

# **PEOPLES SALVATION PARTY OF KENYA**

## **NOMINATION AND ELECTIONS RULES**

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## **PART I**

### **Article 1: Preamble**

- (i) These rules shall be cited as the People Salvation Party of Kenya nomination and election rules. The rules shall come into operation with effect upon registration of the party and launch;
- (ii) Whenever a General or by-election is called there shall be a process of nominating Party Candidates for the elections. This process must be done in accordance with the party constitution, Political Parties Act, the Elections Act, The Constitution of Kenya 2010 and all other applicable provisions of the law.

### **Article 2: Interpretation**

In these Rules unless the context otherwise admits;

**“Agent”** means a person duly appointed by –

- (a) A political party or an independent candidate for the purposes of an election under this Act; or
- (b) A referendum committee for the purposes of a referendum under this Act,  
And includes a counting agent and a tallying agent;

**“Ballot box”** means a transparent container with a slot on the top sufficient to accept a ballot paper in an election or in a referendum but which prevents access to the votes until the closing of the voting period.

**“Ballot paper”** means a paper used to record the choice made by a voter and shall include an electronic version of a ballot paper or its equivalent for the purposes of electronic voting;

**“Board”** means the People Salvation Party of Kenya National Elections and Nomination Board;

**“Candidate”** means a person contesting for an elective post;

**“Constituency”** means one of the constituencies into which Kenya is divided under Article 89 of the Constitution;

**“County”** means the counties into which Kenya is divided under Article 6 (1) of the Constitution and specified in the First Schedule of the Constitution

**“County assembly”** means a county assembly constituted in accordance with Article 177 of the Constitution;

**“Disability”** has the meaning assigned to it in Article 260 of the Constitution;

**“election material”** means ballot boxes, ballot papers, counterfoils, envelops, packets statements and other documents used in connection with voting in an election and includes information technology equipment for voting, the voting compartments, instruments, seals and other materials and thins required for the purpose of conducting an election

**“Election offence”** means an offence under this Act;

**“Election results”** means the declared outcome of the casting of votes by voters at an election; **“Nomination”** means the submission to the Commission of the name of a candidate in accordance with the Constitution and this Act;

**“Party list”** means a party list prepared by a political party and submitted to the Commission pursuant to and in accordance with Article 90 of the Constitution and sections 29,34,35,36 and 37; **“Parliamentary election”** means the election of one or more members of Parliament;

**“Petition”** means an application to the election court under the Constitution or under this Act;

**“Political party”** has the meaning assigned to it in Article 260 of the Constitution;

**“Polling station”** means any room, place, vehicle or vessel set apart and equipped for the casting of votes by voters at an election;

**“Presidential election”** means an election of a President in accordance with Article 136,139(1) (b) and 146(2) (b) of the Constitution;

**“Ward”** means an electoral area within a county delimited in accordance with Article 89 of the Constitution.

## PART II: PARTY NOMINATIONS AND ELECTIONS ORGAN

### ARTICLE 3: PARTY ORGANS

The Party organs that shall be responsible for the conduct of Party nomination of persons to vie for elective posts shall be established in accordance with and as provided for in these Rules; these, shall be the following: -

1. The National Governing Council, which shall in general be responsible for the following functions in relation to nominations/elections:
  - (a) Receiving and considering the various Provisional Party Nomination Lists from the National Elections Board.
  - (b) Giving overriding directions and guidelines, and the final determination and or approval of the Presidential, National Assembly, Gubernatorial, Senate, and County Assembly Nomination Lists.
  - (c) The NGC shall have discretion to grant a candidate direct nomination.
  - (d) In addition and or pursuant to the powers granted to it by the Party constitution, the National Governing Council has the power pursuant to these Rules to raise objections in respect of any candidate (aspirant) presented for Party nomination before or after the nomination election on the ground that the candidature is not in tandem with the Party’s principles and aspirations: PROVIDED that a candidate whose candidature the NGC determines is not in tandem with the Party principles and aspirations shall be granted a hearing before disqualification.
2. The term of the members of the National Elections Board shall be for five years and a member is eligible for re-appointment at the expiry of their term, subject to a limit of two consecutive terms.

3. Removal from office of NEB Member. A member of the NEB or the entire board may be removed from office, for any of the following reasons:
  - a) Gross misconduct;
  - b) Violation of the party constitution, elections and nomination rules and party directions;
  - c) Absence from the Board's meetings for three consecutive without reasonable explanation or apology;
  - d) Incapacity to perform the functions of the Board;
  - e) Insubordination;
  - f) Communicating Board activities, resolutions without the express authority of chairperson of the NEB;
4. A member who is subject of removal proceedings, shall be subject to Article 47 (1) of the Constitution of Kenya 2010 and the Fair Administrative Action Act, 2015.
5. A petition by an aggrieved party member, official or organ, for removal of a National Elections Board Member, on any of the specified grounds, shall be submitted to the Disciplinary Committee in the prescribed form setting out facts and grounds for removal.
6. The National Elections Board, which shall in general undertake the following functions:
  - (a) Conduct a free and fair nomination and electoral process through vetting the party candidates in accordance with the Kenya Constitution, applicable electoral laws, party constitution and Nomination and Elections Rules and the Party Code of Conduct;
  - (b) Call by open invitation qualified candidates and announcing the National Assembly, Senate, and County Assembly Nomination Timetable upon direction from the National Governing Council;
  - (c) Providing materials, direction, guidelines and conducting of the vetting, listing and nomination election of candidates (aspirants) for Presidential elections;
  - (d) Overseeing and providing materials, direction and guidelines for the conduct of the vetting, short listing and the election of candidates (aspirants) for National Assembly, Gubernatorial, Senatorial, and County Assembly nomination elections: it shall be within the powers the National Elections Board to delegate to all or any of the County (Branch) Nominations Advisory and Elections Board all or any of these functions;
  - (e) Receiving the results of the National Assembly, Senate, and County Assembly Nomination elections from the County (Branch) Nominations Advisory and Elections Board;
  - (f) Receiving the Provisional County Assembly Party Nominations List and presenting the same to the National Elections Board;
  - (g) Preparing the Provisional Party Presidential, National Assembly, Gubernatorial,

- Senatorial, and County Assembly Nomination List, and presenting the same to the National Governing Council;
- (h) In consultation with the National Executive Committee, preparing the final Party Presidential, National Assembly, Gubernatorial, Senatorial, and County Assembly Nomination List, and having the same signed for authentication by the designated Party officials pursuant to and in accordance with the Party constitution and any other provision of law;
- (i) The National Elections Board shall prepare the final Nomination results and forward to the NGC for ratification. For the avoidance of doubt the NGC shall be the sole organ charged with issuing the final Party Nomination Certificate.
- (j) The nomination certificates shall be considered valid only if signed by the Party Chairperson and Secretary General or in case of the absence of either, the Director, Internal Affairs;
- (k) The NEB shall thereafter and without undue delay issue the nomination certificates to the nominee.
7. The County (Branch) Nominations and Elections Panel, which shall in general be responsible for the following functions:
- (a) With direction of NEB oversee and distribute materials, directions and guidelines for the various elective seats their respective Counties;
  - (b) Arranging for and fairly and transparently conducting the Nomination elections pursuant to the Nominations Guidelines;
  - (c) Providing a detailed accurate report of the elections and nominations to the National Elections Board as directed.
- Any other function that complements and or appertains to the foregoing, or that is provided for in these Rules

#### **ARTICLE 4; ELIGIBILITY CRITERIA FOR ELECTION TO THE BODY/ORGAN**

A person is eligible for election as a PSP-K body organ if he/she: -

- (a) is a citizen of Kenya;
- (b) is qualified to stand for election as a President, Member of Parliament, Women representative and County Assembly representative in accordance with the laws of Kenya or any other elective position as the Laws of Kenya Provide;
- (c) is a registered voter and member of the party;
- (d) has signed the Party Pledge
- (e) his/her proposed nomination is seconded by a minimum number of registered PSP-K members as applies to the particular candidate position.

## **ARTICLE 5: MANDATE AND FUNCTION BOARD**

- (1) The core function of the National Elections Board (NEB) shall be to plan, organize, conduct, supervise and coordinate all Party elections and nomination of candidates.
- (2) In appointing persons to serve on the NEB, the NGC shall be guided by the following principles-
  - (a) That appointees are fully paid-up members of the Party qualified to be elected as Governor or Senator or National Assembly member under the Constitution, the Elections Act or any other written law;
  - (b) That appointees are registered voters;
  - (c) Shall not be eligible for nomination to elective positions under these rules; and
  - (d) Shall ensure gender and other diversity compliance as much as practicable.
- (3) The National Elections Board members shall be appointed in accordance with the Party constitution and shall consist of not more than five (5) members drawn from among the Members of the Party, provided that not more than two-thirds of members shall be of the same gender.
- (4) The Director of Elections shall be an Ex-Official member of the Board.
- (5). The quorum for such meeting shall be two thirds
- (6). The broad functions of the Board shall include:
  - (a) Advise the NGC on the making of rules and regulations governing election and nomination of party candidates for elections provided for under these Rules;
  - (b) In consultation with the NGC, plan, prepare and provide the timetable for nominations of The Party candidates for every general and by election in Kenya;
  - (c) In consultation with the NGC, formulate guidelines in accordance with these rules to be known as the Nomination Guidelines relating to how nominations shall be conducted and management of logistics;
  - (d) Manage the logistics of all nominations and elections for the party; and
  - (e) Do anything necessary and proper to ensure the success of the party elections including providing security during the party elections and nomination processes.
- (7). The Party Leader and the NGC shall appoint the Board members and designate the Chair.
- (8). The Board shall as among its first order of business formulate rules and procedures for the conduct of its affairs.
- (9). The Board shall report to NGC, which shall consider and where necessary act on any report of the Board.
- (10). The Board shall design Nomination Certificates in respect of any election, and shall only issue a certificate to a candidate duly elected at the appropriate electoral area.
- (11). Every nomination Certificate issued shall bear the seal of the Party and shall be forwarded to the NGC for final review before signature by the National Chairman and the Secretary General or in the absence of either by the Director of Internal Affairs.

## **ARTICLE 6: COUNTY (BRANCH) NOMINATIONS ADVISORY AND ELECTIONS PANEL**

- (1) There shall be an ad hoc board in every County to be known as the County Nominations Advisory and Elections Panel.
- (2) The County Nominations and Elections Advisory Panel shall monitor the nomination and election process within the County and shall faithfully abide by the guidelines issued by the National Elections Board.
- (3) In appointing persons to serve on the County Nominations and Elections Advisory Panel, the NGC shall be guided by the following principles-
  - (a) appointees shall be a fully paid-up members of the Party;
  - (b) shall be qualified to be elected as Governor or Senator or National Assembly member or County Assembly representatives under the Constitution, the Elections Act or any other written law;
  - (c) shall be registered voters;
  - (d) shall be eligible for nomination to elective positions under these rules; and
  - (e) Shall ensure representation of gender and other diversity compliance as much as practicable.
- (4) The County (Branch) Nominations Advisory Panel for each County shall be appointed by NEB on advice from the County (Branch) Executive Committee and shall be composed of 3 persons of high integrity composed of Chairperson, Secretary and one ordinary member.
  - (a) Such members shall ordinarily be residents of the county they are appointed to serve;
  - (b) The Director of Internal Affairs or his/her approved designate shall be a member of all the County Nominations Advisory and Elections Panels;
  - (c) The Board, with the approval of NGC shall have the powers to allow for co-operation of extra members to the Panel for the better carrying out of elections;
  - (d) All persons elected to the County Nomination Advisory and Elections Panel shall meet the stipulated qualifications and shall have no direct or indirect interest in the outcome of the nomination exercise in their area of jurisdiction.
- (5) The County Nominations and Elections Advisory Panel shall report to the NEB, which shall consider and where necessary act on any report of the Panel.
- (6) The County Panel shall monitor the nomination and election process within the County and provide a report to the Board within forty-eight (48) hours of the results being announced.

