

# **FORWARD KENYA PARTY CONSTITUTION**

MARCH 2024

## Table of Contents

ABBREVIATIONS .....	6
ARTICLE 1: ESTABLISHMENT.....	7
ARTICLE 2: PREAMBLE .....	7
ARTICLE 2.2 VISION .....	8
ARTICLE 2.3 MISSION STATEMENT .....	8
ARTICLE 2.4 PARTY SYMBOL, SLOGAN, COLOURS, EMAIL ADDRESS & WEBSITE.....	8
ARTICLE 2.5 OFFICES OF THE PARTY .....	8
ARTICLE 2.6 VALUES & PRINCIPLES .....	8
ARTICLE 3: OBJECTIVES.....	8
ARTICLE 4: MEMBERSHIP. ....	9
ARTICLE 4.2 APPLICATION FOR MEMBERSHIP .....	9
ARTICLE 4.3 RIGHTS OF A PARTY MEMBER.....	9
ARTICLE 4.4 DUTIES OF A PARTY MEMBER.....	10
ARTICLE 4.5 TERMINATION OF MEMBERSHIP.....	11
ARTICLE 5: ORGANS OF THE PARTY .....	11
ARTICLE 6: COMPOSITION AND FUNCTIONS OF PARTY ORGANS .....	12
ARTICLE 7: THE NATIONAL GOVERNING COUNCIL (NGC) .....	13
ARTICLE 7.2 FUNCTIONS OF THE NATIONAL GOVERNING COUNCIL: -.....	14
ARTICLE 8: THE NATIONAL EXECUTIVE COMMITTEE.....	14
ARTICLE 8.2 FUNCTIONS OF THE NATIONAL EXECUTIVE COMMITTEE .....	16
ARTICLE 8.3 RIGHTS OF MEMBERS OF THE NATIONAL EXECUTIVE COMMITTEE.....	17
ARTICLE 9: THE NATIONAL STEERING COMMITTEE (NSC).....	17
ARTICLE 9.2 THE ROLES AND DUTIES OF THE NATIONAL STEERING COMMITTEE.....	17
ARTICLE 10: NATIONAL POLICY COMMITTEE.....	18
ARTICLE 10.2 ROLE OF NATIONAL POLICY COMMITTEE .....	18
ARTICLE 11: THE GOVERNORS' CAUCUS .....	18
ARTICLE 12: PARLIAMENTARY GROUP CAUCUS .....	19
ARTICLE 13: COUNTY ASSEMBLY CAUCUS .....	20
ARTICLE 14: THE NATIONAL WOMEN CONGRESS (NWC).....	20
ARTICLE 14.2 FUNCTIONS OF THE NATIONAL WOMEN CONGRESS (NWC) .....	21
ARTICLE 15: THE NATIONAL YOUTH CONGRESS (NYC).....	21
ARTICLE 15.4 FUNCTIONS OF THE NATIONAL YOUTH CONGRESS.....	21
ARTICLE 16: THE COUNTY CONGRESS .....	21
ARTICLE 16.2 FUNCTIONS OF THE COUNTY EXECUTIVE COMMITTEE .....	22
ARTICLE 17: CONSTITUENCY CONGRESS .....	22

