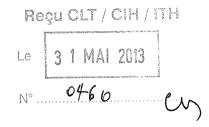


# NGO accreditation



# REQUEST BY A NON-GOVERNMENTAL ORGANIZATION TO BE ACCREDITED TO PROVIDE ADVISORY SERVICES TO THE COMMITTEE

#### **DEADLINE 31 MAY 2013**

Instructions for completing the request form are available at:

http://www.unesco.org/culture/ich/en/forms

#### 1. Name of the organization

#### 1.a. Official name

Please provide the full official name of the organization, in its original language, as it appears in the supporting documentation establishing its legal personality (section 8.b below).

Alliance Française de Nairobi

#### 1.b. Name in English and/or French

Please provide the name of the organization in English and/or French.

Alliance Française de Nairobi

#### 2.a. Address of the organization

Please provide the complete postal address of the organization, as well as additional contact information such as its telephone or fax numbers, e-mail address, website, etc. This should be the postal address where the organization carries out its business, regardless of where it may be legally domiciled (see section 8).

Organization: Alliance Française de Nairobi

Address: P.O. Box 45475, Nairobi 00100, Kenya

Telephone number: + (254 20) 340054/79 or + (254 20 2605984)

Fax number: + (254 20) 2605767

E-mail address: info@alliancefrnairobi.org

Website: www.afkenya.or.ke

Other relevant information:

#### 2.b Contact person for correspondence

Provide the complete name, address and other contact information of the person responsible for correspondence concerning this request. If an e-mail address cannot be provided, the information should include a fax number.

Title (Ms/Mr, etc.): Mr.

Family name: BRANEYRE

Given name: Hervé

Institution/position: Executive Director

Address: P.O. Box 45475, Nairobi 00100

Telephone number: + (254) 775 867853

Fax number: + (254 20) 2605767

E-mail address: director@alliancefrnairobi.org

Other relevant information:

#### 3. Country or countries in which the organization is active

Please identify the country or countries in which the organization actively operates. If it operates entirely within one country, please indicate which country. If its activities are international, please indicate whether it operates globally or in one or more regions, and please list the primary countries in which it carries out activities.

⊠ national
international (please specify: )
☐ worldwide
☐ Africa
☐ Arab States
☐ Asia & the Pacific
☐ Europe & North America
☐ Latin America & the Caribbean
Please list the primary country(ies) where it is active:

#### 4. Date of its founding or approximate duration of its existence

Please state when the organization came into existence.

Been operating since 1949, registered as a Trust in 2002

#### 5. Objectives of the organization

Please describe the objectives for which the organization was established, which should be 'in conformity with the spirit of the Convention' (Criterion C). If the organization's primary objectives are other than safeguarding intangible cultural heritage, please explain how its safeguarding objectives relate to those larger objectives.

Not to exceed 350 words; do not attach additional information

Alliance Française de Nairobi is a Trust registered in Kenya since 2002. It has been operating in Kenya since 1949 as a not-for-profit association mandated to promote the teaching of the French language, to promote French-Kenyan friendship as well as appreciation and understanding of French and Francophone cultures. Since its registration as a trust in 2002, the institution's objectives have been expanded to include the development and promotion of local Arts and cultural expressions as well as the promotion of cultural and linguistic diversity in the larger context of respect for human rights, cultural understanding, harmony and cooperation.

Alliance Française de Nairobi is part of an international network of language and cultural institutions present in 136 countries. The Alliance Française movement was founded in 1883 in Paris by renowned humanists including Louis Pasteur (scientist), Jules Verne (author) and Ferdinand de Lesseps (credited for constructing the Suez Canal) with the objectives of reinforcing friendship between peoples through the promotion of the French language and dialogue between world cultures. Each Alliance Française around the world is an independent entity, governed according to local legislation by a local Board of Trustees and subscribing to the common humanistic values and principles of the Alliance Française network.

Alliance Française de Nairobi remains one of Kenya's leading arts and cultural institutions, running a dynamic and rich programme of annual activities showcasing local and international Arts. In addition the institution has a long standing and recognized reputation as a hub and facilitator of artistic and cultural innovation and creativity in partnership with local artists and cultural practitioners. Alliance Française continues to provide technical assistance to the national institutions in charge of culture and heritage and was a member of the National Committee responsible for drafting and finalizing Kenya's National Policy on Culturel and Heritage (2009). It works jointly with communities at the grassroots level to document, protect, promote and enhance the country's diverse intangible heritage.

The institution's operational objectives are driven by the guiding principles of both the Convention on the protection and promotion of the diversity of cultural expressions and the Convention for the safeguarding of the intangible cultural heritage.

#### 6. The organization's activities in the field of safeguarding intangible cultural heritage

Sections 6.a to 6.c are the primary place to establish that the NGO satisfies the criterion of having 'proven competence, expertise and experience in safeguarding (as defined in Article 2.3 of the Convention) intangible cultural heritage belonging, inter alia, to one or more specific domains' (Criterion A).

#### 6.a. Domain(s) in which the organization is active

Please tick one or more boxes to indicate the primary domains in which the organization is most active. If its activities involve domains other than those listed, please tick 'other domains' and indicate which domains are concerned.

<ul> <li>☑ oral traditions and expressions</li> <li>☑ performing arts</li> <li>☑ social practices, rituals and festive events</li> <li>☐ knowledge and practices concerning nature and the universe</li> <li>☐ traditional craftsmanship</li> <li>☐ other domains - please specify:</li> </ul>
6.b. Primary safeguarding activities in which the organization is involved
Please tick one or more boxes to indicate the organization's primary safeguarding activities. If its activities involve safeguarding measures not listed here, please tick 'other safeguarding measures' and specify which ones are concerned.
involve safeguarding measures not listed here, please tick 'other safeguarding measures' and specify which

#### 6.c. Description of the organization's activities

Organizations requesting accreditation should briefly describe their recent activities and their relevant experience in safeguarding intangible cultural heritage. Please provide information on the personnel and membership of the organization, describe their competence and expertise in the domain of intangible cultural heritage and explain how they acquired such competence. Documentation of such activities and competences may be submitted, if necessary, under section 8.c below.

Not to exceed 750 words; do not attach additional information

Since 2004, Alliance Française has been actively involved in the identification and promotion of contemporary Kenyan music that is rooted in the country's diverse musical traditions, as well as the organization of the annual Lamu Cultural Festival that aims to promote and preserve the unique heritage of Lamu Old Town, a World Heritage Site. Its activities contribute strongly and effectively to the objectives of the 2003 Convention of safeguarding intangible cultural heritage especially Articles 12, 13, 14 and 15.

