



KTA CODE OF CONDUCT

RIGHT, LEGAL AND FAIR

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This code outlines some of the more pertinent responsibilities and standards of behavior expected of all KTA Members. It applies to all Members of KTA and a breach of this code may be grounds for suspension or revocation of a Member's Membership.



Kenya Transport Association

WORD FROM THE CHAIRMAN

It gives me great pleasure to see the effort of so many months to come up with a code of conduct for an industry as diverse as ours, come to pass. KTA realizes that self regulation is the first step in instilling discipline and professionalism among members of any profession or discipline. Our industry has been dogged by safety concerns; the safety of our staff, our client's cargo and our investments.

We also realize that we are facing increasingly knowledgeable clients who expect much more than transportation from us. They want the transporter to be able to provide a very efficient service at a very low cost and at no damage to the environment!

To be able to meet the expectations of these clients and put their trust on road transport, we developed this code of conduct to enable our members to have a bench mark for our services and rules of don'ts in the industry. While road transport currently moves 95% of cargo leaving the port of Mombasa, there exists room for us to improve our services to our customers by increasing efficiency.

The code of conduct will enhance safety. This is important for us especially at this time when we are ushering in the Road Safety Decade (2011-2020).

A code of conduct is no code if not applied. The Executive Committee of KTA promises its members who have signed this code that the code will be applied without fear or favour. This is one of many projects KTA is undertaking in its endeavour to improve efficient movement of cargo in Kenya and eliminate road accidents.

I wish to thank all members of KTA whose cooperation and membership enabled this exercise to be undertaken. We look forward to a safer, reliable, efficient, professional and environmentally-friendly transport industry in Kenya.

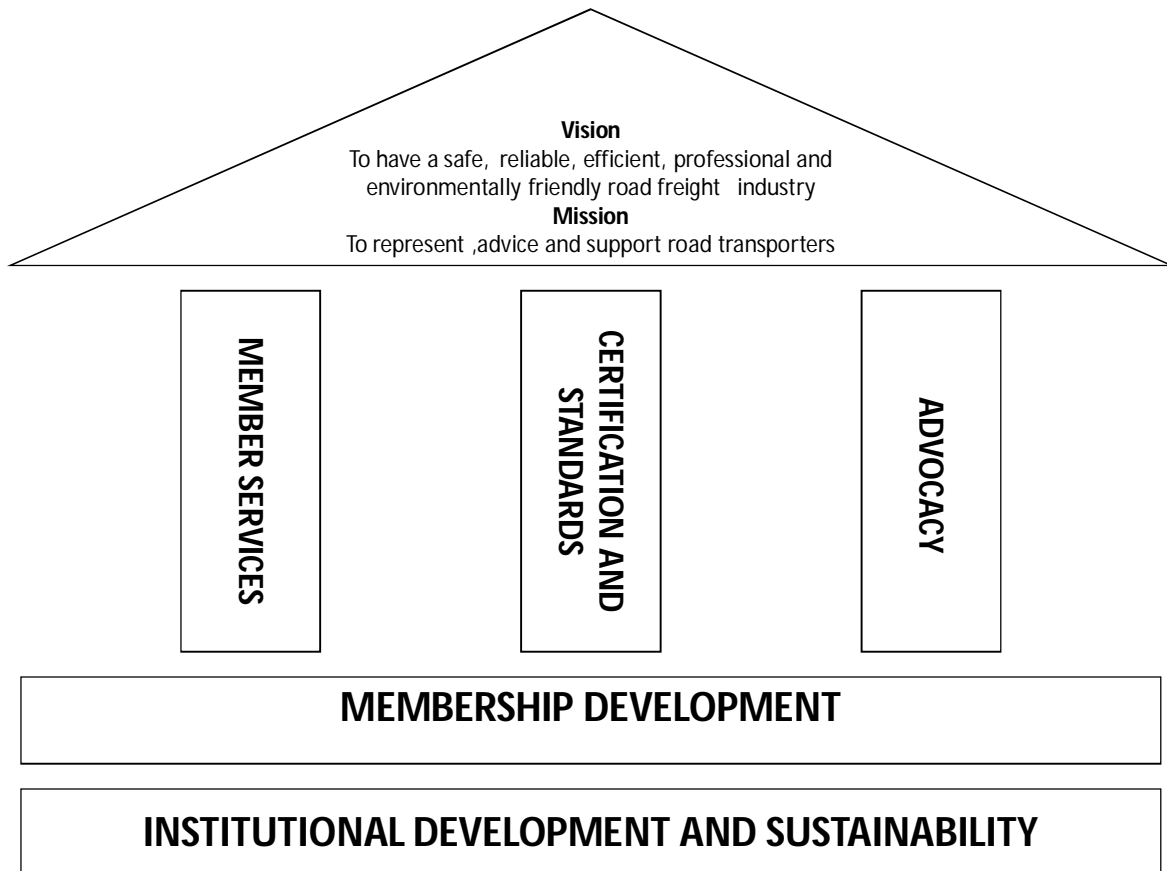
Thank you all.