ARTICLE 17.2 FUNCTIONS OF THE CONSTITUENCY EXECUTIVE COMMITTEE .....	23
ARTICLE 18: THE WARD CONGRESS.....	23
ARTICLE 18.2 FUNCTIONS OF THE WARD EXECUTIVE COMMITTEE.....	24
ARTICLE 19: POLLING CENTRE MEMBERS COMMITTEE.....	24
ARTICLE 19.2 FUNCTIONS OF THE POLLING CENTRE EXECUTIVE COMMITTEE .....	25
ARTICLE 20: DIASPORA CHAPTER .....	26
ARTICLE 21: NATIONAL ELECTIONS BOARD .....	26
ARTICLE 21.2 FUNCTIONS OF THE NATIONAL ELECTIONS BOARD .....	27
ARTICLE 22: THE NATIONAL SECRETARIAT .....	27
ARTICLE 22.2 DUTIES OF THE NATIONAL SECRETARIAT SHALL BE.....	28
ARTICLE 22.3 PARTY HUMAN RESOURCE STRUCTURE .....	28
ARTICLE 23: THE EXECUTIVE DIRECTOR .....	29
ARTICLE 23.2 VACATION OF OFFICE BY THE EXECUTIVE DIRECTOR .....	29
ARTICLE 24: NATIONAL PARTY OFFICIALS.....	29
ARTICLE 24.2 DUTIES OF PARTY OFFICIALS .....	30
24.2.2 THE DEPUTY PARTY LEADERS .....	31
24.2.3 DEPUTY PARTY LEADER- POLICY AND STRATEGY.....	31
24.2.4 DEPUTY PARTY LEADER-OPERATIONS.....	32
24.2.5 DEPUTY PARTY LEADER- PROGRAMS .....	32
24.2.6 THE NATIONAL CHAIRPERSON .....	33
24.2.7 DEPUTY CHAIRPERSON .....	33
24.2.8 THE SECRETARY GENERAL.....	34
24.2.9 DEPUTY SECRETARY GENERAL.....	34
24.2.10 NATIONAL ORGANIZING SECRETARY .....	34
24.2.11 DEPUTY NATIONAL ORGANIZING SECRETARIES.....	35
24.2.12 NATIONAL TREASURER.....	35
24.2.13 DEPUTY NATIONAL TREASURERS .....	35
24.2.14 SECRETARY FOR WOMEN AFFAIRS .....	35
24.2.15 SECRETARY FOR YOUTH AFFAIRS, SPORTS AND CULTURE .....	36
24.2.16 SECRETARY FOR PERSONS WITH DISABILITIES (PWDS) .....	36
24.2.17 OTHER SECRETARIES.....	36
ARTICLE 25: COUNTY OFFICIALS.....	36
25.2 COUNTY CHAIRPERSON .....	37
25.3 COUNTY DEPUTY CHAIRPERSON .....	37
25.4 COUNTY SECRETARY .....	37
25.5 COUNTY DEPUTY SECRETARY.....	37

25.6 COUNTY TREASURER .....	37
25.7 COUNTY ORGANIZING SECRETARY .....	38
25.8 COUNTY WOMEN LEADER.....	38
25.9 COUNTY YOUTH REPRESENTATIVE .....	38
25.10 COUNTY REPRESENTATIVE FOR SPECIAL INTEREST GROUPS AND OTHER STAKEHOLDER GROUPS.....	38
ARTICLE 26: CONSTITUENCY OFFICIALS.....	38
26.1 The Constituency Party Officials shall manage the Party activities at the Constituency Level. ....	38
26.2 CONSTITUENCY CHAIRPERSON .....	39
26.3 CONSTITUENCY SECRETARY .....	39
26.4 CONSTITUENCY TREASURER .....	39
26.5 CONSTITUENCY ORGANIZING SECRETARY .....	39
26.6 CONSTITUENCY WOMEN REPRESENTATIVE.....	40
26.7 CONSTITUENCY YOUTH REPRESENTATIVE .....	40
26.8 CONSTITUENCY REPRESENTATIVE FOR PERSONS WITH DISABILITIES .....	40
ARTICLE 27: WARD OFFICIALS .....	40
27.2 WARD CHAIRPERSON .....	40
27.3 WARD SECRETARY .....	41
27.4 WARD TREASURER.....	41
27.5 WARD ORGANIZING SECRETARY .....	41
27.6 WARD WOMEN REPRESENTATIVE .....	41
27.7 WARD YOUTH REPRESENTATIVE.....	41
27.8 WARD REPRESENTATIVE FOR SPECIAL INTEREST GROUPS AND OTHER STAKEHOLDER GROUPS.....	41
ARTICLE 28: POLLING CENTRE OFFICIALS.....	41
28.2 POLLING CENTRE CHAIRPERSON .....	42
28.3 POLLING CENTRE SECRETARY.....	42
28.4 POLLING CENTRE TREASURER.....	42
28.5 POLLING CENTRE ORGANIZING SECRETARY .....	42
28.6 POLLING CENTRE WOMEN REPRESENTATIVE.....	43
ARTICLE 29: DISCIPLINARY COMMITTEE .....	43
29.2 MATTERS CONSTITUTING DISCIPLINARY MEASURES .....	44
ARTICLE 30: CODE OF CONDUCT .....	44
ARTICLE 31: NOMINATION OF CANDIDATES FOR ELECTIONS .....	44
ARTICLE 31.2 NOMINATION OF PRESIDENTIAL CANDIDATE.....	44
ARTICLE 31.3 SELECTION OF THE DEPUTY PRESIDENTIAL CANDIDATE.....	45
ARTICLE 31.4 NOMINATION TO OTHER ELECTIVE OFFICES.....	45