## **PART III: NOMINATIONS – SPECIFIC FUNCTIONS OF PARTY ORGANS**

### **ARTICLE 7: SPECIFIC FUNCTIONS OF THE NATIONAL ELECTIONS BOARD**

In relation to Party nominations the National Elections Board shall:

- a) Appoint Returning Officers, Presiding Officers, Clerks and other officers as necessary for each county, constituency & ward to perform elections and nomination functions.
- b) Receive appointments of the Chief Agent of each of the candidates contesting as President, Governor, Senator, National Assembly member, woman representative Assembly and County Assembly member.
- c) Vet for suitability of persons proposed as Returning Officers, Presiding Officers, Clerks and other electoral officers as necessary for each County and Constituency
- d) Together with the Returning Officers sensitize all aspirants on the election and nomination rules;
- e) Provide alternative dispute resolution mechanisms;
- f) Facilitate dialogue between itself and candidates for purposes of resolving disputes.
- g) Receive Nomination election results for all National Assembly, Senate and County Assembly seats that have been contested; and
- h) Upon production of a Results Certificate hand over the list of eligible
- i) Candidates to the NGC for finalization and signature of Nomination Certificates by the designated officials

## **PART IV: ELECTIONS OF PARTY OFFICIALS**

### **ARTICLE 8: ELECTIONS OF NATIONAL OFFICIALS**

- (1). The National officials shall be elected by the National Delegates Conference (NDC) convened in accordance with provisions of the Party Constitution.
- (2). The NEB shall ensure that only the delegates whose names appear in the National Delegates Register and present at the Conference shall be eligible to vote.
- (3). The NEB shall ensure that there is a quorum of two thirds before the commencement of business of elections in accordance with the Party Constitution.
  - 4. The elections will be held between 10.00am to 4.00pm of the prescribed dates only.
- (4). Voting shall be either by secret ballot, by show of hands or by queuing and the person obtaining the highest number of votes for any office shall be declared the winner
  - Unopposed candidates who are fully qualified for positions applied for will be declared unopposed and duly elected to positions applied for on the election day if they are not challenge by any qualified candidate/s for same posts.
- (5)

(6).The returning officer shall require all contestants for an office to confirm the results in writing by signing the Elections Returns form. Provided that where a contestant declines or refuses or otherwise fails to sign the form, the Returning Officer shall make a note of that fact and counter sign the form.

(7). The assumption of office is immediately upon declaration of winner and term of office shall be for five years eligible for re-election at the expiry of their term, subject to a limit of two consecutive terms.

(8) Any person who having been elected to an office in either polling centre committee Executive Committee Sub Branch Executive Committee who subsequently contests and wins and is elected into an office in a higher Party structure shall relinquish the office previously elected which shall become vacant immediately.

## **ARTICLE 9: DISQUALIFICATION FROM ASPIRATING PARTY OFFICIAL**

A person is not qualified for nomination as a PSP-K official if; —

- (a) owes allegiance to a foreign state;
- (b) is a State or Public officer, or is acting in any State or Public office;
- (c) is subject to a sentence of imprisonment exceeding six months imposed on him/her by such a court or substituted by competent authority for some other sentence imposed on him by such a court unless all possibility of appeal of review of the relevant sentence or decision has not been exhausted;
- (d) is of unsound mind;
- (e) is in violation of Chapter 6 of the Constitution of Kenya;
- (f) is bankrupt under the laws of Kenya;
- (g) has not paid the prescribed nomination fees as shall be determined by NGC;
- (h) has not produced all necessary identification documents required by the Party; or
- (i) is by virtue of his/her own act of admission, under acknowledgement of allegiance, obedience or adherence to another political party.
- (j)

## **ARTICLE 10: PARTY ELECTIONS**

The NEB shall conduct Party Elections in the following organs of the Party:

- (a) Polling Station Mobilization Committees;
- (b) Sub-Branch Executive Committee; and
- (c) Branch Executive Committees.

PSP-K Women's League:

- (a) PSP-K Women League Branch Executive Committees;
- (b) PSP-K Women League Sub-Branch Executive Committees; and
- (c) PSP-K Women League Polling Station Mobilization Committees.

PSP-K Youth League:

- (a) PSP-K Youth League Branch Executive Committees;

- (b) PSP-K Youth League Sub-Branch Executive Committees; and
- (c) PSP-K Youth League Polling Station Mobilization Committees

## **ARTICLE 11: POLLING STATION MOBILIZATION COMMITTEE:**

- (1). Each Polling Station Mobilization Committee shall be composed of the following officials:
  - (a) Chairperson,
  - (b) Polling Station Coordinator
  - (c) Secretary,
  - (d) Treasurer,
  - (e) Polling Station Secretary for Women affairs who shall be the person elected as the PSP-K Women's League Polling Station Leader
  - (f) Polling Station Secretary for Youth affairs who shall be the person elected as the PSP-K Youth League' Polling Station Leader,
  - (g) Polling Station Persons with Disability Representative
  - (h) Polling Station Special Interest Groups Representative
  - (i) Seven Mobilizers

Provided that that not more than two-thirds of members shall be of the same gender.

- (2). On the date designated for the Polling Station Mobilization Committee elections, all PSP-K members shall assemble at the Polling Stations and vote by secret ballot, or any other method approved by the NEB.
- (3). The Presiding Officer shall then tally and announce the result thereof and thereafter submit to the Constituency Returning Officer.

## **ARTICLE 12: ELECTIONS OF WARD EXECUTIVE COMMITTEE**

- (1). Each Sub-Branch Executive Committee shall be composed of the following officials:
  - (a) Chairperson;
  - (b) Deputy Chairperson;
  - (c) Secretary;
  - (d) Deputy Secretary;
  - (e) Treasurer;
  - (f) Organizing Secretary;
  - (g) Deputy Organizing Secretary;
  - (h) Secretary for Women Affairs who shall be the person elected as the TSP Women League Sub-Branch Leader;
  - (i) Secretary for Youth affairs who shall be the person elected as the TSP Youth League Sub-Branch Leader;
  - (j) Representative of Persons with Disabilities;
  - (k) Representative of Special Interest Groups;

Provided that that not more than two-thirds of members shall be of the same gender.

- (2). Delegates elected at the Polling Station Mobilization Committees shall form the Ward Electoral College for the purpose of electing the Ward Executive Committee.
  
- (3). On the date designated for the Sub-Branch Executive Committee elections delegates shall assemble at Polling Stations within the Ward as shall be designated and published by the NEB at least fourteen days before the elections and thereat vote by secret ballot.
  
- (4). The Presiding Officer shall tally and announce the results thereof and submit to the Constituency Returning Officer.

### **ARTICLE 13: ELECTIONS OF SUB-BRANCH EXECUTIVE COMMITTEE**

(1). The Branch shall be composed of the following officials:

- (a) Chairperson,
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,
- (e) Treasurer,
- (f) Organizing Secretary,
- (g) Deputy Organizing Secretary,
- (h) Branch Women's League Chairperson,
- (i) Branch Women's League Secretary,
- (j) Branch Youth League Chairperson,
- (k) Branch Youth League Secretary
- (l) Persons with Disability Representative
- (m) Special Interest Groups Representative

Provided that that not more than two-thirds of the members shall be of the same gender.

### **ARTICLE 14: BRANCH EXECUTIVE COMMITTEE**

The Branch shall be composed of the following officials:

- (n) Chairperson,
- (o) Deputy Chairperson,
- (p) Secretary,
- (q) Deputy Secretary,
- (r) Treasurer,
- (s) Organizing Secretary,
- (t) Deputy Organizing Secretary,
- (u) Branch Women's League Chairperson,
- (v) Branch Women's League Secretary,
- (w) Branch Youth League Chairperson,

- (x) Branch Youth League Secretary
- (y) Persons with Disability Representative
- (z) Special Interest Groups Representative

Provided that that not more than two-thirds of the members shall be of the same gender.

- (2). The members of each Branch Executive Committee shall form the Branch Electoral College and, on a date set for elections shall elect the Branch Executive Committee by secret ballot or any other method approved the NEB.
- (3). The County Returning Officer shall tally and announce the results and submit to the NEB.

## **ARTICLE 15: ORGANIZATION OF TSP WOMEN'S LEAGUE**

- (1). There shall be established a PSP-K Women's League.
- (2). The organization of the League shall begin at Polling Station level ascending to the Sub-Branch, Branch and National levels. The League shall be organized by the PSP-K Women's League Chairperson at each level of the League.  
All PSP-K members assemble at the polling stations and vote by secret ballot, or any other method accepted by the delegates in session to elect a committee.
- (3). Women's League Members of the Party at Polling Station shall

## **ARTICLE 16: THE PSP-K WOMEN LEAGUE OFFICIALS**

- (1). The Elections shall be conducted by electoral colleges at the Sub Branch, Branch and National levels, except at the Polling Station where League elections which shall be conducted by universal suffrage.
- (2). All PSP-K Women Members of the Party at Polling Station shall assemble and elect an Executive Committee comprising:
  - (a) Chairperson,
  - (b) Deputy Chairperson,
  - (c) Secretary,
  - (d) Deputy Secretary,
  - (e) Treasurer,
  - (f) Organizing Secretary,
  - (g) Deputy Organizing Secretary,
  - (h) Persons with Disability Representative
  - (i) Special Interest Groups Representative

(3). Delegates of the Polling Station shall form the PSP-K Women Sub-Branch Electoral College and shall elect the PSP-K Women Sub Branch Executive Committee comprising:

- (a) Chairperson,
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,
- (e) Treasurer,
- (f) Organizing Secretary,
- (g) Deputy Organizing Secretary,
- (h) Persons with Disability Representative
- (i) Special Interest Groups Representative

(4). Delegates of the Sub-Branch shall form the PSP-K Women Branch Electoral College and shall elect the PSP-K Women Branch Executive Committee comprising:

- (a) Chairperson,
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,
- (e) Treasurer,
- (f) Organizing Secretary,
- (g) Deputy Organizing Secretary
- (h) Persons with Disability Representative
- (i) Special Interest Groups Representative

(5). The members of each PSP-K Women League Branch Executive Committee comprising of the following officials shall form the National TSP Women League Electoral College:

- (a) Chairperson
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,
- (e) Treasurer,
- (f) Deputy Treasurer,
- (g) Organizing Secretary,
- (h) Deputy Organizing Secretary
- (i) Persons with Disability Representative
- (j) Special Interest Groups Representative

(6). The PSP-K Women's League National Electoral College, on a date set for elections, shall vote by secret ballot or any other method approved by NEB elect the PSP-K Women's League National Officials comprising of the following National Officials:

- (a) Chairperson
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,

- (e) Treasurer,
- (f) Organizing Secretary,
- (g) Deputy Organizing Secretary
- (h) Persons with Disability Representative
- (i) Special Interest Groups Representative

(7). The League shall carry out the following functions at all levels of Party

- (a) To handle all issues peculiar to women;
- (b) Strengthen and empower women in the mainstream Party management; and
- (c) To deal with and address all matters that will enhance the cause of women.