PAUL K. MAIYO,
CHAIRMAN.



Kenya Transport Association

KTA STRATEGIC PLAN



The KTA Strategic Plan constitutes of five(5) pillars:

1. Institutional Development and sustainability.
2. Membership Development.
3. Advocacy.
4. Certification and Standards.
5. Member Services.



Kenya Transport Association

TABLE OF CONTENTS

| | |
|---|--------------------------------|
| INTRODUCTION | 5 |
| SERVICES | 6 |
| PREAMBLE..... | 7 |
| APPLICATION OF THIS CODE OF CONDUCT | |
| 1 ETHICAL PRINCIPLES | 8 |
| 2 SUBSCRIPTIONS | 9 |
| 3 CONSTITUTION | 9 |
| 4 EXECUTIVE COMMITTEE | 9 |
| 5 LAW | 10 |
| 6 LOADING..... | 11 |
| 7 LICENSING AND CONDITIONS OF VEHICLES | ERROR! BOOKMARK NOT DEFINED. |
| 8 VETTING OF DRIVERS..... | ERROR! BOOKMARK NOT DEFINED. 1 |
| 9 SUB-CONTRACTING..... | ERROR! BOOKMARK NOT DEFINED. |
| 10 PARTICIPATION..... | ERROR! BOOKMARK NOT DEFINED. |
| 11 WELFARE GUIDELINES FOR DRIVERS AND EMPLOYEES | ERROR! BOOKMARK NOT DEFINED. |
| 12 USE OF TECHNOLOGY FOR SECURITY ENHANCEMENT... .. | ERROR! BOOKMARK NOT DEFINED. |
| 13 TRAINING AND CAPACITY BUILDING | ERROR! BOOKMARK NOT DEFINED. |
| 14 SELF ASSESSMENT..... | ERROR! BOOKMARK NOT DEFINED. |
| 15 REFERENCED LAWS..... | 14 |



Kenya Transport Association

INTRODUCTION

The Kenya Transport Association (KTA) was formed in 1982 taking over from its predecessor KARTA which had been formed in 1969. KTA is an association of road transporters and is registered under the Societies Act in the Kenyan laws. The objective of this organization is to give transporters a forum within which they can air their grievances to various ministries within the Kenya Government.

KTA seeks to instill safety, discipline and professionalism in trucking and to provide a single, authoritative voice on issues of importance regarding road transport. KTA brings together transporters with varied backgrounds to continuously assist them meet their needs. It has a membership of over 200 transport companies owning in excess of over 24,000 trucks representing 30% of the truckers in Kenya and employs in excess of 40,000 people directly.

The objective of this association is to give transporters a forum within which they can;

- Promote safety and professionalism within the transport industry in Kenya
- Promote self-regulation within the industry
- Conduct forums for joint negotiation with relevant stakeholders
- Enhance the viability of trucking as a business
- Enable truckers to contribute positively to nation building
- Promote environment-friendly trucking
- Seek close liaison with relevant government departments.
- Seek close liaison with similar private-sector organizations that add value to our members.



Kenya Transport Association

SERVICES

Advocacy

KTA functions as a bridge between government and the transporters. KTA articulates the demands of the membership and influences policies by showing the power and legitimacy of an authentic business advocate.

KTA is a one-stop information and resource centre for the transporters through; facilitating and promoting business links between local and overseas transporters; through information and business networks; facilitating strategic linkages between transporters within the country; and by providing information support to the internal staff of KTA.

Training

KTA provides training on various aspects impacting the transport industry including time management training, communication skills, Information Technology, HIV/AIDS awareness, Road safety, Integrity enhancement, labor laws, team building among others.

Professional Talks

KTA Organizes mentoring and coaching programs for KTA members and executive committee. This helps instill a united vision and mission. It also helps engrave positive culture and attitude in the employees and increases output through corrective mechanism for employers and employees in the transportation sector. KTA also facilitates refreshers for both management and employees equipping them with skills to tackle challenging management issues. Specific talks on financial management and money discipline to both employers and employees are also given. KTA also helps develop sound business plans for individual members.