ARTICLE 31.5 NOMINATION OF CANDIDATES TO PARTY LISTS .....	45
ARTICLE 32: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE. ....	46
ARTICLE 33: PROCEDURE AND QUORUM OF ALL THE MEETINGS OF THE PARTY .....	47
ARTICLE 34: RULES AND REGULATIONS .....	47
ARTICLE 35: FUNDS & ASSETS .....	48
ARTICLE 36: SIGNATORIES/BINDING AUTHORITY OF PARTY OFFICIALS .....	49
ARTICLE 37: PARTY SEAL .....	49
ARTICLE 38: THE PRESS AND PUBLICATIONS .....	49
ARTICLE 39: MERGERS.....	49
ARTICLE 40: COALITIONS.....	50
ARTICLE 40.2: POST-ELECTION COALITIONS.....	51
ARTICLE 41: DISPUTE RESOLUTION.....	51
ARTICLE 42: AMENDMENTS OF THE PARTY PARTICULARS & CONSTITUTION .....	51
ARTICLE 43. THE FORWARD PARTY FOUNDATION.....	52
ARTICLE 44.0 DEMOCRATIC PRACTICES COVERING HUMAN RIGHTS AND GENDER. ....	52
ARTICLE 45.0 THE MANNER OF IMPLEMENTING NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE AS PROVIDED IN THE CONSTITUTION. ....	53
ARTICLE 46.0 THE POLICY DOCUMENTS WHICH THE POLITICAL PARTY WILL DEVELOP AND ON WHICH THE POLITICAL PARTY WILL PERFORM, INCLUDING THE MANNER AND PROCEDURES IN WHICH THEY WILL BE DEVELOPED, APPROVED, AND IMPLEMENTED ...	53
ARTICLE 47.0 THE POLICY REPORTING DOCUMENTS AND THEIR REGULARITY WHICH THE POLITICAL PARTY WILL PRODUCE, INCLUDING THE MANNER AND THE PROCEDURES IN WHICH THEY WILL BE DEVELOPED, APPROVED, AND PUBLICIZED. ....	53
ARTICLE 48.0; ASSET MANAGEMENT POLICIES AND PROCEDURES, THE CUSTODY AND INVESTMENT OF THE FUNDS AND PROPERTY OF THE POLITICAL PARTY, AND THE DESIGNATION OF THE PERSONS RESPONSIBLE FOR THEM. ....	53
ARTICLE 49.0 INSPECTION OF PARTY DOCUMENTS & RECORDS: .....	53
ARTICLE 50: DISSOLUTION .....	54
Schedule I: Party Symbol.....	54
Schedule II: Party Flag.....	55
Schedule III: Party Slogan .....	55
Schedule IV: Membership Fees .....	55
Schedule V: Counties.....	55
Schedule VI: Delegates top-up formula:.....	57

## ABBREVIATIONS

DC - Disciplinary Committee

FKP - Forward Kenya Party

IDRC - Internal Dispute Resolution Committee

NDC – National Delegate Congress

NEB – National Election Board

NEC – National Executive Committee

NGC – National Governing Congress

NPC – National Policy Committee

## ARTICLE 1: ESTABLISHMENT

- 1.1 There is established for the people of Kenya a Political Party known as FORWARD KENYA PARTY (FKP), hereinafter referred to as 'the party', which is registered under the Political Parties Act. It shall be a body corporate with a common seal, perpetual succession and may sue and be sued in its corporate name.
- 1.2 The party is founded on the principles of good governance, including equity, diversity, love, unity, freedom, justice, accountability, transparency, and peace.
- 1.3 The leadership of the party shall ensure a just and prosperous nation through good governance and nurturing the right social, economic, and political atmosphere for a just society to thrive.
- 1.4 The party symbol is are infinity arrows denoting synergy.
- 1.5 The party colours are Green, Black, and White
- 1.6 The party's slogan is "Our lives, Our Heritage"