## **ARTICLE 17: ORGANIZATION OF PSP-K YOUTH LEAGUE**

- (1) There shall be established a PSP-K Youth League.
- .
- (2) The organization of the League shall begin at the Polling Station level ascending to Sub-Branch, Branch and National Levels. The League shall be organized by the PSP-K Youth League Secretary at each level.
- .
- (3) PSP-K Youth League Members of the Party at Polling Station shall assemble at the Polling Stations and vote by secret ballot, or any other method approved by the NEB.

## **ARTICLE 18: ELECTIONS OF PSP-K YOUTH LEAGUE OFFICIALS**

- (1). The Elections shall be conducted by electoral colleges at the Sub Branch, Branch and National levels, except in the Polling Station where League elections which shall be conducted by universal suffrage.
- (2). All PSP-K Youth League Members of the Party at Polling Station shall assemble and shall elect a Committee comprising:

- (a) Chairperson,
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,
- (e) Treasurer,
- (f) Organizing Secretary,
- (g) Deputy Organizing Secretary
- (h) Persons with Disability Representative
- (i) Special Interest Groups Representative

(3). Delegates at the Polling Station shall form the PSP-K Youth League Sub- Branch Electoral College to elect the PSP-K Youth League Sub-Branch Committee composed of:

- (a) Chairperson,
- (b) Deputy Chairperson,
- (c) Secretary,
- (d) Deputy Secretary,

- (e) Treasurer,
  - (f) Organizing Secretary,
  - (g) Deputy Organizing Secretary
  - (h) Persons with Disability Representative
  - (i) Special Interest Groups Representative
- (4). Sub-Branch delegates shall form the PSP-K Youth League Branch Electoral College to elect the PSP-K Youth League Branch Executive Committee composing of:
- (a) Chairperson,
  - (b) Deputy Chairperson,
  - (c) Secretary,
  - (d) Deputy Secretary,
  - (e) Treasurer,
  - (f) Organizing Secretary,
  - (g) Deputy Organizing Secretary,
  - (h) Persons with Disability Representative
  - (i) Special Interest Groups Representative
- (5). The League shall carry out the following functions at all levels of organization:
- (a) To handle all issues peculiar to the youth,
  - (b) Strengthen and empower youths in the mainstream Party management, and
  - (c) To deal with and address all matters that will enhance the cause of the Youth.

## **PART V: REGISTER OF PARTY VOTERS**

### **ARTICLE 19: PRINCIPAL REGISTER OF PARTY VOTERS**

- (1). The NEB in consultation with NGC shall prepare the Party Principal Register of Voters that may comprise of a:
- (a) register in respect of every polling centre;
  - (b) ward register in respect of every ward;
  - (c) constituency register in respect of every constituency; (d) county register in respect of every county; and (e) Register of voters residing outside Kenya.
- (2). NEB shall have the discretion to have a register to be known as the Party Recruitment Register the purpose of which shall be to complement, augment and update the Principal Register from time to time.
- (3). The Party Principal Register of Voters shall contain such information as shall be determined by NGC.

- (4). Registration of party voters and revision of the register of voters under these Rules shall be continuous, save that registration of party voters shall close in accordance with the national Elections Laws. Any person who has attained the age of eighteen years and is a holder of a national identity card or a Kenyan passport and whose name is not in the party membership and or register of voters of any other party may be registered as a voter under these rules upon application.
- (5). All eligible applicants for registration under this rule shall be registered in the appropriate register by the Party.
- (6). The Board shall cause the Principal Register and constituent registers of Voters to be opened for a period of 14 days after the date of closing of registration of voters, for inspection by applicants during official working hours for the purpose of confirming and rectifying the particulars therein.
- (7). The Board shall, upon expiry of the period for inspection specified herein above, compile the amendments to the register of voters and publish either on the Party Online Register or any other media.

The Principal Register and Party Recruitment Register shall be kept at the headquarters of the party, county offices or Party Online Register.

## **PART VI: PARTY POSITIONS AND GRASSROOT ELECTIONS**

### **ARTICLE 20- POLLING**

- 1.Chairperson
- 2.Vice-chairperson
- 3.Secretary
- 4.Assistant Secretary
- 5.Treasurer
- 6.Assistant Treasurer
- 7.Organizing Secretary
- 8.Assistant Organizing Secretary
- 9.Youth Leader

10. Women Leader
11. Ten committee Members of whom at least five shall be women and five shall be youth (The youth is a person between 18- and below 35 years old)
12. Of the Ten committee members, at least one person must be elected to represent persons with disability.
13. The community interest should underline the selection of the ten committee members.
14. For purposes of National officials, the provisions on the same enumerated in the Party constitution apply.

## **ARTICLE 21 – WARD**

1. Chairperson
2. Vice-chairperson
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Assistant Treasurer
7. Organizing Secretary
8. Assistant Organizing Secretary
9. Youth Leader
10. Women Leader
11. Ten committee Members of whom at least five shall be women and five shall be youth (The youth is a person between 18- and below 35 years old)
12. Of the Ten committee members, at least one person must be elected to represent persons with disability.
13. The community interest should underline the selection of the ten committee members.
14. For purposes of National officials, the provisions on the same enumerated in the Party constitution apply.

## **ARTICLE 22 – SUB-BRANCH**

1. Chairperson
2. Vice-chairperson
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Assistant Treasurer
7. Organizing Secretary
8. Assistant Organizing Secretary
9. Youth Leader
10. Women Leader
11. Ten committee Members of whom at least five shall be women and five shall be youth( The youth is a person between 18- and below 35 years old)
12. Of the Ten committee members, at least one person must be elected to represent persons with disability.
13. The community interest should underline the selection of the ten committee members.
14. For purposes of National officials the provisions on the same enumerated in the Party constitution apply.

## **ARTICLE 23- BRANCH**

1. Chairperson
2. Vice-chairperson
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Assistant Treasurer
7. Organizing Secretary
8. Assistant Organizing Secretary

9. Youth Leader
10. Secretary Youth League
11. Women Leader
12. Secretary Women League
13. Eight committee Members of whom at least five shall be women and five shall be youth ((The youth is a person between 18- and below 35 years old)
14. Of the eight committee members, at least one person must be elected to represent persons with disability.
15. The community interest should underline the selection of the eight committee members.
16. For purposes of National officials, the provisions on the same enumerated in the Party constitution apply.

## **ARTICLE 24- NATIONAL**

1. Party Leader (PL)
2. Deputy Party Leader (DPL)
3. National Chairperson (NC)
4. Deputy National Chairperson (FDNC)
5. National Secretary General (NSG)
6. Deputy National Secretary General (DNSG)
7. National Treasurer (NT)
8. Deputy National Treasurer (DNT)
9. National Organizing Secretary (NOS)
10. Deputy National Organizing Secretary (DNOS)
11. National Chairperson, Women Congress
12. Deputy National Chairperson, Women Congress
13. National Chairperson, Youth Congress
14. Deputy National Chairperson, Youth Congress
15. National Director of Elections

16. Deputy National Director of Elections
17. Secretary for parliamentary affairs (chief Whip)
18. Chief Executive officer (CEO)

## **ARTICLE 25: GRASSROOTS ELECTION PROCEDURES**

The Party in the fulfilment of the requirements of the National constitution, any other Written law and the Party constitution shall conduct internal party elections in accordance with the principle of free, fair and peaceful elections.

These elections shall be held from the lowest to the highest structures within the party. The following criteria and qualifications shall apply: -

1. Prior to the elections there shall be political education carried out by National and Branch officials.
2. Three months to the elections NEC shall cause mass recruitment of member's compilation and verification of national register for the party elections.
3. The NEC elections shall issue a public notice of not less than 21 days in print and electronic media with national circulation and coverage specifying the venue, time and date of the elections
4. The NEC will establish an
5. Election board to manage internal Party elections at all levels.
6. Venue.

## **ARTICLE 26: ELIGIBILITY CRITERIA**

No person shall be eligible to participate in the Party Sub Location/Ward, Location, Branch and National elections unless that person:

- a) Is a fully paid up member of the Party and his or her name appears in the register of members and holds a valid current party membership card as prescribed in the relevant law
- b) Is a Kenyan citizen with a valid identification Card or Passport as may be prescribed by law.

## **ARTICLE 27: VENUE, TIME AND DATE OF ELECTIONS**

- a) The party Grass-roots elections will start at the Sub-Location, and then proceed to Location/Ward and the Branch/constituency levels. County and National.
- b) The polling, Ward and Sub-Branche and Branch elections shall be held in a central placed particularly in schools, Ass. Chiefs or Divisional Centres, religious institutions or other public place as agreed by the candidates.

- c) The elections will be held between 10.00am to 4.00pm of the prescribed dates only.
- d) The membership registers will be kept at the branch level by the Party Secretary under the supervision of the entire Sub-Location Executive Committee.
- e) Only current party identity card bearing members are eligible to inspect the registers to verify their eligibility to vote as prescribed in Section 3(c) of the Party's Constitutions and 17(6) of Political Parties Act 2007.
- f) For avoidance of doubt, the polling Ward and Branch elections for the year \_\_\_\_\_ shall be conducted as follows:

Polling centre on \_\_\_\_\_ or \_\_\_\_\_ as the Party members may decide outside or within the precincts of the offices of the area Sub-Chief between the hours of 10.00am and 4.00pm

Ward Elections: on \_\_\_\_\_ or \_\_\_\_\_ as the Party members on the Location/Ward may decide outside or within the precincts of the office of the area chief between the hours of 10.00am and 4.00pm

Sub-branch / Constituency Elections: On \_\_\_\_\_ outside or within the precincts of the constituency office between the hours of 10.00a.m and 4.00p.m

Branch /County:

## **ARTICLE 28: MANAGEMENT AND SUPERVISION**

- a) The party elections at all levels shall be supervised and mandate by the National Nominations and Elections Board and its appointed officials
- b) The Party elections for National officials shall be carried out by the National Delegated Congress on such a date, time and venue as shall be determined by the National Executive Councils and notice thereof published in to print and elections media with national circulation or coverage not less than twenty-one (21) days before the date of the elections.
- c) For the purposes of the elections of the National officials, the National Executive Council may appoint such a person or persons or organization for the purposes of conducting, supervising and managing the elections as it may deem fit.
- d) Members vying for any post in the elections shall not be appointed as an election official.