Through its flagship project 'Spotlight on Kenyan Music' being led by a Steering Committee made up of leading Kenyan music professionals (musicians, producers, promoters), the project has succeeded in safeguarding musical traditions that cuts across the country's diverse ethnic communities and documented them on a series of Spotlight CD compilations

Working in partnership with the Departments of Culture and Music of the Ministry in charge of Culture and Heritage and its network of cultural officers across the country, the Spotlight project identifies musicians at community levels and provides them with tiered support to help enhance their musical capacities. This support includes capacity building, live performances and exposure as a means of ensuring that musical traditions are nurtured and strengthened.

The guiding criteria for the identification of musicians across the country is the artist's or group's engagement to enhancing their communities' musical practices and enriching them to keep them alive and relevant for future generations. Spotlight on Kenyan Music project remains an unparalleled initiative in the wider East African region as it continues to raise appreciation of local musical practices in the face of homogenization of music and contributes to revitalizing community pride and identity.

Alliance Française also works very closely with the community group, Lamu Cultural Promotion Group, in the organization of the annual Lamu Cultural Festival that aims to showcase and share the unique Swahili heritage born of cross-cultural influences spanning more than 10 centuries. Alliance Française provides technical and logistical expertise in ensuring a dynamic link between the age-old social traditions and the process of transferring knowledge, skills and collective memory in present day context.

The Alliance Française Board of Trustees is made up of local and influential personalities who are committed to the humanistic values of the Alliance Française institutions and in particular to the promotion of cultural and linguistic diversity. The Executive Director of the Alliance Française of Nairobi, Hervé Braneyre, is seconded to the institution by the Government of France. He has a wealth of experience in the cultural sector and the promotion of cultural diversity and intercultural exchanges with emphasis on the performing arts, traditional practices, knowledge transmission and awareness-raising having worked with the Alliance Française network in Colombia, Hong Kong, Guatemala, Venezuela and Ecuador. He is the Co-Chair of the Spotlight on Kenyan Music Steering Committee.

The second Co-Chair of the Spotlight on Kenyan Music committee is Tabu Osusa who is also a Trustee of the Alliance Française de Nairobi. Tabu Osusa has been involved in the music industry as a promoter, producer, composer and band manager for over 30 years. He is the founding Executive Director of Ketebul Music, a not for profit organization with a unique mission of carrying out research and promoting the diverse fusion of traditional sounds of Kenya and East Africa through the documentation and archiving of the work of musicians. Tabu Osusa has released three documentaries that retrace Kenyan musical cultures including the Benga rhythms of Kenya, the Kikuyu Popular Music and Kenya's Funk hits.

Harsita Waters, the Cultural Affairs Director of Alliance Française de Nairobi is a highly experienced cultural practitioner with a career spanning over 20 years in the cultural sector in Kenya. Harsita has accompanied the evolution of the cultural scene from the era of curtailed freedom of expression in the 1980s and 1990s to the present day vibrant and defining sector. Working closely with artists, cultural operators and communities, she has initiated and facilitated key projects in performing and visual arts, printed and audiovisual publications on aspects of Kenya's heritage as well as themed exhibitions designed to promote cultural heritage. She is the key coordinator of the Spotlight on Kenyan Music project and the Lamu Cultural Festival. She

currently sits on the Board of the Godown Arts Centre (an organization that aims to develop artists across multiple art forms), Swahili Heritage (a non-governmental organization that aims to conserve, promote and enhance Swahili heritage in Eastern Africa) and the Great Rift Valley Trust (an arts, environmental and sporting association).

### 7. The organization's experiences cooperating with communities, groups and intangible cultural heritage practitioners

The Committee will evaluate whether NGOs requesting accreditation 'cooperate in a spirit of mutual respect with communities, groups and, where appropriate, individuals that create, maintain and transmit intangible cultural heritage' (Criterion D). Please briefly describe such experiences here.

Not to exceed 350 words; do not attach additional information

Cultural programming and cultural cooperation activities undertaken by Alliance Française are always organized and conceived in partnership with local artists, groups and communities in the spirit of the 2003 and 2005 UNESCO Conventions.

Its Spotlight on Kenyan Music project works directly with Kenya's diverse ethnic communities in the identification and documentation of their musical expressions. Its latest CD/DVD compilation, Vol. 5, focuses on music from Kenya's remote Northern Province. The Alliance Française team covered over 1000 kms from Nairobi to the Ethiopian border meeting cultural representatives from 15 different communities and sub clans (Boni, Borana, Burji, Dassanach, El Molo, Gabbra, Konso, Munyoyaya, Orma, Oromo, Pokomo Rendille, Samburu, Somali, Turkana) to jointly identify traditional musicians from each community who participated in the Northern Kenyan musical compilation.

The majority of the Northern Kenyan peoples are either Borana-speaking or Somali-speaking people. The Borana ethnic group is one of the most populous groups and its language tends to dominate putting at risk some of the other indigenous languages. This is particularly true of Burji, Konso, Gabbra and Rendille languages. The same is true of the language of the small El Molo community (reportedly only about 1000 true El Molo) which risks threat of extinction through intermarriage with the more numerous Samburu and Turkana peoples. The Spotlight programme through Vol. 5 is a unique and first ever mainstream recording of oral expressions from some of the minority communities of Northern Kenya.

The organization of the Lamu Cultural Festival is spearheaded by the Lamu Cultural Promotion Group, a community based organization made up of 16 local community members. The traditional activities are in turn coordinated by sub-committees whose members are actively involved in the social and festive practices being shared and celebrated. Hence the showcasing and celebration of the traditional dances, dhow races, and donkey races, traditional crafts, poetry recitals, and music performances are part of the intangible cultural heritage that is relevant to the community and ensures its continuous recreation and transmission. It contributes to transferring of knowledge, skills and meaning and brings socio-economic benefits to the custodians of this heritage.

#### 8. Documentation of the operational capacities of the organization

The Operational Directives (paragraph 97) require that an organization requesting accreditation submit documentation proving that it possesses the operational capacities listed under Criterion E. Such supporting documents may take various forms, in light of the diverse legal regimes in effect in different States. Submitted documents should be translated whenever possible into English or French if the originals are in another language. Please label supporting documents clearly with the section (8.a, 8.b or 8.c) to which they refer.

