- 8.2. Membership of the Association shall be personal and non-transferable -to members of the society who are paid-up Life members and Annual members of the Association.
- 8.3. Each member shall—
 - (a) uphold the objects of the Association;
 - (b) pay prescribed subscriptions or levies; and
 - (c) comply with these Rules and all lawful directives of the Board.
- 8.4. Each member shall have the right to—
 - a) Vote and be elected, where applicable;
 - b) Access assistance from the Association as per the limits set by the Board of management of the association; and;
 - c) Participate in meetings and activities of the Association.

9. Termination of membership

- 9.1. Any Member of the Association who shall be struck off the Roll of Advocates shall cease to be a Member of the Association as from the date of expulsion
- 9.2. A Member who ceases to be a Member of the Association under sub-rule 8.2 shall be eligible for reinstatement to membership after the period of expulsion shall have ceased.

10. Eligibility to Receive Benefits

- 10.1. A member is eligible to receive benefits under these Rules if that member has complied with these Rules and does not have any outstanding subscriptions.

11. Subscriptions

- 11.1. The Annual/Life membership subscription shall be such amount as may be set by the Board from time to time and approved by the members in an Annual General meeting or Special Meeting of the Association PROVIDED THAT no increase of Annual/Life Membership subscription shall take effect without the approval of half of members present and

voting in an Annual General or Special Meeting of the Association.

- 11.2. Life Members shall not be liable to pay for the Annual Subscription.
- 11.3. Life Members shall be allowed to pay for the subscriptions in instalments subject to the Rules and Policies of the Association.
- 11.4. An Annual Member may at any time before the 31st of December of any year of membership constitute himself or herself a Life member on payment of the Life membership fee.
- 11.5. In the case of an annual member, the annual subscription shall be paid at the same time the member pays for the annual practising certificate.
- 11.6. The annual subscription shall become due and payable on the 1st of January in each year and shall be paid directly to Board on or before the 30th of January in each year.
- 11.7. A member who fails to pay the annual subscription under sub-rule 11.5 shall not be eligible to access any of the benefits provided for under these Rules.

12. Governance of the Association

- 12.1. The governance of the Association shall vest in the Board of Management.
- 12.2. The Board shall be the policy making organ of the Association.
- 12.3. The Board shall consist of the President, Vice-President and Secretary for the time being of the Society as ex-officio and Four (4) Members of the Association to be elected biennially.
- 12.4. No Member of the Association shall be eligible to be elected to the Board unless nominated in writing by at least two Members of the Association, and such nomination shall have been forwarded to the Secretary of the Association at least fourteen (14) days before the date of the Annual General Meeting.

13. Functions and Powers of the Board

- 13.1. The Board shall be responsible for the strategic direction, policy formulation, management and administration of the Association.
- 13.2. Without prejudice to the generality of sub-rule 13.1, the Board shall—

- (a) Formulate policies, strategies and programs;
- (b) Oversee funds, investments, and welfare schemes;
- (c) Approve budgets and expenditure;
- (d) Establish and supervise committees;
- (e) Ensure legal and ethical compliance; and
- (f) Report annually to the members at the Association's Annual General Meeting.

14. Meetings of the Board

- 14.1. The Board shall meet at least six times in every year.
- 14.2. The meetings of the Board shall be held at such times and in such places as the Secretary, on written notice to the other members of the Board, shall appoint.
- 14.3. The Secretary shall give at least a seven days' written notice before convening a meeting of the Board.
- 14.4. The notice under sub-rule 14.3 shall specify the place, date and time of the meeting and be accompanied by the agenda of the meeting.
- 14.5. The meetings of the Board shall be held in person in the head office of the Association or virtually as the Board shall decide.
- 14.6. Each member of the Board shall be entitled to reimbursement of any expenses properly incurred in connection with the discharge of his or her functions in furtherance of the objects of the Association, provided that such expenses have been approved by the Board.
- 14.7. Except as otherwise specified in these Rules, a majority of the members of the Board shall constitute a quorum and, in the absence of such a quorum at any meeting of the Board, no business shall be transacted.
- 14.8. The decisions of the Board shall be by simple majority of the members present and voting.