## ARTICLE 2: PREAMBLE

**2.1 WE**, the members of the Party, are of the ethnic, cultural, and religious diversity of Kenya;

- 2.1.1 **COMMITTED** to create a better Kenya where there is equity and inclusivity for the current and future generations;
- 2.1.2 **APPRECIATE** that everybody and every hustle matters in the growth and development of our Country;
- 2.1.3 **RECOGNISING** the need for honesty, openness, transparency, and accountability in political leadership in our Country;
- 2.1.4 **INSPIRED** by the indomitable spirit of hard work and the resilience of the people of Kenya;
- 2.1.5 **DRIVEN** by the desire to uphold the fidelity to the rule of law and to protect and implement the Constitution of the Republic of Kenya;
- 2.1.6 **EXERCISING** our Political and Social Rights as recognized and guaranteed by the Supreme Law of the Land:

**DO RESOLVE** to form a National, Democratic, Transparent, Accountable, and Representative Political Party to actualize the hopes, dreams, and aspirations of the people of Kenya from all walks of life.

**WE FURTHER RESOLVE** that the Party shall ensure that the Country remains a united and indivisible State proud of its diversity, and in which all persons regardless of the position, economic or social status enjoys all the rights, freedoms, liberties and protection as set out in the Constitution of Kenya, to the greatest extent permissible under the Law and shall fully participate in the decision-making process of the Country.

**OUR PHILOSOPHY** is that everyone in Kenya matters and deserves a chance on the table of decision-making and through the Party; Kenyans of all walks of life shall have the opportunity to contribute to nation-building and to better their lives and the lives of future generations.

## ARTICLE 2.2 VISION

An equitably empowered Kenyan society living in a peaceful and united Country.

## ARTICLE 2.3 MISSION STATEMENT

To facilitate the fundamental rights, freedoms, and potential of Kenyan people through a devolved, accountable, and democratic government anchored onto a bottom-up economic model that promotes equal opportunities, improved economic welfare, and shared prosperity.

## ARTICLE 2.4 PARTY SYMBOL, SLOGAN, COLOURS, EMAIL ADDRESS & WEBSITE

2.4.1 The party symbol is an infinity arrows, and the party slogan is "Our lives, Our Heritage"

2.4.2 The party colours are Green, Black, and White.

2.4.3 The party email is forwardkenyaparty@gmail.com

2.4.4 The party website is www.forwardkenyaparty.com

## ARTICLE 2.5 OFFICES OF THE PARTY

The registered head office of the Party shall be based at View Park Towers P.O. Box 27999-00100 Nairobi.

## ARTICLE 2.6 VALUES & PRINCIPLES

2.6.1 Dignity and respect.

2.6.2 Determination, creativity, and hard work

2.6.3 Democratic and Participatory Governance

2.6.4 Fidelity to the rule of law and Constitutionalism

2.6.5 Equality, Equity, and Inclusivity

2.6.6 Transparency and openness

2.6.7 Gender parity; and Non-discrimination.

## ARTICLE 3: OBJECTIVES.

3.1 To defend the Constitution of Kenya and the constitutional rights of all Kenyans;

3.2 To participate in the political processes of the country, including the sponsoring and presenting of candidates for elective offices

3.3 To organize and mobilize its members to take an active role in their constitutional duties and responsibilities as Kenyans, including presenting themselves for elective offices

3.4. To facilitate active and fact-based debates on issues affecting Kenyans.

3.5 To promote accountability among leaders and public officers.

3.6 To pursue any legal and constitutional mandate as members may decide.

3.7 To do all such other things as are incidental or conducive to the attainment of the objectives of the Party, including:

3.8 Form such branches as may be necessary anywhere in Kenya to promote and enhance the objectives of the Party;

3.9 Acquire, purchase, take, lease, or otherwise deal in any movable or immovable property and hold or apply the same for the objects stated above;

3.10 To mobilize and/or organize financial and other resources that are or may be necessary for the achievement of the above-stated objectives through lobbying,



fundraising, and any other method within the confines of the law;  
3.11 To invest or deal with the monies of the Party not immediately required upon such securities and in such manner as may from time to time be determined;  
3.12 Receive and administer gifts, offerings, grants, aid, and other contributions for the carrying out of the objects of the Party;  
3.13 Operate, establish, engage in, and carry out such activities, projects, schemes, and programs for the advancement and furtherance of the objectives of the Party;  
3.14 Do all such things legal, necessary, and appropriate to the accomplishment of any of the objectives of the Party.

#### ARTICLE 4: MEMBERSHIP.

4.1 Membership to the party is open to all Kenyans irrespective of Colour, Creed, gender, or race;  
4.1.1 Any adult Kenyan citizen upon application and are prepared to abide by this constitution and any other rules made thereunder,  
4.1.2 Any person who has manifested a clear identification with the Party and its principles, policies, and programs may apply for membership,  
4.1.3 All members shall subscribe to the Party's Code of Conduct and pledge of commitment,  
4.1.4 All members shall pay the prescribed membership fee.