#### 8.a. Membership and personnel

Proof of the participation of the members of the organization, as requested under Criterion E (i), may take diverse forms such as a list of directors, list of personnel and statistical information on the quantity and categories of members; a complete membership roster usually need not be submitted.

Please attach supporting documents, labelled 'Section 8.a'.

#### 8.b. Recognized legal personality

If the organization has a charter, articles of incorporation, by-laws or similar establishing documents, a copy should be attached. If, under the applicable domestic law, the organization has a legal personality recognized through some means other than an establishing document (for instance, through a published notice in an official gazette or journal), please provide documentation showing how that legal personality was established.

Please attach supporting documents, labelled 'Section 8.b'.

#### 8.c. Duration of existence and activities

If it is not already indicated clearly from the documentation provided for section 8.b, please submit documentation proving that the organization has existed for at least four years at the time it requests accreditation. Please provide documentation showing that it has carried out appropriate safeguarding activities during that time, including those described above in section 6.c. Supplementary materials such as books, CDs or DVDs, or similar publications cannot be taken into consideration and should not be submitted.

Please attach supporting documents, labelled 'Section 8.c'.

#### 9. Signature

The application must include the name and signature of the person empowered to sign it on behalf of the organization requesting accreditation. Requests without a signature cannot be considered.

Name: Hervé Braneyre

Title: Executive Director

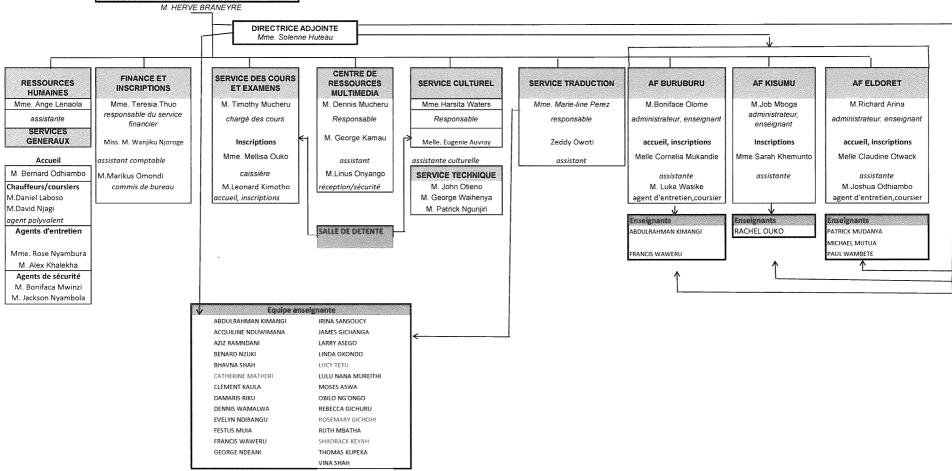
Date: 31 May 2013

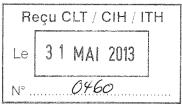
Signature:



Reçu CLT / CIH / ITH

DIRECTRICE et DELEGUEE GENERALE M. HERVE BRANEYRE





### ALLIANCE FRANÇAISE BOARD MEMBERS

NAME	PROFESSION	FUNCTION	COUNTRY OF	ON THE BOARD
INAIVIE	PROFESSION	FONCTION	NATIONALITY	SINCE
Mr. Samuel NGARUIYA	Business man	Chairman	Kenya	1985
Dr. Sobbie MULINDI	Doctor	Vice - Chairman	Kenya	1982
Mr. Christian CALDARA	Restaurant Manager	Treasurer	Kenya	1982
Ms. Vina SHAH	French Teacher	Secretary	Kenya	1985
Mr. Tabu OSUSA	Music Producer/Cultural Operator	Member	Kenya	2010
Mr. Peter OWINO	French Teacher	Member	Kenya	2010
Mr. Denis MAKWELE	Accountant	Member	Kenya	2011
Mr. Samuel OKELLO	Civil servant	Member/Chairman AF Kisumu	Kenya	2009
Mr. Joseph LESIEW	Retired Civil Servant	Member/Chairman AF Eldoret	Kenya	2011
Mrs. Jane KIANO	Retired Civil servant	Member	Kenya	1982



DATED AT NAIROBI THIS

DAYOF

2002

### ALLIANCE FRANÇAISE DE NAIROBI

# TRUST DEED

DRAWN BY:
K. MWAURA & COMPANY,
ADVOCATES,
AGIP HOUSE,
P.O. BOX 50515,
NAIROBI.

TRUST DEED

This **Trust Deed** is made this 2 day of Two Thousand and Two by the following persons whose full names, current addresses are appended herein as appendix A (hereinafter referred to as the **Founders** and/or the **Trustees** whose expression shall mean and include the aforesaid or other **Trustees** to be appointed as hereinafter provided and who are all residing citizens or residents of Kenya.

#### WHEREAS

- (a) The **Founders** are desirous of creating a **Trust** and have voluntarily decided to establish the **Trust** Fund as hereinafter described for the purpose of carrying out the objectives hereinafter described.
- (b) The **Founders** are committed to the promotion and dissemination of the French Language and Culture.
- (c) The **Founders** are committed to the spirit of non-discrimination in carrying out the objectives of the said **Trust**.
- (d) The **Founders** have agreed to irrevocably donate the sum of Kenya shillings Three Million (Kshs. 3.000.000/=) to the said **Trust** subject to the terms and conditions set out hereunder

#### ARTICLE 1 - NAME OF THE TRUST.

The **Trust** created in terms of this Deed shall be known as **ALLIANCE FRANÇAISE DE NAIROBI** hereinafter described as "**THE TRUST**"

The **Trust** is non-political, voluntary, charitable, non-sectarian and cannot discriminate against persons in terms of race, creed, colour, nationality or religious persuasion.

#### ARTICLE II OBJECTIVES OF THE TRUST

The objective of the **Trust** is to facilitate, mobilize, organize, source and manage resources, contribute, participate and supplement to all efforts and programmes engineered towards

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the dissemination of the French language and culture, provision of a forum for persons interested in the French Culture and promotion of cultural exchanges between Kenya and France and other Francophone countries.

To realize its objectives the Trust will formulate, source and manage resources so as to empower, reconcile and enhance strategies for the dissemination of the French Language and Culture, cultural exchange between Kenya and France and provision of a forum for persons interested in the French Language and Culture.