Networking Opportunities

At KTA, the Secretariat brings together a wealth of information on road safety, current affairs, innovation in the transport industry, and regulatory mechanism for challenging issues in the transport sector. KTA forwards information to members on topical transport issues.

Vetting

KTA processes raw data on various market sectors to equip members with an informed opinion. Some of these include major tire companies, petrol stations, and spares shops among others. We also provide information on resource management and also conduct feasibility studies for members, vital for business expansion.



Kenya Transport Association

PREAMBLE:

1.1 The primary aims of this Code of Conduct are:

1.1.1 to ensure that the public receives the best possible services from the members.

1.1.2 to maintain and enhance the reputation, standing and good name of the Association and its members;

With the object that the membership of Kenya Transport Association shall be recognized as a guarantee of integrity, competence and a high standard of service.

1.2 The Board of Directors may, in its discretion, approve an addition or modification of the code of conduct for the time being in force. Members of the Kenya Transport Association shall be notified of any such change and it shall become binding upon them.

This code outlines some of the more pertinent responsibilities and standards of behavior expected of all KTA Members. Acceptance of this Code of Conduct is a qualification for membership of Kenya Transport Association and every member shall be deemed to have covenanted with Kenya Transport Association to comply with this code of conduct applicable for the time being. Breach of this code may be grounds for suspension or revocation of a Member's Membership.

Members understanding of and adherence to this Code of Conduct is treated seriously by KTA and all should endeavor to abide by the same for the benefit of the road transport industry.



Kenya Transport Association

APPLICATION OF THIS CODE OF CONDUCT

1.0 Ethical Principles

This Code of Conduct has been developed in accordance with the principles of ethical and responsible decision-making and embodies the following values.

1.1 Duty to uphold the Law and general regulations

Members shall uphold the Laws of Kenya and of other jurisdictions in which they shall operate from at all times in the discharge of their mandate. They shall keep up to date with all legislative and policy changes affecting their work

1.2 Respect of Others

1.2.1 Members shall treat fellow Members, the public, their employees and all stakeholders in the Industry with courtesy and respect.

1.2.2 Members shall at all times respect the rights, entitlements, duties and obligation of all stakeholders in the Road Transport Industry.

1.3 Honesty and Integrity

Members shall not place themselves in situations where their honesty and integrity may be questioned in all their dealings and should on all occasions avoid the appearance of such behavior.

1.4 Standard of Performance

Members shall exercise due care and always strive for the highest standard of performance and service to customers and keep accurate records. The members shall endeavour to always keep the industry's best practices. Members shall not bring KTA into disrepute.

Further, members are required to make every effort to ensure that accurate information is provided to enable customers to exercise an informed judgment regarding their transport/logistics requirements.



Kenya Transport Association

1.5 Accountability

Members shall be held accountable for their functions and the manner in which they carry out their responsibilities and should co-operate fully with any scrutiny appropriate to their particular operation.

1.6 Conflict of Interest

1.6.1 Members shall not at any time put themselves in a position that brings about a conflict of interest by way of private, personal gain or advantage.

1.6.2 In the event of a situation of a conflict of interest arising, every Member shall be under an obligation to inform the KTA Secretariat of such situation of conflict.

1.7 Confidentiality.

Members shall treat all transactions and communications with the customers confidential. In case of a dispute with a customer, they shall make every reasonable effort to reach a speedy resolution that shall not get to the general public.

2.0 Subscriptions

Members shall ensure that all their subscriptions have been fully paid and up to date with the KTA Secretariat.

3.0 Constitution

In addition to the Code of Conduct Members will abide by the Constitution of KTA and any amendments made thereto.

4.0 Executive Committee

All decisions made by the Executive Committee or board of a body succeeding , by virtue of them being elected officials of the KTA, shall be binding on all Members and any grievances shall be sent to the Executive Committee in writing.



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5.0 Law

5.1. Classification of Offences

5.1.1. Gross Misconduct

Gross misconduct is the commission of a serious offence in breach of set rules and regulations e.g., but not limited to carrying of excess load.

5.1.2. Misconduct

Misconduct is the commission of a less serious offence (s) which could be punished through disciplinary action E.g., undue delays in delivery of cargo or occurrence of several avoidable break downs

5.1.3. Misdemeanour

Misdemeanour is a minor transgression which may be punished through a warning. E.g., failure to keep the customer informed or respond to their queries.

5.2 Members shall uphold and follow all law and regulations put in place from time to time by the Government of Kenya including but not limited to those regulating the Road Transport Industry and Customs issues.