#### ARTICLE 4.2 APPLICATION FOR MEMBERSHIP

4.2.1 One can apply for membership in person and or in writing to the authorized officials of the Party from Counties or the National Executive Committee (NEC).  
4.2.2 The National Executive Committee (NEC) has the right to allow or reject any membership application based on the rules and regulations as established in this constitution. This role may be delegated to a committee created by the NEC, and the party will develop the membership guidelines.  
4.2.3 Membership shall be renewable within the time frame set up by the party. A member may be issued with a Party membership card.  
4.2.4 The Party shall determine the different types of membership and membership fees to be paid by each category of members.  
4.2.5 The Membership Register shall contain details on Identification, Region, Ethnicity, Persons Living with Disability, Gender, and County.  
4.2.6 There shall be a continuous update of the membership register.

#### ARTICLE 4.3 RIGHTS OF A PARTY MEMBER

**4.3.1** A member subject to relevant regulations is entitled to;  
4.3.1.1 Participate in Party activities and meetings;  
4.3.1.2 Participate actively and effectively in the discussion, formulation, and implementation of Party policies and programs;  
4.3.1.3 Access Party documents, including the Constitution, Members Guide, Election and Nomination Rules, Party Manifesto, circulars, memoranda, and other

relevant materials and information about their local branch upon formal request to the authorized Party office bearer;

4.3.1.4 Submit proposals or statements to the Constituency Secretary, County Secretary, or NEC, provided such proposals are submitted through the appropriate structures and follow established protocol in the Party;

4.3.1.5 Participate in elections and be eligible for Party elections at all levels upon nomination.

4.3.1.6 Subject to this Constitution;

4.3.1.6.1 Every applicant for membership shall be bound by this Constitution, including the Party's principles, vision, mission, values, and objectives, and to undertake to support the Party's candidates at elections.

4.3.1.6.2 Every member shall be entitled to participate in any election of the Party.

4.3.1.6.3 Every member shall be entitled to seek and to vote in any elective position in the Party,

4.3.1.6.4 Every member shall be entitled to inspect the Party's Constitution,

4.3.1.6.5 Party Register, Party Manifesto, and audited financial documents upon formal request with appropriate notices to the relevant organ,

4.3.1.6.6 Every member is entitled to apply for the Party nomination to any elective position in the general or by-elections.

## ARTICLE 4.4 DUTIES OF A PARTY MEMBER

### 4.4.1 A member of the Party shall:

4.4.1.1 Take all necessary steps to understand and carry out the aims, policies, and programs of the party.

4.4.1.2 Explain the objectives, policies, and programs of the Party to potential members or supporters and the general public.

4.4.1.3 Combat negative propaganda detrimental to the interest of the party and defend the aims, policies, and programs of the Party.

4.4.1.4 Popularize the Party.

4.4.1.5 Observe discipline, comply with the Party's Code of Conduct, and obey decisions of the Party.

4.4.1.6 Refrain from publishing and or distributing through any media platform without appropriate authorization, any information deemed confidential, or any views purporting to be the views of the party.

4.4.1.7 Register as a voter and take part in the Party and all other electoral processes at all levels.

4.4.1.8 Abide by the rules, regulations, and decisions of the caucus they belong to in case of elected leader.

4.4.1.9 Members of the Party elected as Members of County Assembly, Members of Parliament, and Governor shall provide strategic leadership and work with the Party officials in their respective electoral areas to promote the Party and its programs except in all matters relating to party elections.

4.4.1.10 Be liable to pay such fees as shall be prescribed by the Party.

4.4.1.11 Support the Party financially and materially when called upon for a good cause.

4.4iles, manifesto and interest of other parties.

4.4.1.13 Not to support the candidature of another political party unless otherwise decided by the Party.

## ARTICLE 4.5 TERMINATION OF MEMBERSHIP

4.5.1 One shall cease to be a member;

4.5.1.1 By resignation in writing to the Party office nearest to him, the membership of such person shall terminate with effect from the date of the receipt thereof, provided that the termination shall not absolve the member from performing any outstanding obligations owed to the Party or other members.