#### ARTICLE III - FUNCTIONS OF THE TRUST.

- (a) To formulate manage and conduct French language courses and prepare if possible for exanimations and certificates of Alliance Française Paris.
- (b) To support the teaching of French in national educational institutions by distribution of books, periodicals, giving prizes and support to teachers of the French language.
- (c) To distribute and/or support the distribution of French or Francophone materials of whatever nature and kind through the creation of appropriate facilities such as libraries, multimedia libraries, cinema, clubs, theaters and such other facilities that the **Trustees** may deem appropriate.
- (d)To organize courses, seminars, workshops, exhibitions, recitals and plays for the purpose of disseminating and familiarizing members with the French language and culture.
- (e) To organize cultural exchange between the members and other French citizens.
- (f) To facilitate consultation and dialogue among the members.
- (g) To act as the legal custodian of the **Trust** assets.

- (h) Without prejudice to the **Trust's** autonomy to enter into any arrangement with any organization or authorities that may seem conducive to the **Trust's** objectives.
- (i) To provide, endow, furnish and fit with all necessary equipment, furniture and statistics and other materials for communication, information sharing exchange and coordination in order to promote the objectives of the **Trust**.
  - (j) To perform such other acts and activities as the **Trustees** may deem necessary and fit for the promotion of the aims and objectives of the **Trust**.

#### ARTICLE IV TRUST ASSETS

The initial **Trust** assets shall be Kenya Shillings Three Million (Kshs. 3,000,000/=)

#### ARTICLE V MEMBERSHIP TO THE TRUST

- a) Membership to the **Trust** shall be open to all persons who have attained the age of majority and are interested in the objectives of the **Trust** subject to the payment of annual subscription as may be determined by the **Board of Trustees** from time to time.
- b) The **Board of Trustees** created herein may from time to time extend membership to persons of diverse professional competence as **Honorary Members** who shall not be entitled to vote at the Annual general Meeting or any other meeting of the **Board** but shall be available for consultations. In this regard the French Ambassador to Kenya for the time being shall be a **Honorary member** of the **Trust**.
- c) Students enrolled in the Courses offered by the **Trust** shall not be eligible for membership but shall be allowed to elect amongst themselves a representative who shall act as a liaison between the **Board of Trustees** and the students.
- d) Persons shall cease to be members of the **Trust** upon resignation, enrollment as students in courses offered by

the **Trust** or on decision by the **Board of Trustees** to strike off his/her membership for non-payment of subscription fees or for any cause shown.

fe) Any person/ institution wishing to be associated with the **Trust** may on application to the **Board of Trustee** be recognized as a "**Friend of the Trust**"

#### ARTICLE VI TRUSTEES

The **Trust** shall be administered by and managed by a **Board** of **Trustees** of not less than Eleven (11) and not more than Fifteen (15) **Trustees** the first of whom shall be the **Founders** who are parties to this deed. The **Trustees** shall hold office for a maximum period of one year thereafter which they shall be elected by members of the **Trust** in an Annual General Meeting as provided hereinafter in Article X.

#### ARTICLE VII OFFICE OF THE DIRECTOR

The **Board of Trustees** in their management and administration of the **Trust** shall be assisted by a Director and an assistant appointed by the French Ministry of Foreign Affairs and Alliance Française of Paris in consultation with the French Ambassador to Kenya and the chairperson of the **Trust** with a view to securing the appointment of qualified and suitable persons and their remuneration. The Director shall be responsible for the day-to-day running of the **Trust** as assisted by the Assistant.

## ARTICLE VIII CONDITIONS OF APPOINTMENT OF TRUSTEES

- a) The **Trustees** must be members of the **Trust** and not be less than the age of Eighteen (18) years.
- b) The **Trustees** shall be impartial people and of credible character with no previous record of improper conduct that will affect the **Trust** in achieving its objectives and/or affect them in the discharge of their duties as regards this Deed.

- c) In the event of seriousness illness, death, resignation, dismissal or retirement the remaining **Trustees** shall nominate a suitable replacement at a Special Board Meeting attended by not less than Two-third (2/3) of the members of the **Board of Trustees** and ratified by members voting in a special general meeting convened under Article X hereof.
- d) The **Board of Trustees** shall in its discretion and subject to ratification by members in a special general meeting convened under Article X hereof be entitled to dismiss any **Trustee** whose conduct has adversely affected the operation and objectives of the **Trust**, if he/she has contravened any provision of this **Trust Deed** or for such reasons as it may deem valid under the circumstances in which event such a **Trustee** shall no longer be regarded as a member of the **Board of Trustees**. No appeal shall lie from the decision of the Board in this regard.
- e) In the event that there are less than seven persons left on the Board at any particular time by reason of death, resignation or dismissal, the remaining **Trustees** shall vote for the reason of appointing new members to the Board, this should take a maximum of a month to implement at a Special Board Meeting subject to ratification by members voting at a special general meeting convened under Article X hereof.
- f) Any **Trustee** who fails to attend three consecutive Board meetings without any reasonable explanation to the Board and/or apology shall be deemed to have resigned as a **Trustee** and shall be replaced as provided herein above.

#### ARTICLE IX TRUSTEES' POWERS

The **Board of Trustees** shall have control of the **Trust** assets and shall strive to attain the objects for which the **Trust** is established.

The **Trustees** shall have all such powers to enable them to administer the **Trust** and without limiting their general power in any way they shall also have the following specific powers.

- a) To source and accept funding and donations of any movable or immovable assets.
- b) To raise funds through subscriptions, grants, donations and loans,
- c) To seek funding and donation of equipment and movable and immovable assets.
- d) To make all necessary purchase and to own, hire to or from, or accept donations of all or any kind that may assist in the implementation of the **Trust** objectives.
- e) To own, rent, acquire, lease from or buy immovable property.
- f) To invest any capital sums received as well as such income from the **Trust** which may not be immediately required for the purpose of the **Trust** in a manner as they think fit and to realize, vary and transpose any securities, assets, investments in movable or immovable property from time to time and at such times as they in their sole discretion shall determine or consider to be in the best interest of the **Trust**.
- g) To appoint officers or employees of the **Trust** save for the Director and the Assistant who shall be appointed in accordance with Article VII and to remunerate such person(s) for services rendered as they deem fit.
- h) To pay all expenses incurred in connection with the administration of the **Trust**.
- i) To employ agents or any person to manage or assist in the management of any of the objects of the **Trust** and to remunerate such agents or persons from funds administered by the **Trust**.
- j) To appoint an agent or agents to represent them for any specific purpose including the power to employ accountants, advocates and other professional persons for any specific purpose and to remunerate such persons at the usual professional or business rates.