## **ARTICLE 29: VOTING PROCEDURE**

1. Unopposed candidates who are fully qualified for positions applied for will be declared unopposed and duly elected to positions applied for on the election day if they are not challenge by any qualified candidate/s for same posts.
2. Voting shall be either by secret ballot, by show of hands or by queuing and the person obtaining the highest number of votes for any office shall be declared the winner.
3. The returning officer shall require all contestants for an office to confirm the results in writing by signing the Elections Returns form. Provided that where a contestant declines or refuses or

otherwise fails to sign the form, the Returning Officer shall make a note of that fact and counter sign the form.

4. Any person who having been elected to an office in either polling centre committee Executive Committee Sub Branch Executive Committee who subsequently contests and wins and is elected into an office in a higher Party structure shall relinquish the office previously elected which shall become vacant immediately.
5. Consequently, a By-election shall be held within 60 days to fill the vacancy arisen.
6. No person shall use bribery, intimidation, coercion, violence or other under influence in the election to any office and any person who does so shall be disqualified by the Returning Officer.

## **ARTICLE 30: ELECTIONS RETURNS**

The Returning Officer appointed for the purpose of supervising and managing each election at the Sub-location, Location/Ward, Branch/Constituency, County and the National Delegates Congress shall complete a prescribed Elections Return Form duly signed by the Chairman of Elections Board and counter signed by himself/herself and the candidates and return the same to the office of the Executive Director who shall keep a record thereof and compile a register of the elected party officials at all levels.

## **ARTICLE 31: RESOLUTION OF DISPUTES**

- a) Where a dispute arises on the election of a candidate to an office at a Sub-location, Location/Ward, Branch/Constituency, County or National Level, the elections Board will immediately form an Ad-hoc Committee of five respectable non-partisan people to resolve it. The complainant will pay such a fee prescribed by the National Executive Council.
- b) The results of arbitration will be communicated to the elections Board immediately for appropriate action.
- c) Where a By-Election is recommended, the Elections Board shall order fresh elections to be held within a period of one week thereof.
- d) Disputes adjudicated by the Ad-hoc committee will be resolved within one day.

## **PART VII: NOMINATION PROCESS**

### **ARTICLE 32: ELIGIBILITY CRITERIA**

- (1). A person is eligible for nomination as a PSP-K candidate if he/she:-
  - (f) is a citizen of Kenya;
  - (g) is qualified to stand for election as a President, Member of Parliament, Women representative and County Assembly representative in accordance with the laws of Kenya or any other elective position as the Laws of Kenya Provide;
  - (h) is a registered voter;
  - (i) has signed the Party Pledge; and

- (j) his/her proposed nomination is seconded by a minimum number of registered PSP-K members as applies to the particular candidate position.
- (2). The candidates for nomination must be seconded by a minimum number of registered members as below: -
- (a) President ..... 1,000 from at least 24 counties
  - (b) Governor ..... 1,000 from across county
  - (c) Senator ..... 1,000 from across county
  - (d) Woman Representative ..... 1,000 from across county
  - (e) National Assembly Representative ..... 1,000 from all wards in constituency
  - (f) County Assembly Representative ..... 500 in a ward

### **ARTICLE 33: DISQUALIFICATION FROM NOMINATION**

- (1). A person is not qualified for nomination as a PSP-K candidate if the person—
- (k) owes allegiance to a foreign state;
  - (l) is a State or Public officer, or is acting in any State or Public office;
  - (m) is subject to a sentence of imprisonment exceeding six months imposed on him/her by such a court or substituted by competent authority for some other sentence imposed on him by such a court unless all possibility of appeal of review of the relevant sentence or decision has not been exhausted;
  - (n) is of unsound mind;
  - (o) is in violation of Chapter 6 of the Constitution of Kenya;
  - (p) is bankrupt under the laws of Kenya;
  - (q) has not paid the prescribed nomination fees as shall be determined by NGC;
  - (r) has not produced all necessary identification documents required by the Party; or
  - (s) is by virtue of his/her own act of admission, under acknowledgement of allegiance, obedience or adherence to another political party.
- (2). The following shall be exempt from Disqualification under rule 1(b) above:
- (a) the President;
  - (b) the Deputy President; or
  - (c) a member of Parliament (the National Assembly or the Senate); or (d) member of a County Assembly.

### **ARTICLE 34: PROCEDURE OF APPLYING FOR NOMINATION**

- (1). All persons seeking to contest Presidential, Gubernatorial, Senatorial, National Assembly, Woman Representative or County Assembly elections on the Party ticket (nomination) shall require clearance of the Party in respect of any election for which these Rules apply and shall:
- (a) Apply to the National Elections Board by the Nomination Applications Form;
  - (b) Submit with the application a duly completed Pledge of Loyalty to the party;
  - (c) Comply with and sign the code of conduct derived from the provisions of Article 11 of the Party constitution

- (d) Fully and truthfully answer all questions posed by the Party, and supply all information that the Party may require in the application accurately and truthfully;
  - (e) Submit his/her application to the National Election Board within the time frame published by the National Elections Board; and
  - (f) Pay an application and nomination fee as shall be determined by the NGC.
- (2). Upon receipt of the list of candidates (aspirants) by the NEB, such list shall be forwarded to the NGC.
- ARTICLE 35: PROCEDURE FOR NOMINATION**
- (1). The Board shall announce the Nomination Day or Days, which shall be within a reasonable time within which parties are required to have nominated candidates.
  - (2). The National Elections Board shall ensure that all electoral materials in either electronic or paper form necessary for the conduct of the nomination process under these rules shall reach the designated polling centers within reasonable time before the commencement of the nomination process, unless unable to do so for reasons of circumstances beyond their control.
  - (3). If materials do not reach polling centers within the stipulated period, the Board shall communicate the same to the NGC who shall give directions on the actions to be taken therefor.
  - (4). Each Returning and Presiding Officer shall sign a certificate of receipt of paper form materials received for conduct of nominations within their jurisdiction.
  - (5). Except for the Presiding Officer, other election officials, Administration and security officers, candidates and accredited agents, and/or persons necessarily assisting blind and incapacitated voters, persons who do not qualify as voters shall not be allowed to enter or to vote in that Centre nor shall such persons be eligible or permitted to remain within polling premises.
  - (6). Any candidate, who on nomination day either by himself/herself, his/her agents or supporters engages, permits or condones any acts of violence, whatsoever and howsoever shall be disqualified. The Presiding Officer shall record and report on such behaviour to NEB and police. NEB will instigate disciplinary proceedings within 24 hours with National Disciplinary Committee. The dispute shall be determined within 3 days.

(7). The Presiding Officer shall admit to the Polling Centre at least two agents of each candidate, and may admit as many more agents as in his/her discretion thinks fit; but he/she may refuse admission to a person claiming to be an agent for a candidate if that person does not produce a letter of appointment as agent signed by the candidate.

(8). If any person misbehaves in a Polling Centre or fails to obey the lawful instructions or orders of the Presiding Officer, they may immediately be removed by order of the Presiding Officer and a person so removed shall not re-enter the Polling Centre. The Presiding Officer may order the removal of a person or dispersal of any gathering of persons, which appears to him to hinder free access to and from the Polling Centre or to be intimidating or interfering with voters, and any such orders shall be sufficient for a Presiding Officer or any other person authorized to effect the necessary action.

## **ARTICLE 36: DESCRIPTION OF NOMINATIONS DAY ELECTION PROCESS**

- (1). Nomination polling shall commence at 8.00 a.m. at each Polling Centre and close at 5.00 p.m. for both electronic and physical voting.
- (2). The Polling Centre shall be at a location to be determined by the Board in consultation with the County Nomination Advisory Board.
- (3). The Presiding Officer may, with the NEB close a polling station if there is a security threat.
- (4). The Presiding Officer may, in consultation with the NEB, extend nomination if there are voters still on the queue after polling time has lapsed or to compensate for the time the polling station was closed.
- (5). After voting, the voters shall immediately leave the polling station.
- (6). Before the commencement of voting the Presiding Officer shall:
  - (a) Explain to the agents the procedure of the nomination exercise;
  - (b) Ensure that no voter has an opportunity to vote more than once;
  - (c) Ensure orderly voting exercise;
  - (d) In consultation with County Nominations Advisory Board ensure strict observance of law and order to facilitate free and fair nomination;
  - (e) Immediately before the commencement of balloting, show the ballot box or all ballot boxes to those persons lawfully present in the Polling Centre, and shall allow the candidates and/or their agents as may wish to do so, to ascertain that the boxes are empty;
  - (f) After ballot boxes are ascertained that they are empty, shall cause them to be sealed and placed in the Polling Centre at a place that they can at all times be in the view of himself/herself or an Assistant Presiding Officer and candidates or their agents; and
- (g) Allow agents to verify that the Ballots papers are serialized. Ensure that all ballot papers be official stamp of the Party.

- (7). Nomination is deemed to have commenced once the presiding officer declares the polling center officially open; provided that if the station is not opened by 10am the County Advisory & Elections Panel shall advise NEB to cancel the nominations at that polling station. The NEB shall designate another nomination day.
  
- (8). There shall be no campaigning or any form of intimidation or influence or coercion or collusion whatsoever within the vicinity of the Polling Centre on the nomination day;
  
- (9). Voting shall be by secret ballot;
- (10). All eligible voters shall be on the Principal and/or the Party Recruitment Register and identify themselves by holding their National Identity Cards, and at the discretion of NEB in lieu of appearing on either register may confirm their membership and eligibility to vote using the Party membership card and allow the member to vote.
- (11). Where only one candidate presents himself or herself there shall be no voting exercise and such candidate shall be declared as duly nominated. The presiding officer shall close the polling center at 5 pm, seal the ballot boxes in the presence of the agents and report to the NEB.

## **PART VIII: FEES AND FINANCES**

### **ARTICLE 37:** **NOMINATION FEES**

- (1). Pursuant to these Rules, the nominations fees for the various positions shall be as hereunder or revised or reviewed from time to time by the NGC:
  - (a) President: Kenya Shillings One Million (KShs 1,000,000/=);
  - (b) Governor: Kenya Shillings Three Hundred Thousand (Kshs 300,000/=);
  - (c) Woman Governor: Two hundred thousand Kenya shillings (200,000)
  - (d) Youth Governor: Two hundred thousand Kenya Shillings (200,000)
  - (e) Persons with Disabilities - Governor: One hundred and fifty thousand Kenya Shillings (150,000)
  - (f) Senator: Kenya Shillings One Hundred fifty Thousand Kenya Shillings (KShs 150,000/=)
  - (g) Woman Senator: One hundred thousand Kenya Shillings (100,000)
  - (h) Youth Senator: One hundred thousand Kenya Shillings (100,000)
  - (i) Persons with Disabilities - Senator: Seventy Five thousand Kenya Shillings (75,000)
  - (j) National Assembly: One Hundred Fifty Thousand Kenya Shillings (KShs 150,000/=)
  - (k) Youth - National Assembly: One hundred Thousand Kenya Shillings (100,000)
  - (l) Women - National Assembly: One hundred Thousand Kenya Shillings (100,000)

- (m) Persons with Disabilities – National Assembly: Seventy five thousand Kenya Shillings (75,000)
  - (n) Woman Representative: Kenya Shillings One Hundred Thousand (Kshs 100,000/=);
  - (o) Member of County Assembly: Fifty Thousand Kenya Shillings (Kshs 50,000)
  - (p) Woman - MCA: Thirty thousand Kenya shillings (Kshs 30,000)
  - (q) MCA Youth: Thirty thousand Kenya shillings (Kshs 30,000)
  - (r) MCA - PWDs: twenty thousand Kenya shillings (Kshs 20,000)
- (2). The NGC may issue directions for the better carrying into the effect of these Rules and without prejudice to the generality of the foregoing, orders issued under this rule may make provisions for:
- (a) The designation under certificate or notification of designated Polling Centers.
  - (b) The procedure for appeals; and
  - (c) The scale of allowances for nomination officials and delegates.