4.5.1.2 By a resolution passed by the National Executive Committee.

4.5.1.3 By accepting an office, subscribing to or promoting activities of another political party.

4.5.1.4 By death.

4.5.1.5 By operation of any law.

4.5.2 A person whose membership has been terminated shall not be entitled to a refund of the fees or subscriptions made by him to the Party before termination, and all rights, privileges and responsibilities or facilities granted to or enjoyed by virtue of membership shall automatically terminate with effect from the date of acceptance of the resignation.

4.5.3 A person who terminates membership shall return all Party property in his custody, possession or control, failure to which the Party shall have a right to lay claim against such person for any money due or owing to the Party or for any damage or loss occasioned to the Party property which was in custody, possession or control prior to termination of membership.

4.5.4 Upon termination of membership, a member's name shall be struck off the Register of Party Members, and such decision shall be communicated to the Registrar of Political Parties.

4.5.5 The National Executive Committee shall formulate appropriate rules and regulations for the effective application of this Article.

## ARTICLE 5: ORGANS OF THE PARTY

5.1 The following Party organs are hereby established:

5.1.1 National Delegates Congress;

5.1.2 National Governing Council;

5.1.3 National Executive Committee;

5.1.4 National Steering Committee;

5.1.5 National Policy Committee;2

5.1.6 Governors and Deputy Governors Caucus;

5.1.7 Parliamentary Group

5.1.8 County Assembly Caucus;

5.1.9 Women Congress;

5.1.10 Youth Congress;

5.1.11 County Congress;

5.1.12 Constituency Congress

- 5.1.13 Ward Congress;
- 5.1.14 Polling Centre Committee;
- 5.1.15 National Elections Board;
- 5.1.16 Internal Dispute Resolution Committee;
- 5.1.17 Disciplinary Committee.

## ARTICLE 6: COMPOSITION AND FUNCTIONS OF PARTY ORGANS

### 6.1 THE NATIONAL DELEGATES CONGRESS (NDC)

6.1.1 There is established the National Delegates Congress (NDC) is the supreme organ of the Party. The National Delegates Congress shall consist of:

A. The following national officials were elected by the NDC from among its members;

1. Party Leader;
2. Deputy Party Leader- Policy & Strategy;
3. Deputy Party Leader- Operations;
4. Deputy Party Leader- Programs;
5. National Chairperson;
6. Deputy Chairperson - Policy & Strategy;
7. Deputy Chairperson - Operations;
8. Deputy Chairperson- Programs;
9. Secretary General;
10. Deputy Secretary General - Policy & Strategy;
11. Deputy Secretary General - Operations;
12. Deputy Secretary General- Programs;
13. National Treasurer;
14. Deputy National Treasurer- Policy & Strategy;
15. Deputy National Treasurer- Operations;
16. Deputy National Treasurer- Programs;
17. National Organizing Secretary;
18. Deputy National Organizing Secretary- Policy & Strategy
19. Deputy National Organizing Secretary- Operations
20. Deputy National Organizing Secretary- Programs;
21. Secretary for Women Affairs;
22. Secretary Youth Affairs, Sports and Culture;
23. Secretary for legal affairs;
24. Secretary for Economic Affairs and Planning;
25. Secretary for Devolution & Intergovernmental Relations;
26. Secretary for Lands, Housing and Urban Planning;
27. Secretary for International Affairs;
28. Secretary for Energy, Petroleum and Mining;
29. Secretary for Information, Communication and Technology;
30. Secretary for Agriculture, Livestock, and Fisheries;
31. Secretary for Water and Sanitation;

- 32. Secretary for Transport and Infrastructure;
- 33. Secretary for Tourism, Environment and Natural Resources;
- 34. Secretary for Education;
- 35. Secretary for Health;
- 36. Secretary for Micro Small and Medium Enterprises (MSMEs), Trade and Industrialization;
- 37. Secretary for Labour and Social Services;
- 38. Secretary for Persons with Disabilities; and
- 39. Executive Director.
- B. Members of the National Policy Committee
- C. Elected Governors and Deputy Governors
- D. Members of the Senate
- E. Members of the National Assembly
- F. Members of the County Assembly
- G. County Executive Committee
- H. Constituency Executive Committee

## 6.2 FUNCTIONS OF THE NATIONAL DELEGATES CONGRESS

- 6.2.1 The National Delegates Congress shall be the supreme organ of the Party. It shall have the following powers and duties: -
  - 6.2.1.1 To review, formulate, and or approve all the policies of the Party;
- 6.2.2 To elect from among its eligible members, the Party Leader and other National Officials in accordance with this Constitution; The Elected National Officials shall serve for a term of five (5) years renewable once unless otherwise ended by the NDC.
  - 6.2.2.1 To receive reports from the National Governing Council and the National Executive Committee on the operations of the Party;
- 6.2.3 To consider any such other matters as may be referred to it by the National Governing Council.