5.3 Should a Member, his employee and/or agent be convicted of an offence that amounts to gross misconduct or call to question their integrity, then in the case of a Member, such Member shall cease to be a Member of KTA, and in the case of the employee and/or agent, such employee and/or agent shall cease to be in the employment of the Member.

5.4 During the pendency of the proceedings in the above stated situation such Member shall be suspended from the Membership of KTA and the case of an employee and/or agent, such employee and/or agent shall be suspended from the employment of the Member.



Kenya Transport Association

6.0 Loading

- 6.1 Members shall refrain from loading their vehicles in contravention of the Laws of Kenya and shall follow the Gross Vehicular Weight Load limits (GVW) set by the Government from time to time.
- 6.2. Members shall ensure that any driver in their employment at all times maintains the designated speed limits on the road while conveying any cargo.
- 6.3. Members shall at all time take measures to secure the conveyance and cargo against pilferage, siphoning and willful exposure to adverse conditions.
- 6.2 Members are obliged under this Code of Conduct to report any incident of overloading by any stakeholder or Member to the Secretariat who shall take appropriate action with advise from the Executive Committee.

7.0 Licensing and Conditions of Vehicles

- 7.1 Members will ensure that all their vehicles are duly licensed with the requisite Government departments to be used as commercial road transport vehicles.
- 7.2 All vehicles owned, leased, hired or subcontracted by Members shall be roadworthy and Members shall ensure that breakdowns of vehicles are attended to in the shortest possible time.
- 7.3. Members will be required to have adequate physical infrastructure to manage their fleet.

8.0. Vetting of Drivers

The KTA shall put in place mechanisms to ensure that all drivers and staff employed by their Members are vetted to ensure that they are competent and qualified to handle their responsibilities and that they hold all requisite legal documentation. The following shall be the basic minimum requirements for any driver in the employment of a Member:-

- 8.0.1. Holder of a valid driving license and a certificate from a recognized driver training institution.
- 8.0.2. Possess a Certificate of good conduct from Kenya Police
- 8.0.3. Possess a Certificate of medical fitness from a recognized Medical Practitioner.



Kenya Transport Association

9.0 Sub-Contracting

KTA Members shall only subcontract cargo to other transporters who are already Members of KTA and party to this Code of Conduct.

10.0 Participation

Members shall participate in the running of KTA through their appointments in various sub-committees that shall be formed by the Executive Committee from time to time.

11.0 Welfare guidelines for Drivers and Employees

KTA shall develop a Health, Safety, Security and Environment Standards (HSSES) to be complied with by all its Members. The same shall provide for, inter-alia,

- 11.0.1. Rest Periods for drivers.
- 11.0.2. Accommodation and meal allowances for drivers when on duty.

11.1 All Members shall abide by all relevant health and safety, injury management.

11.2 All Members shall provide the Secretariat with a list of their drivers' details including all requirements set out in clause 8.0 above.

12.0. Use of Technology for security enhancement

Members shall be required to use information technology in fleet management and security of the fleets.

13.0. Training and Capacity Building

KTA shall facilitate continuous training and capacity building for its Members and persons employed by its Members in all areas touching on their operations and any updates in Law, including Customs Laws & Regulation governing licensing of Transit Vehicles and Transporters.



Kenya Transport Association

14.0 Self Assessment

If faced with difficult situation in the course of work as a Member, the following questions may assist Members in coming up with a decision consistent with the spirit and intention of the Code of Conduct.

- Is the decision lawful?
- Is the decision consistent with the spirit and intention of the Code of Conduct?
- Is the decision consistent with the spirit and intention of the Kenya Transport Association?
- What are the consequences of the decision on fellow KTA Members or the transport industry as a whole?

15.0 REFERENCED LAWS

The following laws are references for this Code of Conduct:

- East African Community Customs Management Act 2005
- Employment Act 2007
- Industrial Training Act
- Labor Institutions Act 2007
- Labor Relations Act 2007
- NSSF Act
- Occupational Safety and Health Act 2007
- The Occupational Safety and Health Act, 2007
- The Restrictive Trade Practices, Monopolies and Price Control Act CAP 504
- The Traffic Act Cap 403,
- The Work Injury Benefits Act, 2007



Kenya Transport Association

I/WE,

of,.....

Hereby state that I/WE have read and agree to abide by this KTA Code of Conduct.

I/WE understand that any breach of this Code may result in KTA suspending or revoking our Membership to the Kenya Transport Association..

Director(s) Name(s) & Signature(s)

.....

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Witness: KTA – Executive Officer

Date



Kenya Transport Association



KENYA TRANSPORT ASSOCIATION-SECRETARIAT

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