- k) To allow time for payments of debts due to the **Trust** and to compromise claims by the **Trust** in their discretion.
- 1) To accept further donation and bequest from the Founders or other persons including donations from any sources whatsoever in favor of the Trust and to administer the same, subject to terms hereof and also subject to such conditions as may be imposed by the Founders or other persons provided that such conditions are consistent with the terms of this deed.
- m)To purchase or otherwise acquire any property and/or equipment that may be necessary for the promotion of the objects of the **Trust**,
- n) To open and control any bank account(s) be it local or foreign or a building society provided that the operation of such account(s) shall require at least the Chairperson, the Director, and the Treasurer.
- o) To purchase, sell, obtain, mortgage let and hire any movable or immovable property in due and customary form for such purposes and in such manner as the **Trustees** consider to be in the best interest of the **Trust** provided that any purchase, sale, lease exceeding 9 years, or mortgage of immovable property shall require the ratification by a simple majority of members voting at an Annual General Meeting convened under Article X.
- p) To expend **Trust** funds on maintenance, construction, improvement, alteration, rates and taxes, insurance premiums and other charges in and appertaining to any immovable property.
- q) To amend, alter, or add to the **Trust Deed** if a majority of Two-Thirds (2/3) of the Board resolve to do so and upon ratification by members by a Two-Thirds (2/3) majority voting at an Annual General Meeting convened under Article X hereof.
  - r) To organize conferences, workshops, formal classes, and French Cultural events geared towards the sensitization,

promotion and dissemination of French language and Culture.

- s) To organize research, cultural exchanges, tours and excursions to France and/or Francophone countries.
- t) To appoint any one or more persons by a power of attorney or powers of attorneys to act for the **Board of Trustees** in the affairs of the **Trust**.
- u) The **Trustees** shall have full power(s) to file suits, appeals and applications, to defend suits, to declare, sign and verify all plaints, written statements, memoranda of appeal, cross objections, applications, affidavits and to accept written summons, notices and to appeal to any place or places in Kenya, before any Court, Revenue Tribunals, Custom Officers, Assistant Collector of Customs, Port Officers, Municipal Officers and any other officer(s) and before all offices and Tribunals at any place in Kenya and to present and lodge document(s) for registration and to admit execution thereof and to compound all actions, suits and other proceedings and differences, dispute and demand for arbitration and to adjust approve and settle all documents relating to the Trust Fund and to execute all releases and discharges and to do all other things relating thereto.
- v) To appoint a management committee amongst themselves comprised of the Director (who shall also act as Secretary to the Board), the Treasurer, chairperson, and at least two other **Trustees** for a period of 1 year after which they shall be eligible for re-election save for the Director who shall be a permanent ex-officio member of the Committee.

The functions of the management committee will be:

- 1) To submit proposals concerning policy matters to the **Board** of Trustees.
- 2) To organize meetings of the **Board of Trustees**
- 3) To co-ordinate, supervise and make operational decisions with respect to the activities of the operational sections of the **Trust**.

w. To exercise or cause to be exercised such further powers including the right to take out such insurance as they in their sole discretion may consider necessary to carry out the objects of this **Trust** and in this respect the **Trustees** are hereby exempted from any personal liability for losses the **Trust** may suffer as a result of the **bonafide** exercise of their powers in terms hereof.

#### ARTICLE X MEETINGS

a) The **Board of Trustees** shall be required to convene an annual general meeting and ordinary meetings during the course of the year as may be considered necessary to transact the business of the **Trust**.

#### In particular: -

- 1. The Annual General Meeting of the **Trust** shall be held every year during such time as may be convenient to the **Trustees** but at least not later than one (1) month from the end of the financial year for the purpose of:
  - a) Electing new **Trustees** in accordance with article VII herein above.
  - b) Considering the balance sheet and statement of revenue and expenditure of the previous year.
  - c) Appointing an auditor for that financial year.
  - d) Considering the projected income and budget of the following financial year.
  - e) Considering the auditors report for the previous financial year.
  - f) Considering any other matter the **Board of Trustees** may deem necessary and fit to be considered.
- 2. Ordinary meetings shall be held by the **Board** as often as may be considered necessary to transact the business of the **Trust** in accordance with the objects for which the **Trust** has been established. A majority decision of the **Board** shall be binding except in regard to Articles VIII, XII where a two-thirds majority shall be required. If the **Trustees** are equally divided, the chairperson shall have an extra or casting vote.

w. To exercise or cause to be exercised such further powers including the right to take out such insurance as they in their sole discretion may consider necessary to carry out the objects of this **Trust** and in this respect the **Trustees** are hereby exempted from any personal liability for losses the **Trust** may suffer as a result of the **bonafide** exercise of their powers in terms hereof.

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  - b) Considering the balance sheet and statement of revenue and expenditure of the previous year.
  - c) Appointing an auditor for that financial year.
  - d) Considering the projected income and budget of the following financial year.
  - e) Considering the auditors report for the previous financial year.
  - f) Considering any other matter the **Board of Trustees** may deem necessary and fit to be considered.
- 2. Ordinary meetings shall be held by the **Board** as often as may be considered necessary to transact the business of the **Trust** in accordance with the objects for which the **Trust** has been established. A majority decision of the **Board** shall be binding except in regard to Articles VIII, XII where a two-thirds majority shall be required. If the **Trustees** are equally divided, the chairperson shall have an extra or casting vote.

The **Trustees** present shall form a quorum for any meeting of the **Trust**.

