

Kenya Association Of Air Operators



The following exposition was approved by the Executive Committee of the Association at a meeting held on the 12th September 1989. It explains the Association's aims and objectives and presents in one document essential information about the Association which its members or the Public may seek from time to time.

The Association's affairs are conducted in accordance with its Memorandum and Articles. In the event that anything in this exposition proves to be at variance with the clauses of the Memorandum and Articles, the latter will prevail.

(up-dated March 2004)

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1. The Kenya Association of Air Operators, was established to promote, foster and protect the interests of those engaged in civil aviation or associated industries in Kenya.

2. Categories of membership

a) Ordinary Membership is available to persons and through a nominated representative to organisations in possession of a licence to operate aircraft for hire and reward issued by Kenya Civil Aviation Board and an Air Operator's Certificate issued by the Kenya Civil Aviation Authority.

b) Ordinary Membership (Non-Voting) is available to individuals or organisations authorised by Kenya Civil Aviation Authority to carry out the maintenance of aircraft equipment or to engage actively in matters relating to Civil Aviation.

c) Associate Membership is available to owners and operators of aircraft not covered by a) above and to individuals or organisations involved in civil aviation and associated industries not covered by b) above.

d) Honorary Membership may be granted to individuals or organisations who may not normally fall into any of the above categories but who may be deemed by the members of the Executive Committee of the Association at their sole discretion to be desirable members of the Association.

3. Application for Membership, Entrance Fees and Subscriptions

Persons or organisations wishing to become members of the Association must apply in writing to the secretary enclosing copies of relevant approvals issued by the Kenya Civil Aviation Authority. If the applicant qualifies for membership, an application form will be forwarded by the secretary. The applicant should return the form complete in all details and signed by a proposer and a seconder, who must themselves be fully paid up members of the Association of at least three years standing. A cheque for the entrance fee and the first year's subscription is payable

at this stage and will be refunded in full should the Executive Committee reject the application.

The fees are subject to review by the Executive Committee from time to time.

The application if properly completed will be put before the Executive Committee of the Association at its next routine meeting. In principle, the Association welcomes all eligible applicants in order to be able to represent the aviation and associated industries as comprehensively as possible. However, if it is felt for any reason that an applicant's operation falls short desirable standards of professionalism, integrity or safety, the Executive Committee will reject the application in order to preserve the overall standards which the Association wishes its membership to maintain. The Executive Committee's decision will be final nor is the Committee obliged to give any reasons for the rejection of any application.

By the same token, an existing member whose operation falls short of the desired standards will be asked to rectify the deficiencies by the Committee and if no improvement results, the member's membership may be suspended or terminated in accordance with the Association's rules.

In the event of an applicant joining part way through the calendar year, or a member being suspended during the year, a refund of part of the subscription will not normally be allowed.

4. The Constitution of the Association

The Association is a Company Limited by Guarantee under the companies' Act of Kenya and the liability of individual members is limited to Kshs.100/-
The office Bearers of the Association, all of whom with the exception of the Executive Officer are voluntary and elected or appointed annually, are the Chairman, Vice Chairman, Vice Chairman (Coast) and Secretary/Treasurer (these posts normally be combined)

The Ordinary Members of the Association in General Meeting elect the office bearers and one third of the Executive Committee annually. A quorum for General

Meeting shall be five ordinary members personally present.

Members of the Executive Committee (not more than ten in number including the Chairman, and Vice Chairman (Coast), retire in rotation and are eligible for re-election as to one third of their number each year. The Chairman, Vice Chairman and Secretary/Treasurer are ex-officio members of the Committee while the Executive officer remains in attendance.

The Executive Committee is the decision-making body of the Association. The quorum for meetings of the Executive Committee is 4 members. Whereas a member of the Association may be a body corporate represented by a nominee, a committee member is always a named individual elected for his or her particular knowledge of the aviation industry. Therefore he or she cannot be replaced on the Committee in the event of incapacity by another individual without an election taking place in accordance with the Association's Articles.