## **PART IX: VETTING /QUALIFICATIONS OF ASPIRING CANDIDATES**

### **ARTICLE 38: NOMINATION OF PRESIDENTIAL CANDIDATE**

The nomination of PSP-K Presidential Candidate shall be by the **Special National Delegates Congress (SNDC)** as described in Article 14(2) of the party's constitution.

The Presidential candidate must:

1. Be a Kenyan citizen by birth
2. Qualify to stand for election as a member of parliament.
3. Be a member of the party for a period not less than one year prior to his nomination.
4. Be a holder of a National identity card
5. Be a registered voter in any county in the Republic of Kenya.
6. Be 21 years and above.
7. Pay nomination fees in the amount of Ksh 1,000,000/=.
8. Sign the Party code of conduct and abide by the Party pledge of commitment 9. Be nominated by at least **1000** duly registered voters from at least 24 counties each.
10. Must not owe allegiance to any foreign state.
11. Must have attained **Gold membership** in the party.
12. Must Submit:
  - a) A clearance certificate from Kenya revenue Authority (KRA)
  - b) A clearance certificate from Higher Education Loans Board (HELB)

- c) A clearance certificate from Ethics and Anti-corruption commission (EACC)
- d) Certificate of good conduct
- e) A certified proof of the applicants National Elector Card
- f) A Certified copy of the applicants Identity Card
- g) A Certified proof of the name of the branch to which the applicant belongs.
- h) Such non-refundable fee in cash or banker's cheque or other approved mode of payment as may be determined by the National Executive Committee as Nomination fee.
- i) Be a holder of a university degree from a recognized university in Kenya.

## **ARTICLE 39: NOMINATION OF COUNTY GOVERNOR**

- 1) The Board shall make an advertisement in the local daily to call for candidate to offer themselves for PSP-K Governorship nomination exercise;
- 2) Registration of interested candidates shall be done at the National Secretariat in a prescribed form accompanied by registration fees as determined by Board;
- 3) A person applying to be considered for nomination as a County Governor must possess all the relevant qualifications as per the Constitution of Kenya 2010, The Elections Act, the party Constitution and all other relevant provisions of the Law;

### **7.1 Qualifications**

- a. Be a member of PSP-K for a period not less than three (3) days prior to nomination.
- b. Be a Kenyan citizen and a holder of National Identity card or a Kenyan passport as may be prescribed by law.
- c. Be a registered voter.
- d. Be 18 years and above
- e. Be conversant with and subscribe to the party ideology, philosophy, mission and values.
- f. Be qualified to stand in an election which he seeks under chapter Six of the National Constitution
- g. Sign the party of code of conduct and abide by the party pledge of commitment.
- h. Pay nomination fees in the amount of **Ksh 200,000/=**. This amount may be waived or reduced to take in to account special interest groups.
- i. Submit Curriculum vitae in the prescribed form and valid certificate of good conduct.
- j. Be qualified to be a governor of a county
- k. Demonstrate commitment to the party.

- l. Not owe allegiance to any foreign state
- m. Submit a clearance certificate from Kenya Revenue Authority (KRA)
- n. Provide a clearance certificate from HELB
- o. Submit a clearance certificate from EACC
- p. Is a holder of a degree from a university recognized in Kenya
- q. Attaining Gold, Silver or Bronze membership will be an added advantage

## **ARTICLE 40: NOMINATION OF MEMBER OF COUNTY ASSEMBLY**

There shall be nomination of county representatives. Candidates applying for such nominations will be required to have the following qualifications:

### **8.1 Qualifications**

- a) Be a member of PSP-K for a period of not less than three (3) days prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter in the county in which he/she intends to contest
- d) Be eighteen years and above.
- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- f) Demonstrate commitment to the party.
- g) Sign the party Code of Conduct and abide by the Party Pledge of Commitment.
- h) Pay nomination fees in the amount of **Ksh 30,000=**. This amount may be waived or reduced to take in to account special interest groups.
- i) Submit a CV in a prescribed form and a valid Certificate of Good Conduct.
- j) Be qualified to be a candidate for the position of Woman MP as per relevant National legislation.
- k) Not owe allegiance to a foreign state.
- l) Demonstrate commitment to the Party.
- m) Be nominated by at least **500 registered** voters who are also registered members of the Party from all the Constituencies within the County.
- n) Submit a clearance certificate from KRA.
- o) Provide a clearance certificate from HELB
- p) Submit a clearance certificate from EACC.
- q) Should hold a post-secondary school qualification recognised in Kenya.

## **ARTICLE 41: NOMINATION OF SENATOR**

- a) One who requires vying for the position of a senator shall be required to meet the provisions of PSP-K constitution.

### **9.1 Qualifications**

- I. Be a member of PSP-K for a period of not less 3 days prior to the date of nomination

- II. Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- III. Be a registered voter in the country in which he/she intends to contest.
- IV. IV. Be eighteen years and above.
- V. Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- VI. Sign the party code of conduct and abide by the party pledge of commitment
- VII. Pay nomination fees in the amount of Ksh **150,000/=**. This amount may be waived or reduced to take in to account special interest groups.
- VIII. Submit Curriculum Vitae in a prescribed form and a valid certificate of good conduct
- IX. Be qualified to be a candidate for the position of a senator as per the national legislation.
- X. Not owe allegiance to a foreign state
- XI. Not be a public officer or be acting in any state of public office
- XII. Submit a clearance certificate from KRA XIII. Provide a clearance certificate from HELB.
- XIV. Submit a clearance certificate from EACC.

## **ARTICLE 42: NOMINATION OF PARLIAMENTARY CANDIDATES**

Each applicant for Parliamentary nomination in PSP-K shall meet similar conditions as those of the Presidential candidate except that the parliamentary candidate shall be nominated by at least **1000** registered voters who are also registered members of the party in the Sub-branch (constituency)

### **10.1 Qualifications**

- a) Be a member of PSP-K for a period not less than three (3) days prior to nominations'
- b) Be a Kenyan citizen by birth and a holder of National Identity card or a Kenyan passport as may be prescribed by law.
- c) Be a registered voter in any constituency in his county.
- d) Be 18 years and above
- e) Be conversant with and subscribe to the party ideology, philosophy, mission and values.
- f) Be qualified to stand in an election which he seeks under chapter Six of the National Constitution
- g) Sign the party of code of conduct and abide by the party pledge of commitment.
- h) Pay nomination fees in the amount of **Ksh 150,000/=**. This amount may be waived or reduced to take in to account special interest groups.
- i) Submit Curriculum vitae in the prescribed form and valid certificate of good conduct.
- j) Be qualified to be a parliamentary candidate.
- k) Demonstrate commitment to the party.
- l) Not owe allegiance to a foreign state
- m) Submit a clearance certificate from Kenya Revenue Authority (KRA)
- n) Provide a clearance certificate from HELB

- o) Submit a clearance certificate from KACC
- p) Be a holder of a degree from a university recognized in Kenya.
- q) Attaining **Gold, Silver or Bronze** membership will be an added advantage

#### **ARTICLE 43: NOMINATION OF WOMEN REPRESENTATIVE**

There shall be a Women League Constituted by female members of PSP-K who subscribe to the League at all structures of the party.

The Women Representative therefore must be a member of such league in her respective level of structure to qualify for nomination and election.

##### **11.1 Qualifications**

- r) Be a member of PSP-K for a period of not less than three (3) days prior to the date of nomination
- s) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- t) Be a registered voter in any part of the country
- u) Be eighteen years and above.
- v) Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- w) Demonstrate commitment to the party.
- x) Sign the party Code of Conduct and abide by the Party Pledge of Commitment.
- y) Pay nomination fees in the amount of Ksh 150,000/=.
- z) Submit a CV in a prescribed form and a valid Certificate of Good Conduct.
- a) Be qualified to be a candidate for the position of Woman MP as per relevant National legislation.
- b) Not owe allegiance to a foreign state.
- c) Demonstrate commitment to the Party.
- d) Be nominated by at least **1000 registered** voters who are also registered members of the Party from all the Constituencies within the County.
- e) Submit a clearance certificate from KRA.
- f) Provide a clearance certificate from HELB
- g) Submit a clearance certificate from EACC.
- h) Should hold a post-secondary school qualification recognised in Kenya.

#### **ARTICLE 44: YOUTH REPRESENTATIVE**

There shall be a Youth League constituted by youth of either gender (male or female) members of RBK who subscribe to the League at all levels of the party structure

##### **12.1 Qualifications**

- a) Be a member of PSP-K for a period of not less than three (3) months prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter in the country in which he/she intends to contest
- d) Be (18) eighteen to (35) thirty-five years.

- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values. Pay nomination fees as shall be determined by NEB.
- f) Demonstrate commitment to the party.

## **ARTICLE 45: REPRESENTATIVE PERSONS WITH DISABILITY**

There shall be a League of people with disability at all levels of the party structure.

### **13.1 Qualifications**

- a) Be a member of PSP-K for a period of not less than three (3) months prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter
- d) Be eighteen years and above.
- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values. Pay nomination fees in the amount of Ksh 15,000/= or any amount as shall be determined by NEB.
- f) Demonstrate commitment to the party

## **ARTICLE 46: NOMINATION PROCEDURES**

1. In accordance with the General Elections Calendar as provided for in Law and published by IEBC, or in the event of a by-election, the board shall cause to be published, a notice inviting and requiring members to make recommendations and interested persons to apply for nomination as party candidates in either general or by- elections, provided that: -
  - i) The party leader shall receive automatic/direct/unopposed nomination to the seat he/she intends to vie for; and
  - ii) The party shall be at liberty to undertake direct nomination and proceed to issue a certificate in respect of certain candidates upon the NEC considering their popularity and probability of success in their bid to capture the desired seat.
2. All aspirants shall swear, sign and affirm to the People Salvation Party of Kenya Integrity and Rapid Development Oath. This oath as prescribed in appendix 5 shall be undertaken before a commissioner for oaths and witnessed by a member of the NEC so appointed. The oath shall read as follows

### **Naapa**

- **Kupigana Na Ufisadi**
- **Sitapewa au kupeana Hongo**
- **Sitakula Mali ya Uma**

➤ **Sitakuwa na ukora na tama ya Wanasiasa**

- **Nitahimiza jitihada za amani na Umoja**
- **Nitapinga ukabila- sis ni watoto wan chi ya Kenya**
- **Nitafanya kazi kwa bidii nikiyajali maslahi ya Mwananchi kwanza**
- **Nitajiuzulu nikipatikana na hatia ya ufisadi au ulegevu wa kazi.**