15. Standing and *Ad hoc* committees of the Board

- 15.1. The Board may establish standing or *ad hoc* committees

16. Secretariat

- 16.1. The Secretariat of the Association shall comprise of the Secretary of the Society and staff as may appointed by the Board who shall be responsible for the day-to-day administration of the Association.

17. Financial Matters

- 17.1. The funds of the Association shall consist of subscriptions, donations, grants, investments, and other lawful income by members of the Association.
- 17.2. All membership subscriptions, dividends and interest arising from the Association's capital shall be treated as income arising in the year in which the same shall be received and shall be applied to fulfil the objects of the Association and to the payment of necessary expenses.
- 17.3. All funds of the Association shall be deposited in a designated Advocates' Benevolent Association bank account approved by the Board.
- 17.4. The Board shall ensure proper books and records of account are kept.
- 17.5. The Books and records of account of the Association shall be audited annually by an Auditor appointed with the approval of the members at the Annual General Meeting.
- 17.6. The funds of the Association shall not be applied otherwise than for the objects of the Association.

18. Actuarial Valuation

- 18.1. The Board shall periodically cause to be undertaken Actuarial Valuation of the funds and assets of the Association

19. General and Special Meetings

- 19.1. A General Meeting of the Association shall be held annually before the holding of the Ordinary General meeting of the Society and subject thereto, at such place and time as shall be appointed by the Board. Special General Meetings may be convened by the Board at any time on its own motion and shall be so convened or on a requisition in writing signed by at least five per cent of members from each of the Society's branches. Not less than Thirty days' Notice shall be given of any Meeting and Notice convening a Special General Meeting shall specify the objects of that meeting.
- 19.2. The biennial election of members of the Board to be elected under Rule 12.3 shall take place before the Annual General Meeting and the serving Members of the Board shall remain

in office until other Members of the Board shall have been elected in their stead.

20. Notices

20.1. All notices required by these Rules shall be sent by electronic means including but not limited to email, via the Association's or Society's website or a Short Messaging Service provided by a mobile telephone services provider.

21. Abrogation, Variation and Amendment of the Rules or Making of New Rules

21.1. These Rules may, from time to time, be abrogated, varied or amended, or new Rules may be made in their place, at any General Meeting of the Association by a special resolution of the Members present and voting at the General Meeting.

21.2. Notice of any motion for such abrogation, variation, alteration or new rules shall be required to be given to the Secretary at least five weeks before the date of the General Meeting and the Secretary shall, in the notice convening the General Meeting, set out the terms of the motion.

21.3. For the purposes of this Rule, "Special Resolution" means a resolution passed by not less than two-thirds of the Members of the Association present and voting at the General Meeting of the Association duly convened with notice of the intention to propose such resolution.

22. Dissolution or Winding-Up of the Association

22.1. The Association may be dissolved by a Special Resolution at the Annual General Meeting supported by at least two thirds of all Members of the Association

22.2. On the dissolution of the Association for whatever reason the funds of the Association shall be given or transferred to such other charitable society or organisation for professionals, their widows, children and other dependants, having objects similar to the objects of the Association as the Board may determine provided that such society or organisation shall itself have a rule similar to this rule in dealing with dissolution.

23. Repeal of the Advocates' Benevolent Association Rules

- 23.1. The Advocates Benevolent Association Rules in force immediately before the commencement of these Rules are repealed.

24. Savings and Transitional Matters

- 24.1. These Rules shall supersede all previous Rules relating to the governance, membership, financial matters, business and affairs of the Association.
- 24.2. The members of the Board of Management in office on the date that these Rules come into operation shall continue to hold office for the unexpired period of their term.
- 24.3. The officers and members of staff appointed by the Board of management in office on the date that these Rules come into operation shall continue to hold office on accordance with the terms and conditions of employment.

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