- 3. Special General Meetings shall be convened by the **Board of Trustees** as they deem expedient for the purpose of ratifying by the members the appointment of new **Trustee** under article VIII of this Deed. However members may by a petition signed and presented by at least a quarter of total members petition the **Board** to convene a special general meeting for the purpose of deliberating on the issues contained in the said petition.
- b) It shall be the duty of the Board of **Trustee** to invite all members of the **Trust** to the annual General Meeting giving at least a Twenty One (21) days notice.
- c) The student members shall only be permitted to attend the Annual General meeting at the sole discretion of the **Board** of **Trustees** and that in the event they are so permitted, they shall not be entitled to vote in any deliberation of the meeting.
- d) A quorum for the annual general meeting of the **Trust** shall be at least half plus one of the members of the **Trust** and decisions shall be made by a simple majority of the members present and voting at the Annual General Meeting subject to Article XII where a two-thirds majority of the members shall be required.
- e) Members of the **Trust** shall be entitled to attend and vote through proxies who must also be members of the **Trust** provided that such proxies shall have proved to the satisfaction of the **Trustees** evidence of being so authorized.
- f) The chairperson for the time being shall be entitled to a deliberative as well as a casting vote at any meeting of the Trust.
- g) A resolution in a meeting shall be put in writing and signed by the **Trustees** and such resolution shall be valid and effectual as if the same had been passed at a meeting of the **Trust** duly held and convened.

#### ARTICLE XI MINUTES AND ACCOUNTS

- a) The **Board of Trustees** shall keep minutes of all meetings of the **Trust**.
- b) The **Trustees** shall comply with their obligations under the **Trustees** (**Perpetual Succession**) **Act** (Cap 164 of the Laws of Kenya) with regard to the keeping of accounting records, the auditing and independent examination of its statements of account. In particular and without prejudice to the foregoing the Treasurer shall at all times keep proper accounts of the transactions of the **Trust** to be audited at the end of the financial year.
- c) The Treasurer shall at all times have access to such minutes, vouchers and records to the property of the **Trust**. An annual balance sheet and statement of revenue and expenditure shall be prepared by the Treasurer and certified as correct by the **Board of Trustees** and an appointed Auditor. Such balance sheet and statement shall be tabled at the Annual General Meeting of the **Trust** convened under Article X of this Deed.

#### ARTICLE XIII DURATION OF THE TRUST

The **Trust** shall endure for an indeterminate period. If however the **Trustees** by a two thirds (2/3) majority resolve that the **Trust** should be terminated and ratified by at least three-quarters of all the members of the **Trust** voting in a General Meeting notice of which has been duly given by the **Trustees** then in such event the assets then belonging to the **Trust** shall be realized and handed over by the **Trustees** to deserving institutions of similar objectives in Kenya and/or Alliance Française of Paris provided that the **Trustees** shall have satisfied all debts and liabilities owed by the **Trust** to third parties.

#### ARTICLE XIII SECURITY

No original or subsequent **Trustee** appointed in terms of the provisions set herein shall be required to furnish security in terms of any legislation which may now be or which may hereafter become in force and the effect, intent and purpose being that no person at any time being a **Trustee** under this Deed shall be required to give security whether in connection with or arising out of his/her appointment as such.

#### ARTICLE XIV INDEMNITY

In the proposed administration of the **Trust**, no **Trustee** shall be liable for any loss to the **Trust** which may occur as a result of any improper investment made in good faith, or as a result of negligence or fraud of any agent or other person employed by the **Trust** (even though such employment was not strictly necessary) or occasioned by mistake or omission made in good faith by the **Trustees** or arising from any cause except the willful and individual fraud or dishonesty of such **Trustee**.

#### ARTICLE XV SPECIAL POWERS.

The **Board of Trustees** as by law established shall have power from time to time to make by-laws provided always that such by laws shall not become binding on the members until ratified by two-thirds (2/3) of the members voting at a general meeting of the **Trust** of which notice in writing shall have been given stating the nature of the business to be considered.

The by- laws shall not in any respect be inconsistent with the express or implied provisions of this **Trust Deed**.

#### ARTICLE XVI ARBITRATION AND APPLICABLE LAW.

Should any dispute or difference arise regarding the meaning and/or interpretation of the provisions of this Deed relating to the rights and obligations of any of the parties or their successors in title such dispute if not resolved amicably shall be referred to arbitration under the provisions of the **Arbitration Act** (Cap 9 of the Laws of Kenya). Any party not

satisfied by the award of the Arbitrator may thereafter proceed and institute a suit in a competent court.

#### ARTICLE XVII THE SEAL

- (a) There shall be a seal of the body with the inscription of the words "The Registered Trustees of Alliance Française De Nairobi"
- b) The **Board of Trustees** shall provide for the safe custody of the seal. The seal shall be used only on authorization by the **Board of Trustees** and every instrument to which the seal shall be affixed shall be signed by two **Trustees** and the Chairperson for the time being in charge of the **Trust**.

#### ARTICLE XIIX TAXATION

The **Trustees** shall make an application to the Commissioner - General of Kenya Revenue Authority for all tax exemptions as set out in the **Trustees (Perpetual Succession) Act**.

#### ARTICLE XIX PROFESSIONAL TRUSTEES CLAUSE

Any **Trustee** who is an advocate, accountant or other persons engaged in any profession shall be treated as a volunteer for business done by him/her to the **Trust** in a professional capacity on behalf of the **Trust** and that a **Trustee** shall withdraw from any meeting of the **Board** at which his/her own instructions or remuneration or that of his/her firm is under discussion.

#### ARTICLE XX DEFINITIONS

In this Deed unless there be something in the subject or context inconsistent with the meaning assigned:

"The members" means those persons certified and accepted as members by the **Board** under Article V herein above.

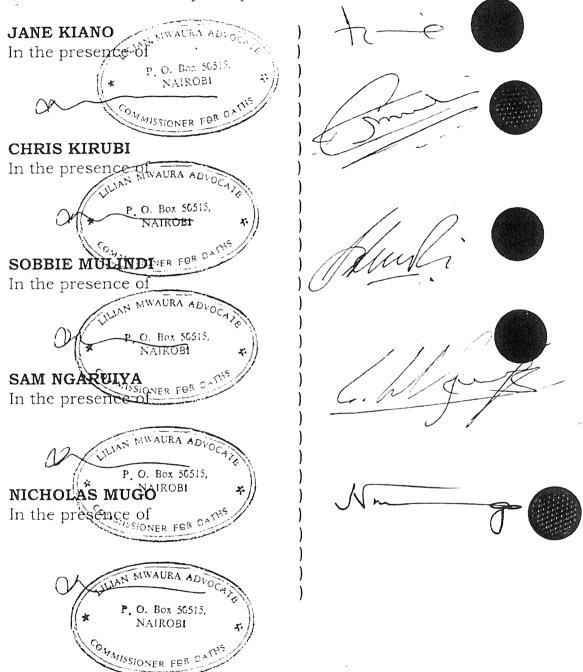
"The Trustees" means the Trustees for the time being of the Trust fund.