3. The recommendations and applications in writing shall be made to the National Nominations and Elections Board;
4. The Branch Executive Committee may receive such applications at the local level on behalf of the Board provided the officials are not interested parties in the nomination exercise;
5. Upon receipt of the recommendations/applications, the Branch Executive Committee shall forthwith transmit all such recommendations and/or applications to the Board;
6. The board shall tabulate the recommendations and or applications and indicate the gender of each aspirant;
7. The Board shall then cause a list of all the applicants to be appropriately published and displayed;
8. The Board shall prepare the final list of the recommended candidates and applicants and submit the same to the NEC;
9. NEC shall consider the names thus presents in accordance with Article 4 (10) of these rules;
10. If the NEC shall be satisfied with the list, it shall endorse and certify the list and submit it board;
11. Where two or more aspirants show interest in the contesting for the party ticket for any position, the board shall employ of the following methods to determine the party candidate; -
  - (i) Build consensus among the aspirants to support one of them;
  - (ii) Undertake independent research or opinion polling to determine the most popular candidate;
  - (iii) In the event the candidates are not able to agree on any of the above, the board shall proceed to conduct free, fair and democratic nomination exercise;

12. The date, Venue and officials overseeing the nomination exercise at the national, county, constituency and ward levels shall be published within reasonable time to ensure transparency;
13. Unless otherwise decided by the board or its appointed officers in consultation with party aspirants, voting during nominations shall be done at the polling station level;
14. The board shall have power to recruit returning officers, presiding officers, clerks and other officials for the smooth and democratically running of the nomination exercise provided such recruitment is done transparently and not to the advantage of one aspirant;
15. Only card bearing members of the party, whose names appear in the party register shall be eligible to vote;
16. Each such member of the party shall have one vote and shall cast the same by secret ballot;
17. Every candidate for nomination shall have the right to appoint two agents at the election and the counting of the votes;
18. The votes shall be counted at the polling station where they are cast in the presence of the candidate/agent, provided that in the event of the candidate and/or the candidate's agent refusing or failing to be present at the counting at the time required, the Presiding Officer may take note of such absence/failure/refusal and proceed with the counting as if such candidate were present;
19. The Presiding Officer shall announce the results at the polling station and all the candidates and or their agents present will confirm the result by endorsing and signing the tally of votes cast on a form to be provided;
20. The results shall then be relayed to a constituency tallying centre in respect of MNA and MCA and to a County Tallying Centre in respect of Women Representative, Senate and Governor positions for tallying provided the venues for the tallying will have been made public in advance;
21. Upon tallying and verification of the same by the candidates and or their agents, the relevant returning officer shall announce the results and declare the candidate in whose favour most votes have been cast to be the winner;
22. If any candidate and/or agent refuses/fails to certify the totals as correct the presiding or returning officer, as the case may be, shall make note of such refusal and record the grounds for refusal and certify and sign the results provided a returning officer may announce the results even where a candidate disputes them awaiting appeal;
23. After declaration of the winner, the returning officer shall relay the results, the signed tallying form, any objections and a personal report of the entire exercise to the chairperson of the board;
24. Upon receipt of the aforesaid, the Chairperson of the Board shall, table the same to the board for discussion, adoption, correction and or rejection;

25. If satisfies that the nomination has been conducted in accordance with these rules, the party constitution and the rules of natural justice, the Election Board shall endorse and confirm the nomination of the candidate and relay the same to the NEC for consideration under Article IV;
26. Upon NEC being satisfied with the exercise and results thereof, the board will proceed to issue a nomination certificate to the winner as provided for under these rules for submission to IEBC;
27. These nomination rules can be amended and re-filed with the Registrar of political parties, after being adopted by the NEC before the date of the nomination exercise. The amended rules would automatically replace the old rules and would be applicable in all process and litigations;
28. The party can give direct nominations to certain candidates on submissions to the NEC based on an objective criteria of promoting the core values of the party and on the viability of the candidate to win.

## **PART X: NOMINATION PROCESS**

### **ARTICLE 47: NOMINATION PROCESS**

- (1). The Board shall announce the Nomination Day or Days, which shall be within a reasonable time within which parties are required to have nominated candidates.
- (2). The National Elections Board shall ensure that all electoral materials in either electronic or paper form necessary for the conduct of the nomination process under these rules shall reach designated polling centers within reasonable time before the commencement of the nomination process, unless unable to do so for reasons of circumstances beyond their control.
- (3). If materials do not reach polling centers within the stipulated period, the Board shall communicate the same to the NGC who shall give directions on the actions to be taken therefor.
- (4). Each Returning and Presiding Officer shall sign a certificate of receipt of paper form materials received for conduct of nominations within their jurisdiction.
- (5). Except for the Presiding Officer, other election officials, Administration and security officers, candidates and accredited agents, and/or persons necessarily assisting blind and incapacitated voters, persons who do not qualify as voters shall not be allowed to enter or to vote in that Centre nor shall such persons be eligible or permitted to remain within polling premises.

- (6). Any candidate, who on nomination day either by himself/herself, his/her agents or supporters engages, permits or condones any acts of violence, whatsoever and howsoever shall be disqualified. The Presiding Officer shall record and report on such behavior to NEB and police. NEB will institute disciplinary proceedings within 24 hours with National Disciplinary Committee. The dispute shall be determined within 3 days.
  
  
  
- (7). The Presiding Officer shall admit to the Polling Centre at least two agents of each candidate, and may admit as many more agents as in his/her discretion thinks fit; but he/she may refuse admission to a person claiming to be an agent for a candidate if that person does not produce a letter of appointment as agent signed by the candidate.
  
  
  
- (8). If any person misbehaves in a Polling Centre or fails to obey the lawful instructions or orders of the Presiding Officer, they may immediately be removed by order of the Presiding Officer and a person so removed shall not re-enter the Polling Centre. The Presiding Officer may order the removal of a person or dispersal of any gathering of persons, which appears to him to hinder free access to and from the Polling Centre or to be intimidating or interfering with voters, and any such orders shall be sufficient for a Presiding Officer or any other person authorized to effect the necessary action.

#### **ARTICLE 48: DESCRIPTION OF NOMINATIONS DAY ELECTION PROCESS**

- (1). Nomination polling shall commence at 8.00 a.m. at each Polling Centre and close at 5.00 p.m. for both electronic and physical voting.
- (2). The Polling Centre shall be at a location to be determined by the Board in consultation with the County Nomination Advisory Board.
- (3). The Presiding Officer may, with the NEB close a polling station if there is a security threat.
- (4). The Presiding Officer may, in consultation with the NEB, extend nomination if there are voters still on the queue after polling time has lapsed or to compensate for the time the polling station was closed.
- (5). After voting, the voters shall immediately leave the polling station.
- (6). Before the commencement of voting the Presiding Officer shall:
  - (g) Explain to the agents the procedure of the nomination exercise;
  - (h) Ensure that no voter has an opportunity to vote more than once;
  - (i) Ensure orderly voting exercise;
  - (j) In consultation with County Nominations Advisory Board ensure strict observance of law and order to facilitate free and fair nomination;
  - (k) Immediately before the commencement of balloting, show the ballot box or all ballot boxes to those persons lawfully present in the Polling Centre, and shall allow the candidates and/or their agents as may wish to do so, to ascertain that the boxes are empty;
  - (l) After ballot boxes are ascertained that they are empty, shall cause them to be sealed and placed in the Polling Centre at a place that they can at all times be in the view of himself/herself or an Assistant Presiding Officer and candidates or their agents; and

- (g) Allow agents to verify that the Ballots papers are serialized. Ensure that all ballot papers bear the official stamp of the Party.
- (7). Nomination is deemed to have commenced once the presiding officer declares the polling center officially open; provided that if the station is not opened by 10am the County Advisory & Elections Panel shall advise NEB to cancel the nominations at that polling station. The NEB shall designate another nomination day.
- (8). There shall be no campaigning or any form of intimidation or influence or coercion or collusion whatsoever within the vicinity of the Polling Centre on the nomination day;
- (9). Voting shall be by secret ballot;
- (10). All eligible voters shall be on the Principal and/or the Party Recruitment Register and identify themselves by holding their National Identity Cards, and at the discretion of NEB in lieu of appearing on either register may confirm their membership and eligibility to vote using the Party membership card and allow the member to vote.
- (11). Where only one candidate presents himself or herself there shall be no voting exercise and such candidate shall be declared as duly nominated. The presiding officer shall close the polling center at 5 pm, seal the ballot boxes in the presence of the agents and report to the NEB.

## **PART XI: COUNTING OF VOTES**

### **ARTICLE 49: COUNTING OF VOTES**

- (1). The presiding officer shall conduct the vote count, reseal the ballot boxes, enter results in the Results Form, signs together with all agents the results form, announce the results and submit the Result Forms and ballot boxes to the respective Electoral Returning Officer.
- (2). The presiding officer may recount once the votes upon request by an aggrieved candidate or agents.
- (3). The returning officer shall collate the electoral area results, tabulate, verify correctness, anno each candidates' votes, announce the winner and issue Results Certificate to NEB and issue candidate with the winning votes the Results Certificate. Such Results Certificate shall be provisional.
- (4). Upon verification and or resolution of any disputes, the NEB shall issue the winning candidate a Nomination Certificate.

- (5). The voting materials shall be stored and secured by the Returning Officer, unless directed by the NEB to surrender the same to it.

## **ARTICLE 50: DUTY OF PRESIDING OFFICER OF POLLING CENTER**

(1). The Presiding Officer on completion of counting of votes shall:

- (a) record the results on the Polling Centre Results Form;
- (b) immediately require each candidate or his/her agent to countersign the Form;
- (c) ensure that failure of refusal by a candidate to countersign the certificate shall be made in the Polling Center Results Form.

(2). The Presiding Officer shall submit the original signed Results Certificate to the respective Returning Officer.

## **ARTICLE 51: DUTIES OF RETURNING OFFICER OF AN ELECTORAL AREA**

The Returning Officer for each Electoral Area shall on receipt at the Polling Center Results Forms from each Polling Centre:

- (a) tally the results and record the results on the respective Preliminary Results Certificate;
- (b) require each Presiding Officer to witness the entry of his/her Polling Centre results on the Electoral Area Results Form;
- (d) add up the nomination figures, require the Agents for each candidate, if present, to witness the entry of the results and sign the respective Preliminary Results Certificate and announce the results for the electoral area;
- (e) issue the winning candidate with a Preliminary Certificate of Election. Provided, however, that the Preliminary Certificate shall merely be *prima facie* evidence of the results and shall not be a Certificate of Nomination by the Party; and
- (f) submit all the records of the nomination exercise to the National Elections Board as directed by the Board.

## **ARTICLE 52: RIGHT OF APPEAL AGAINST RESULTS**

A candidate who is aggrieved by the results may appeal to the relevant Appeals Tribunal within 24 hours of the nomination results being announced by the Returning Officer.

## **ARTICLE 53: PARTY NOMINEE TO BE ISSUED WITH CERTIFICATE**

The winner of the nomination will be issued with a prescribed certificate by the National Elections Board not more than 48 hours after the announcement of the results or after an appeal contesting the nomination results has been resolved.

## **ARTICLE 54: MATERIAL TO BE SEALED AND KEPT IN SAFE CUSTODY**

The elections materials shall be sealed and preserved by the Returning officer for onward transmission to the National Elections Board Office.