Members of any category may attend routine Executive Committee meetings and contribute to them if called to do so by the Chairman, but they may not vote at them. The Executive Committee may however ask all non-committee members to leave, or may call a meeting of the Executive Committee members only at any time if in its sole discretion it deems it necessary. The decisions of the Executive Committee are binding upon the members of the Association.

The Executive Committee may co-opt into the committee up to two other members who may themselves not have qualified for membership of the Association, if in the opinion of the members of the Executive Committee their contributions would be beneficial and provided their inclusion does not cause the number of Executive Committee members to exceed ten.

5. The Policy of the Association is to represent the interest of all licensed commercial air operators and other authorised bodies engaged in the Aviation industry which are based in Kenya. Their operations may be domestic or international, offering scheduled or chartered services, carrying passengers or freight, in a fixed or rotary wing aircraft or hot air balloons.

The Association however encourages competition among its members and does not seek to be cartel. On the contrary, it would normally reject any proposal which sought to promote monolithic, closed shop or anti competitive practices. It may however, as a last resort sometimes call upon its members to voluntarily adopt certain codes of practice in the interests of the majority, particularly where standards of safety might otherwise be compromised or the economic viability of the members is endangered. For example, it may impose a ban on the use of unsafe airfields, or refuse to provide services to a known bad payer, or it may impose minimum standards above those required by the law to ensure the safety of a given operation, if in the committee's opinion such standards are reasonable, justifiable, economically sustainable and serve to promote the safety of passengers and enhance the professionalism of air operations. In the event that the committee calls for unanimous action of such a kind, the members of the Association are bound to comply.

The Association seeks the closest and best possible relationship with the Government and controlling Authorities in order to represent the interests of its members collectively and to attempt to influence Government policy for the well being of the industry. It acts for all its members in negotiating with the Government for fare and charter rate adjustments where these are controlled and in negotiating the most favourable rates possible of duty and tax for essential goods and services. It seeks to promote and influence the development of the country's aviation infrastructure, technical standards and training of personnel. Where these standards fall and are the responsibility of the Government, it acts as a watchdog for the private sector in drawing Government's attention to the fact: where they are the responsibility of individual members it acts in a self-disciplining capacity to restore them to their proper levels.

In all the foregoing it is usually far more effective for members to act collectively through the Association than as individuals.

6. The Principal Benefits enjoyed by members of the Association can therefore be summarised as the following:

- a) The ability to influence the development of aviation in Kenya through collective representation.
 - b) The ability to "desensitise" difficult issues affecting individuals or individual companies by having the Association act for them as mediators or negotiators, with Government, the press, clients etc.
 - c) The opportunity through regular meetings to keep abreast of developments, benefit from the input of others' experience in a commercially competitive environment and be party to responses to current events and to decisions which will influence future developments.
 - d) Access, particularly for new members, to the experience of others and the support of an established organisation in the maintenance of standards of safety and proper pricing, regardless of commercial pressure from customers.
 - e) Direct access to Government with the weight of the whole industry behind the representation and discussions.
 - f) The opportunity to contribute meaningfully to the training of future pilots and engineers without the need to establish individual training facilities.
 - g) The ability to discipline competing organisations in cases of violations of standards, objectively and without prejudice.
 - h) The opportunity to benefit from various agreements negotiated by the Association on behalf of its members, which they could not have concluded individually owing to their relative size, e.g. rebate travel arrangements with airlines, medical insurance etc.
 - i) Access to the services of an experienced Executive at fraction of cost of employing such persons directly.
 - j) The provision of a forum where matters of flight safety can be discussed and brought to the attention of the Government bodies whenever necessary.
- 7. The Kenya Association of Air Operators** enjoys the support and commitment of the majority of existing Kenya Air Operators. It welcomes applications for membership from other organisations as they become eligible and believes the services it provides are fundamental to the successful development of the aviation industry in Kenya.