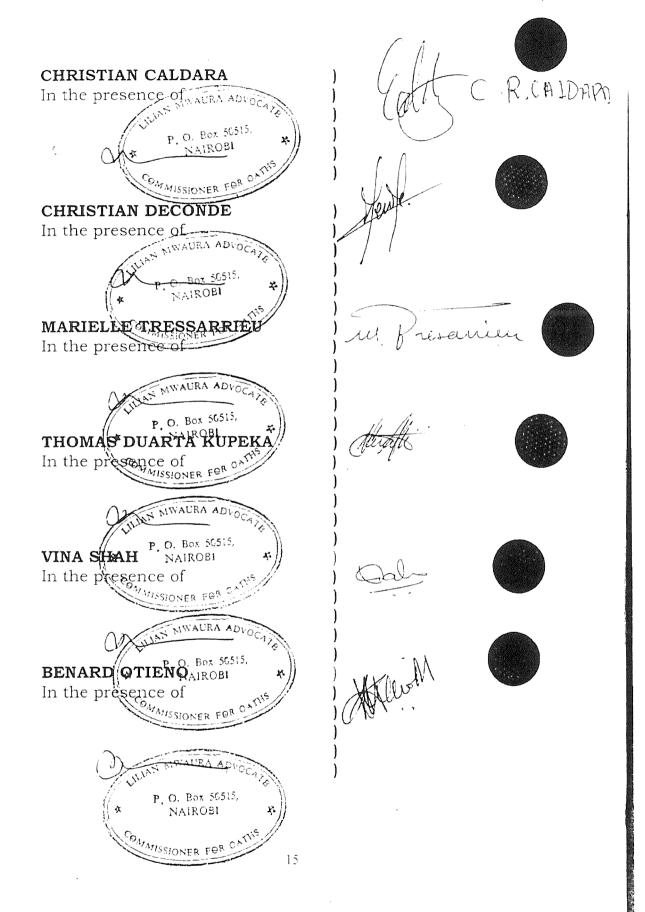
"The Board" means the Board of Trustee constituted by

this **Trust Deed**.

### ARTICLE XXI ATTESTATION CLAUSE

In witness whereof the parties hereto have hereunto set their hands and seals the day and year written above.





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Secretary Action Battle 189

#### REPUBLIC OF KENYA

### APPLICATION FOR THE RECORDING OF A CERTIFICATE OF APPOINTMENT OF NEW TRUSTEES

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For Official Use Only MitX discourse reseming stamps to the value of his a Soft (18) is in pay and all the fee here. REPUBLIC OF KENYA APPLICATION FOR THE RECORDING OF A CERTIFICATE OF APPOINTMENT OF NEW TRUSTLES Pak: 1 Our Reference in I., Panapar Registrat of Documents, Saliobi I made l'asteurs of Souteland MRS. JANE KIAND of the contracorporated body: ALLIANCE PRANCAISE DE MAIRDBI TRE BY 45475 - DDIOD MAIRDBI HEREBY REQUEST YOU to record the appointment of DE P. O. BOX. 30736 - DOLOO MAIROBI DEMIS MAKWELE hew Implies s THOMAS DUARTE in place of KUPEKA P.O BOX 5 1 S20 - HAIRDBI aid Hustee - 1 and it support thereof enclosethe vertificate of Incorporation. - a cetthicd copy of the resolution, ppointing the new trustees Study's the value of \$h.50 in payment of fees are affixed heret-For Entire to Liver mily Par II co. I've atone named Applicant-

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#### REPUBLIC OF KENYA

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#### REPUBLIC OF KENYA

# OFFICE OF THE VICE PRESIDENT MINISTRY OF STATE FOR NATIONAL HERITAGE AND CULTURE PERMANENT PRESIDENTIAL MUSIC COMMISSION

Telephone: 2721052/2717645 Tel/Fax: 2716869 Email: ppmc@nationalheritage.go.ke directorppmc@nationalheritage.go.ke State House Road P. O. Box 48534-00100 NAIROBI

Ref: PPMC/4/9/VOL II/116)

2nd May 2013

**Harsita Waters** 

Arts and Cultural Affairs Coordinator Alliance Française De Nairobi.8 cultural@alliancefrairobi.org

#### **PARTNERSHIP**

The Permanent Presidential Music Commission a Department of Ministry of Sports, Arts and Culture has been in partnership with Alliance Française on various projects aimed at identification, nurturing and promotion of varied cultural practices of the diverse communities of Kenya for a period of more than 5 years now. Amongst these projects is the Spotlight on Kenyan Music which has seen the emergency of many musical talents being nurtured in the line of recreation of authentic musical practices to produce international acceptable musical products.

Our intention as an organization is to realize maximum utilization of available talent in our communities especially the marginalized and from the far flung counties to bring social and economic development to this vulnerable people.

We will continue to partner with Alliance Françoise Do Nairobi in fulfilling our mandate of documentation, preservation, development and promotion of all aspects of music and dance in Kenya.

RUFUS K. THUKU

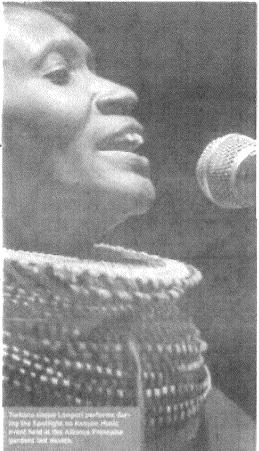
DIRECTOR OF MUSIC COMMISSION

THE DIRECTOR

MANENT PRESIDENTIAL MUSIC COMMISSION

# books & culture

### Pastoralist troupes light up city gala with traditional renditions



Ministry of Justice-sponsored programme brings together artistes from North Eastern

BY HYAMBEGA GISESA e Proteories

It was the first visit to Nate old for Locyangalasti Stars from the shores of Lake Turkana. They had traveled to perform change the Sputtight on Kenyan Music event heat at the Adiance Francalse gardens on Friday, July 29

They thrilled the audience with their songs, which included "Heliato", about a woman, who referes to enerry the groom cho-

Danganya Kate" depicts chartisty and open circle all her filed beauting who circle all her filed beauty property, while in Theread a girl whe is exit to the chird by her purerite beauting to the modern for extendallimental.

Lesser known
This year, the Spettlett on
Kenyan Music is focusing on pastoralist communities in a move assets at downing after tion to the leaser known musical traditions of these constitution. The Tuskana, Kassa, Gabbes and Rorana have been terreted.