## ARTICLE 7: THE NATIONAL GOVERNING COUNCIL (NGC)

- 7.1.1 There shall be a National Governing Council, which shall be the second highest organ of the Party;
- 7.1.2 The National Governing Council (NGC) shall consist of the following members: -
  - 7.1.2.1 National Executive Committee;
  - 7.1.2.2 All party-elected Governors and Deputy Governors, Senators, and Members of the National Assembly;
  - 7.1.2.3 County Assemblies' Party Leaders and Whips and,
  - 7.1.2.4 The Chairman, Secretary, Treasurer, and Organizing Secretary of every County.

## ARTICLE 7.2 FUNCTIONS OF THE NATIONAL GOVERNING COUNCIL: -

- 7.2.1 To review and/or formulate policies of the Party for the approval by the National Delegates Congress;
- 7.2.2 To initiate all such activities as may further the objectives of the Party;
- 7.2.3 To monitor the general activities of the Party on behalf of the National Delegates Congress and to provide direction for such activities;
- 7.2.4 To make policy and administrative decisions on behalf of the National Delegates Congress which (in the opinion of the National Executive Committee) cannot wait until the next National Delegates Congress;
- 7.2.5 To rally the party around issues of national importance and give general direction on such issues;
- 7.2.6 Receive and consider disciplinary appeals from decisions of the National Executive Committee and ratify, alter or substitute the decisions with its own and,
- 7.2.7 To receive and ratify, alter or rescind any decision taken by the National Executive Committee (NEC), or any other organ, or officials of the party.

## ARTICLE 8: THE NATIONAL EXECUTIVE COMMITTEE

8.1 The National Executive Committee (NEC) has been established. It shall be the executive organ of the Party that makes binding decisions on Party management and its policies.

8.2 Membership to the governing body shall be the preserve of fully paid-up Members of the Party.

8.3 The National Executive Committee shall consist of;

8.3.1 National Officials. The positions and titles of officials of the NEC are as follows:

1. Party Leader;
2. Deputy Party Leader- Policy & Strategy;
3. Deputy Party Leader- Operations;
4. Deputy Party Leader- Programs;
5. National Chairperson;
6. Deputy Chairperson - Policy & Strategy;
7. Deputy Chairperson - Operations;
8. Deputy Chairperson- Programs;
9. Secretary General;
10. Deputy Secretary General - Policy & Strategy;
11. Deputy Secretary General - Operations;
12. Deputy Secretary General- Programs;
13. National Treasurer;
14. Deputy National Treasurer- Policy & Strategy;

15. Deputy National Treasurer- Operations;
16. Deputy National Treasurer- Programs;
17. National Organizing Secretary;
18. Deputy National Organizing Secretary- Policy & Strategy
19. Deputy National Organizing Secretary- Operations
20. Deputy National Organizing Secretary- Programs
21. Secretary for Women Affairs
22. Secretary Youth Affairs, Sports and Culture;
23. Secretary for legal affairs
24. Secretary for Economic Affairs and Planning;
25. Secretary for Devolution & Intergovernmental Relations;
26. Secretary for Lands, Housing and Urban Planning;
27. Secretary for International Affairs;
28. Secretary for Energy, Petroleum, and Mining;
29. Secretary for Information, Communication and Technology;
30. Secretary for Agriculture, Livestock, and Fisheries;
31. Secretary for Water and Sanitation;
32. Secretary for Transport and Infrastructure;
33. Secretary for Tourism, Environment and Natural Resources;
34. Secretary for Education;
35. Secretary for Health;
36. Secretary for Micro Small and Medium Enterprises (MSMEs), Trade and Industrialization;
37. Secretary for Labour and Social Services;
38. Secretary for Persons with Disabilities;
39. The Executive Director as an ex-officio member

8.4 National Officials shall serve for a term of five (5) years renewable once unless otherwise extended by the NDC. Any vacancy occurring in the National Executive Committee during the term before the next National Delegates Conference may be filled through nomination by the National Executive Committee from amongst members of the party.