## **ARTICLE 55: PROCEDURE WHERE CANDIDATES TIE**

In the event that there is a tie in the votes cast during the nomination process for any position, the candidates who received the greatest number and second greatest number of votes shall be subject to, as directed by NEB,

- (a) to a single recount of votes; and
- (b) if the recount still results in a tie, to order a fresh election which shall be held after the recount.

## **ARTICLE 56: COMPLAINTS**

- (1) Elections and nominations complaints proceedings shall be heard and determined in the first instance, by the respective County Elections and Advisory Panels;
- (2) The County Elections and Advisory Panels shall be appointed by the NEB in accordance with the Party constitution and shall ensure compliance with the two thirds gender rule;
- (3) The complaints shall be lodged with the respective Panel within 24 hours of the occurrence of the complaint or decision in the prescribed form;
- (4) The Panel shall receive and review the decisions within 24 hours;
- (5) The Panel has powers to make any of the following decisions:
  - a. Dismiss the complaints;
  - b. Uphold the complaint;
  - c. Order a recount of the votes;
  - d. Advise the NEB to annul and conduct fresh elections or nominations;
- (6) Any person aggrieved by the decisions of the County Elections and Advisory Panels, may appeal to the Appeals Tribunal within 24 hours in the prescribed form.

## **PART XII: APPEAL**

### **ARTICLE 57: APPEALS PROCESS**

- (1). Any person not satisfied with a decision of the County Nominations Tribunal shall be entitled to appeal to the Appeals Tribunal;
- (2). The Appeals Tribunal is set up by the party constitution comprising of not less than 5 members, two-thirds of whom shall not be of the same gender and appointed by the NGC;
- (3). Any person not satisfied with a decision of the Appeals Tribunal shall be entitled to an appeal to the Appeals Tribunal.
- (4). The decision of the Appeals Tribunal on such appeals shall be final.

- (5). Should the election be found to be flawed and therefore null and void, the National Elections Board shall announce the dates and venue for fresh elections and conduct such repeat elections in the manner prescribed above.
  
- (6). Should the Appeals Tribunal conclusively on the basis of overwhelming evidence establish the winner of a nomination process the subject of which forms the substance of a compliant before it, it shall have the mandate to declare such a winner.
  
- (7). The Appeals Tribunal may, upon proof being shown that a candidate has secured his nomination through undue influence, corruption or other fraudulent means, set aside and nullify such nomination and its decision shall be final. Returning/presiding officers shall file duly signed returns with the Appeals Tribunal not later than two (2) days after the announcement of results.

## **ARTICLE 58: FUNCTIONS AND POWERS OF APPEALS TRIBUNAL**

- (1). The functions of the National Nominations Appeals Tribunal shall be to:
  - (a) Receive and hear appeals from aspirants for Presidential, Parliamentary, Gubernatorial and County Assembly
  - (b) Receive and hear appeals from applicants/candidates for various National and Senate Party Lists provided for in these Rules;
  - (c) Determine each case objectively on its merit; and
  - (d) Make a determination and render a decision in relation to the matters and appeals within a reasonable time. The determination shall be communicated at the earliest opportunity to the relevant Party organs .
  
- (2). The powers of the Appeals Tribunal shall be as provided in the constitution in addition to the following:
  - (a) Peruse and consider, where available, originals or copies of all relevant records in relation to the matters before the tribunal for determination;
  - (b) Interview any officials directly involved in the nomination exercise, who it deems necessary or expedient to interview for the resolution of the appeal;
  - (c) Take evidence from witnesses, who it deems necessary or expedient to take evidence from for the resolution of the appeal;
  - (d) Call for originals or copies of all relevant records in relation to the matters before the tribunal for determination;
  - (e) Consider an appeal on the basis of documents available to it and written statements from witnesses, officials and aspirants, without calling for oral evidence, where it so deems it meet and expedient;
  - (f) Seek a negotiated and amicable resolution of the matter or appeal, this being the preferred methodology of resolution of appeals;
  - (g) Where a negotiated or amicable resolution of the matter or appeal is not possible, or cannot be procured within reasonable time, then the tribunal shall render a decision;

- (h) A negotiated and amicable resolution of the matter or appeal may be attempted even after a decision has been made by the tribunal;
- (i) Annul an election and order a fresh nomination election where practicable;
- (j) Reverse the election result, and or declare the appellant the winner of the election and nominee elect;
- (k) Decline to interfere with the results of the nomination election, and or up- hold the results.

#### **ARTICLE 59: DECISIONS OF THE APPEALS TRIBUNAL**

- (1). The decision of the Appeals Tribunal shall be final and binding to the parties unless it is overturned by the Political Parties Tribunal or Courts.
- (2). Within the Party, the decision of an Appeals Tribunal shall be final provided that all decisions shall be subject to the intervention and/or annulment or reversal of the National Elections Board of its own motion which intervention or reversal shall be the final decision of the Party in relation to nominations.

#### **PART XIII: NOMINATIONS FOR PARTY LISTS**

#### **ARTICLE 60: PARTY LISTS**

Criteria of election of members for National Assembly, Senate and County assemblies for Party list seats specified under Article 97(1) (c and 98(1)(b) (c) and (d) and article 177 (1) (b) and (c) of the National Constitution shall be on the basis of proportional representation and in accordance with article 90 of the constitution;

PSP-K shall submit its party list to the IEBC upon National Executive Committee checking and endorsing the same;

The party list shall contain alternatives between male and female candidates and shall prioritise a person with disability, the youth and any other candidate representing a marginalised group;

4. Only persons with demonstrable active contribution to the party shall qualify to be in the party

## **PART XIV – PARTY CAUCUSES**

### **ARTICLE 61: PSP-K PARLIAMENTARY GROUP**

1. There shall be a PSP-K parliamentary group which shall be a caucus of Members of National Assembly and Senate elected on the PSP-K ticket or nominated by the Party to the respective Houses
2. The national Chairperson shall within fourteen days of the declaration of results of a general election convene a meeting of the PSP-K parliamentary group at a place specified in the notice of the meeting at which the agenda shall be:
  - a) Election by secret ballot of the Leader of PSP-K Parliamentary Group
  - b) Election by secret ballot of the Deputy Leader of PSP-K parliamentary Group
  - c) Elections by secret ballot of the PSP-K Chief Whip
  - d) Election by secret ballot of the Deputy PSP-K chief whip and Secretary to the parliamentary Group.
3. A member of the National Assembly or Senate shall not without justification oppose Party positions and Policy in Parliament. PROVIDED a member shall not be construed to have opposed a Party position where the same was not communicated to him in writing by the Chief Whip.
4. A member of the National Assembly or Senate who opposes Party positions on more than three occasions shall be de-whipped and reported to the National steering Committee for disciplinary proceedings to be initiated.
5. Without prejudice to the foregoing, Party Positions shall be agreed on at meetings of the PSP-K Parliamentary Group wherein decisions on any matter shall be determined by consensus or simple majority vote.

### **ARTICLE 62: CONGRESS OF GOVERNORS**

1. There shall be an informal caucus of Governors elected on PSP-K ticket to be known as the Congress of Governors which shall meet once every quarter of a year at a place determined by the National Chairperson.
2. The congress of Governors shall review and advise the party on challenges of devolution of power and resources
3. The president of Kenya if he is a Member of PSP-K, or the PSP-K presidential Candidate, in the last general election if still a Member, shall be invited to the Congress of Governors.
4. The Governor's congress shall propose and receive such help from the Party Advisory and or Working Committees as would enhance the effective discharge of their mandates.

## **ARTICLE 63: PSP-K MEMBERS OF COUNTY ASSEMBLY (MCA)**

1. The Members of each County Assembly elected on a PSP-K ticket shall constitute themselves into a Caucus to be known as the PSP-K MCA Caucus
2. The Branch Chairperson shall within fourteen days after the declaration of county elections convene a meeting of all Members of the respective county assembly elected on a PSP-K ticket
3. The agenda of the meeting shall be
  - a) The election of a Caucus leader
  - b) The election of a Whip
4. The PSP-K MCA shall, in the discharge of their mandate as Members of the County Assembly, endeavour at all times to advance the Party position, objectives and ideologies.
5. There shall be an informal National Conference of Members of county assemblies elected on a PSP-K ticket which shall meet annually but not later than the 31<sup>st</sup> of December at a place determined by the National Chairperson.
6. The conference shall review and consolidate the Party's strength in the county Governments and Assemblies.
7. The President of Kenya if he is a Member of PSP-K, PSP-K Senators, PSP-K members of the National Assembly and all PSP-K Governors shall be invited to the conference.
8. **Qualifications for nominating a member of County assembly:**
  - a) A person qualifies for nomination as a member of County assembly if the person:
  - b) Is registered as a voter in the county he intends to vie.
  - c) Satisfies any educational moral and ethical requirements prescribed in the party constitution, National Constitution and Election Act 2011.
  - d) Nominated by at least 500 registered members of the party in his County.
  - e) Has not been a member of national electoral commission within the five years immediately before the date of election
  - f) Gold, Silver or Bronze member will be an added advantage for such qualification.

## **ARTICLE 64: THE PROFESSIONAL CAUCUS/STAKEHOLDERS**

1. There shall be a party Professionals Caucus.
2. The Party's Professional Caucus shall consist of such persons with expertise or skills and experience in a particular field and who subscribe to and support the Party's vision, philosophy, ideals and policies and who are otherwise not members of any of the organs and are ready and willing to support the Party programs intellectually and materially and shall meet at such time and place as determined by the National Executive Committee.
3. Members of the party's professional caucus shall organise themselves in a way they consider most efficient.
4. The resolutions of the caucus shall be made available to the NEC for purposes of incorporation in the activities, programs and projects of the party.
5. The NEC shall facilitate and attend the party professional caucus

## **PART XV: GENERAL PROVISIONS**

### **ARTICLE 65: MANAGEMENT OF ELECTORAL MATERIALS**

- (1). All documents relating to a nomination shall be declared and forwarded by the Presiding Officer to the Party Headquarters as and when directed by the Board unless the Director of Elections otherwise directs, be destroyed after a period of not less than six months from the date of such nomination except where the nomination is under appeal.
- (2). Documents retained under this Rule, other than ballot papers shall be made available for inspection by any member of the Party upon a request made by him/her at such time and subject to such costs and conditions as may be decided by the NEB

### **ARTICLE 66: NOMINATION AND ELECTION OFFENCES**

1. Soliciting or receiving bribes to encourage voting for a candidate
2. Hate speech targeting the opposing side;
3. Carrying another person's membership card.
4. Destruction of nomination and election materials of the opposing candidate.
5. Use of another person's membership card to vote
6. Prevention, obstruction or barring of a person from voting.

Election offences under Chapter 7 of the Laws of Kenya will lead to warning and disqualification of a member and a candidate in whose favour the offence was done.

**Duties of members during Nominations/elections -**

1. Report election offences as soon as possible to Designated IEBC Security Officer's desks, Designated Peace Committees or the nearest Police Station;
2. Conduct campaigns in a peaceful manner and to ALWAYS adhere to the laws, rules and regulations guiding elections in Kenya;

Participate in the election by coming out

## **ARTICLE 67: CONTRAVENTION OF THESE RULES**

If a Member, employee, or any other person having a duty to perform under these Rules and who without lawful cause contravenes the same by an act or omission of these Rules shall be liable to disciplinary action.