The Liban Bocas troups from Tadiko of the Koeso Commu sity is Marsabil also performed

i.then Bores presented 'Bure', a cong and dense in preise of livestock; "Atume", which is performed by women at the end of the day to ententain afflagen; and the worlding song "falls."

Tealing from Moyale electrified the crowd with his lives scoop! "Ottows Billate" as and "fissible thin", and "bloyale", a song praising the North Eastern fown.

Twiss wascone lobes Newson.

Twist macure John Necros cowned the right with some of convises are negativen nesset of his popular tunes, including "An-galiza Twist", "Masset ya Twist", "Zerbema Wangas" and "Matchana wa Sura Nuut".

The artistes are identified

through suditions enjamised by the Spotlight on Kenyan Music team and the Personerd Proci-

dendad Music Convolution Leunched in 1005, the pro-gramme seeks to markets the evelopment of eathertic Kensea after-fusion mostic across the

#### Steering committee

The steering committee com-prises leading Kenyan maskinsa and geoducers, and includes ana . Achleng' Achieng Abara, Surrama Owyo, bustante Uschilda, 133 Actificing, Juden Katatha, AMM and Tubu Cousa.
This is Soing Jone unafer the programme "Vital Voices and

programme "Vital Vides and Culture" that is implemented by the ministry of fusitive with fursi-ing from the European Union. "We have traveled throughout the eight provinces and dull-timed over 700 musicions," Tales

Some of those who have stacted socressful carrents out of the event include Makadows, Jums Telu, George Multinds. South Hospit Mullion and Romald

### WORLD OF FIGURES

### Can a salary increment make you poorer?

BY HUNGAI KIHANYA ardio l'arragnossi

CONTRACY TO POSES AN Exist would be not measured in difference distance any other currency for that matter North Research in terms of the property that a person owre.

Wester's measured in days, weeks, recritis or years. That is, in terms of time, not money Year level of wester is the dustion you can survive without working and without changing your litestyle.

These thoughts came to mind after reading an genal from Partial Anders, Standards, "Loans a gross using of \$155,400 and get about \$130,000 after taxes. Out of this lipsy my take of \$10,500 and other bills amounting to at least 5H00,000 I don't know how I spend the rest of the monles because Lending getting broke tefore met morehoeid net spend a single cent. Could you knoby teach me how to make proper calculations so that I cave a certain : percentage and the left with surrenting good for

Out of the \$450,000 not pay Racted is only able to account for Shill,570. That eaves a televice of SVS.SCO which she appray the deport cown where 4 pices. New 2 we spread that "trapping" several over the whole moreh, we first that it corres to CASSO CONTRACTOR

Of course there are instructe expenses but in as Appets, Indiagnost, etc. All the envised the maintis, year have nothing to show for their tipo they amount to 95550 duly? Only Rachel con arower that for its

The trick about saving money is to presove if from year saley before you don't sending it, for example through a Salmon and Credit Coroperative (Salco). or a barás standing order.

If you set pade 10 percent of your net income each meeth, you will action idea an amount equal to are morth's salesy after 10 months - you will be one morth eneiths

Let's work with real rearbors. Ten per cent of your Sh50,000 net morehly income is \$40,000. Thus in 10 mostle you will have 950000 to five years 60mandad you had been some size of \$150,000. effects are assert to compatible story of the co-

But we have made two assertions fest is that you wit not get any subsy more and not promotors during the rest the years and second that you will not get any interest may be a second. The is designate reducities.

Assuming a resided IS per cept salary increment per year, we find that you are Risty to be certified. stead Sh\$4500 (not) permovith at the time cost. year. If that is the case, Sten you will have to also archesse your savings to 1215,450 roombly - remainber that you are working with 10 per cart.

These in the first year you will save a total of ShS 000 than SWLAGO in the second year, 5h47,000 in the third, 5h54,750 in the floors, and Shift COO in the fifth. This makes a lotal of about Sh242,760 ... still assuming that you are not earning ione interest.

Using the IS our cent several increment, your net reame will be about \$152,000 offer five years. Therefore, you will be about four and a full months. wealthy Does that mean that a salary incorrect actically makes you poorer? The arower is a story for another deal

### A local solution to your public speaking problem

de Specialistica Aborthopia Story Barbard V. Sinch pactored Publisher: Escallance Portain erra Sarka Heart III at Astronom, 1910

Leadership is expensively a func-tion of communication. Littler-ing to our politicisms speed, it is chosen in public speeding and causes in public speeding and causes in public speeding and only few were born with the gall of the gab. Historically, good leaders are remembered for what they did and even more for what they said. Since the death of former one-president Keina, who makes in 2003, we have not had a sch-

the control of the co

There is a great event for our leaders to bone their public too and are in a tens of a refer to a r

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The Even burished a PowerPoint preventation? As a leader, do you generate organise and deliver speeches, on your own? If not, do you participate in the process?

Any leader worth he set must participate the process to have a sense of severating of the speech when reading at But what we witness daily are appearing need to us.

reaction are specified and to use and it is almost impossible to con-nad the specified and the specifi

A solution has in Maryin Soley's ag-1-yagrand back blood. Special

Manager
Many books in the market on public speaking are foreign and their approach may sometimes not be as good-before may foreign and all can they satisfy the local needs of

Convitors at metalology to go by extending the local restriction shall be leaders. For

needs for would be leader, managers and everyone in between interested in public speaking.

The author compares the process of speaking along any or don't get the night ingredients, you are leady to end up with bad-lood on the table. Similarly, if you have the order to the table similarly, if you have the order to make the same the actif to residents full get. have the right legesdants but get the recipe wrong, then your our ne won't be good.

He writes fortheightly on practical ways of generating organizing and delivering speeches. What makes the book deferred is that it is devoid of numerous precidents.

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remaily require volumes to cover.
The 154-page book reads like a massal on sewach selling that even beginners can use with a file or up assistance on the way beautiful becoming if or very because of the way to severa becoming if or very public.

ediors. The exiter also gives local examples of leasiers and promouts he deems good at pack serve away for here news to keen from Renews and the sean John Side Chesmu and TV personality 3of Romange are some of the exemples he gives.

(synficial in the book is the portioned asize of PowerPoint portland date of reversity presentations that are now a back increased in many boardsoms and conference. He gives patient on how to go beyond the default templates and how to avoid making bullets.

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