## **ARTICLE 68: AMENDMENT/REVIEW**

These nomination Rules may be amended and/or reviewed by the National Executive Council at least six (6) months before the date set for the general elections and the amended and/or reviewed rules shall be filed with the Registrar of Political Parties, automatically replacing the pre-existing rules, upon which they shall be applicable in all legal and other processes connected herewith

## **SCHEDULE 1 :**

### **LIST OF PARTY NOMINATION DOCUMENTS PROVIDED FOR IN THESE RULES**

- (a) Agents Appointment Letter
- (b) Nomination Guidelines
- (c) Nominations Certificate
- (d) List of Aspirants – to be issued by NEB
- (e) Nominations Application form- to review
- (f) Nomination Results Certificate
- (g) Principal Register – Principal register (develop form for constituency, ward)
- (h) Preliminary Certificate of Election
- (i) Polling Center Results Form
- (j) Register of Voters Residing Outside Kenya if any
- (k) Party Pledge
- (l) Elections / Nominations Appeal Forms

**FORM DR 1****SCHEDULE OATH OF MEMBER OF THE DISCIPLINARY COMMITTEE**

I \_\_\_\_\_ having been appointed Chairman (member) of the Disciplinary Committee do swear that I will without fear or favour, affection or ill-will discharge the functions and duties of the Office of the chairman (member) of the Disciplinary Committee, and that I will not, directly, reveal any matter relating to such functions and duties to unauthorized persons or otherwise than in the course of my duty.

So, help me God.

Sworn at Nairobi: \_\_\_\_\_ )

)

)

)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ )

)

)

)

)

Commissioner for Oaths: \_\_\_\_\_ )

**FORM 1 (ELECTION RETURN)****PEOPLE SALVATION PARTY OF KENYA (PSP-K)****(ELECTION PROCEEDINGS)**

**POLLING CENTRE.....WARD.....**

**SUB BRANCH (CONSTITUENCY)/BRANCH (COUNTY).....**

I .....having presided over the elections in the above electoral unit, do hereby certify that the elections were carried out freely and that the results were as follows: -

**POST.....**

**NO. OF CANDIDATES.....DATE.....**

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTESTANTS
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....

Name of returning officer.....signature.....

POST.....

**NO. OF CONTESTANTS.....DATE.....**

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTESTANT
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....

Name of returning officer.....signature.....

POST.....

**NO. OF CONTESTANTS.....DATE.....**

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTESTANTS
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....

Name of returning officer.....signature.....

POST.....

**NO. OF CONTESTANTS.....DATE.....**

This form is part of the elections documentation, released by PSP-K, chaired by PSP-K Direction of elections and will be used only in accordance with the election rules and party constitution

**FORM 2 (ELECTION RETURN)****PEOPELE SALVATION PARTY OF KENYA (PSP-K)****(ELECTION OFFICE BEARERS)**

I.....have presided over the election for.....

(Polling/ ward) certify that the following persons were elected.

1. Chairman.....
2. Vice Chairman.....
3. Secretary.....
4. Assistant Secretary.....
5. Treasurer.....
6. Assistant Treasurer.....
7. Organizing Secretary.....
8. Assistant Organizing Secretary.....
9. Women Leader.....
10. Ass.Women leader.....
11. Youth Leader.....
12. Ass.Youth Leader.....
13. Committee Member (Female).....
14. Committee Member (Female).....
15. Committee Member (Female).....
16. Committee Member (Youth).....
17. Committee Member (Youth).....
18. Committee Member (man).....
19. Committee Member.....
20. Rep of People with disability.....

Signature of the Returning Officer.....dates..... Full Name of the Returning Officer.....

1. Witnessed by (signature).....date.....
2. Full Name.....
3. Witnessed  
(Signature).....  
Full Name.....

This form is part of the election's documentation, released by PSP-K National Elections Board, chaired by PSP-K Director of Elections and will be used only in accordance with the election rules and party constitution.

**FORM 3 (ELECTION RETURN)****PEOPLE SALVATION PARTY OF KENYA (PSP-K)****(ELECTION OFFICE BEARERS)**

I.....have presided over the election  
for.....

(Constituency of Branch) certify that the following persons were elected.

1. Chairman.....
2. Secretary.....
3. Assistant Secretary.....
4. Treasurer.....
5. Assistant Treasurer.....
6. Organizing Secretary.....
7. Assistant Organizing Secretary.....
8. Women Leader.....
9. Youth Leader.....
10. Ass. Women leader.....
11. Youth Leader.....
12. Ass. Youth Leader.....
13. Committee Member (Female).....
14. 14. Committee Member (Female).....
15. Committee Member (Female).....
16. Committee Member (Youth).....
17. Committee Member (Youth).....
18. Committee Member (man).....
19. Committee Member.....
20. Rep of People with disability.....

Signature of the Returning Officer.....date.....

Full Name of the Returning Officer.....

1. Witnessed by

(signature).....date.....

Full Name.....

2. Witnessed

(Signature).....

Full Name.....

This form is part of the elections documentation, released by PSP-K National Elections Board, chaired by PSP-K Director of Elections and will be used only in accordance with the election rules and party constitution.

**FORM 4 (ELECTION RETURN)****PEOPLE SALVATION PARTY OF KENYA (PSP-K)****(DELEGATES TO THE SPECIAL NATIONAL DELEGATES CONGRESS)**.....**BRANCH DELEGATES**

<b>NAME</b>	<b>MEMBERSHIP NO.</b>	<b>ID NO.</b>
1. CHAIRMAN		
2. SECRETARY		
3. WOMEN LEADER		
4. SECRETARY		
5. YOUTH LEADER		
6. SECRETARY		
7. TREASURER		
8. Persons with Disability/Special interest		

Note: The Branch Chairman, Secretary, Women Leader and Youth leader must be included as Delegates.

This form is part of the elections documentation, released by citizens convention party chaired by Citizens Convention Party Director of elections and will be used only in accordance with the election rules and party constitution.

**FORM 5****SCHEDULES**

## PLEDGE OF COMMITMENT

### **PEOPLE SALVATION PARTY OF KENYA NOMINATION RULES, PART FIVE (Rule 13)**

I \_\_\_\_\_ of \_\_\_\_\_ in the Republic of Kenya wishing to be nominated as a Party Candidate in the \_\_\_\_\_ elections do hereby solemnly swear and pledge as follows:

1. **That I** shall respect, defend and safeguard the Constitution of Kenya and Party constitution and pledge allegiance to both Constitutions.
2. **That I** shall be loyal to my country Kenya and the Party.
3. **That I** shall abide with the Party's motto of Freedom, justice and Truth. I shall support the Party Manifesto and programs and undertake to work for their realization.
4. **That** at all times be guided and shall abide to the party cardinal principles to uphold integrity and strive for rapid development.
5. **That I** believe in the legislative supremacy of Parliament, the independence of the judiciary, the Rule of Law and the establishment of democratic institutions and processes.
6. **That I** shall never conduct or participate in the torture or the political suppression of another human being and shall fully support the repeal and abrogation of the preservation of Public Security Act, the Public order Act, the Chief's authority Act and all other oppressive laws.
7. **That I** shall always defend the respect and observance of human and democratic rights and liberties.
8. **That I** shall accommodate criticism and observe the principles of good and open governance.
9. **That I** shall support free and fair elections within the Party and in Kenya.
10. That I shall oppose and never practice nepotism, clanism or tribalism and shall ensure that the allocation of jobs and services is based on merit
11. **That I** shall oppose and never practice corruption.
12. **That I** shall be transparent in all my business transactions and never allow personal interest to prevail upon the public interest.
13. **That I** shall always defend and protect public property, assets and investments irrespective of whoever is involved in the misuse
14. **That I** shall never practice discrimination against anyone on the basis of race, tribe, colour, gender or religion.
15. **That I** shall swear this pledge on the understanding that I may be disqualified or required to resign from leadership if I contravene the pledge of commitment.

Signed By : \_\_\_\_\_ )

At \_\_\_\_\_ On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ )

Before me: \_\_\_\_\_ )

Commissioner for Oaths)

## **FORM 6**

### **PEOPLE SALVATION PARTY OF KENYA NOMINATION RULES: ARTICLE 19(J) AND PART SIX, RULES (37- 40)**

#### **CERTIFICATE OF NOMINATION**

At the Party Nominations of candidates for..... Elections to be held on .....under the National Assembly and Presidential Election Act (or Local Government Act)..... (Name of candidate) was duly nominated as the Party candidate for the said elections in .....(Kenya/Constituency/Ward).

1. Presidential Elections (or Parliamentary or County Elections).
2. Kenya (or name of Constituency or Ward)
3. \_\_\_\_\_

(Candidate's name and address)

- i. National Identity Card number ii.
- Elector's Card number iii. Party's

membership card number

Dated at Nairobi on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

---

Chairman

Secretary

National Nominations and Elections Committee

**FORM 7****PEOPLE SALVATION PARTY NOMINATION RULES, PART SIX Rules (14-18)****APPLICATION FOR NOMINATION**

1. Name.....
2. Address.....
3. Date and place of birth.....
4. Marital status.....
5. Party membership card no.....Category.....

**Elector's card No**.....

National Identity Card No.....

6. Ward.....

**Sub-branch**.....

Branch.....

7. Seat .....(State Constituency/Ward)

8. Written statement (the statement must include the following:

- I. Detailed account of education
- II. Occupation and nature of past and present occupation
- III. Why you joined the party
- IV. Summary of your philosophy and political beliefs and why you think PSP-K is the right party.
- V. Outline of the aims and objects of PSP-K and what you think should be the party's priorities).

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Signature of Applicant

**FORM 8**

**PEOPLE SALVATION PARTY OF KENYA-NOMINATION RULES, PART III, Article 5  
NOMINATION PAPER.**

Date.....

Nomination of a candidate for.....

Constituency or Ward.....

Candidate's name and Address.....

National identity card no.....

Elector's card no.....

.....  
(Name and signature of candidate)

We, the undersigned, being party members in the constituency/ward do hereby support the nomination of the above-named candidate for.....

**Proposer:**

Name and address.....

National Identity Card No.....

Elector's card number.....

Party membership card number.....

(Name and signature of the proposer) **Seconder:**

Name and address.....

National Identity Card No. ....

Elector's card number.....

Party membership card number.....

.....  
(Name and signature of the seconder)

Names of supporters (give address and particulars of ten supporters and they must sign against their names).

	NAME	ID NUMBER	VOTERS CARD	MEMBERSHIP
			NO.	CARD NO.
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

**FORM 9****PEOPLE SALVATION PARTY OF KENYA NOMINATION RULES, RULE 24  
ELECTION RETURNS**

Nomination for \_\_\_\_\_ (Constituency or ward).

Name of Candidate Nominate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Give address, national identity card, elector's card and party membership card numbers)

**Results**

	NAME	CONTACT	ID NO.	PARTY CARD NO.
1.				
2.				
3.				
4.				
5.				

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**Chairman  
Nominations Board Sub-Branch**