## ARTICLE 8.2 FUNCTIONS OF THE NATIONAL EXECUTIVE COMMITTEE

8.2.1 The National Executive Committee shall be in charge of the Secretariat.

8.2.2 The National Executive Committee shall provide Party policies, political guidance to the Party, Party membership, bodies and committees formed by the Party, communications made to state bodies and others, regional, international cooperation with governments, and partners.

8.2.3 Ensure that relevant constitutional and valid recommendations of the National Delegates Congress and the National Governing Congress are carried out and Party policies adhered to;

8.2.4 Supervise the administration of the Party at all levels and direct such activities to further the objectives of the Party.

8.2.5 Work with the other organs of the Party to ensure harmony and cohesiveness of the activities and decisions of the Party.

8.2.6 Call any special sittings of the Party organs as and when needed.

8.2.7 Receive, consider, approve, and implement reports from various committees as well as advise the National Governing Congress accordingly on the reports and their decisions.

8.2.8 Make rules and regulations to govern anything that requires to be done under this Constitution for the better management of the Party and towards achieving the goals and objectives of the Party and prepare Party reports including the annual financial report.

8.2.9 Set dates, agenda, reports, and determine the venues for the National Governing Council and National Delegate Congress meetings.

8.2.10 To approve the terms and conditions of services of the staff members employed by the Party;

8.2.11 To appoint other committees as it deems necessary from time to time for specified tasks and to determine their terms of reference;

8.2.12 To receive, consider, approve and implement reports and recommendations from various standing, ad hoc and specialized committees or individuals;

8.2.13 To receive and approve the annual financial budget, audited accounts, and programs for the Party;

8.2.14 To convene and hold the Annual General Meeting of the Party on behalf of the members.

8.2.15 To liaise and coordinate with the National Elections Board to ensure a free, fair, and transparent election of Party officials and nominations at all levels;

8.2.16 To appoint Party representatives to other organizations to which the Party relates;

8.2.17 To establish, coordinate, and conduct various schemes aimed at stimulating Party activities;

8.2.18 To make or cause to be made rules and/or regulations for prescribing anything which requires to be prescribed under this Constitution and generally for the better carrying out of the provisions of this Constitution and matters incidental thereto;

8.2.19 To designate any of the deputies to act and undertake the duties and roles of the respective substantive office holders or, in the absence of deputies, any other official to act where circumstances warrant or where, in the opinion of the National Executive Committee, the office holder is unable to perform the duties of that office;



8.2.20 To approve the application, recognition, and coordination of the diaspora chapters of the party.

#### ARTICLE 8.3 RIGHTS OF MEMBERS OF THE NATIONAL EXECUTIVE COMMITTEE

8.3.1 Participate in Party activities

8.3.2 Take a full and active part in the discussion, formulation, and implementation of Party policies;

8.3.3 Receive copies of Party documents including the Constitution, Election and Nomination Rules, Party manifesto, party policies and any other party documents upon request;

8.3.4 Receive and impart information on all aspects of Party policies and activities save where such right has been lawfully restricted;

8.3.5 Other constructive criticism of any member, official, policy, programme, or activity within the Party and its structures;

8.3.6 Submit proposals or statements to the Branch, Region, or National Executive Committee provided that such proposals are submitted through appropriate Party structures

8.3.7 Take part in elections through voting for delegates at appropriate levels and be eligible for Party and National Elections at all levels upon nomination.

#### ARTICLE 9: THE NATIONAL STEERING COMMITTEE (NSC)

9.1 There shall be a standing Committee called the National Steering Committee, which shall be chaired and presided over by the National Chairperson and shall consist of: -

9.2 The National Chairperson

9.3 The Secretary General;

9.4 The National Treasurer;

9.5 The Organizing Secretary;

9.6 Five (5) other members to be appointed by the National Executive Committee from among the members of the National Executive Committee with competencies in relevant fields of representation and,

9.7 The Executive Director shall be an ex-officio member.

9.8 The meetings of the National Steering Committee shall be convened and chaired by the Party Chairperson or in their absence by the Deputy Chairperson or as shall be directed by the National Executive Committee (NEC).

#### ARTICLE 9.2 THE ROLES AND DUTIES OF THE NATIONAL STEERING COMMITTEE

9.2.1 Acting on behalf of the National Executive Committee (NEC) on urgent matters where, in their opinion, the National Executive Committee (NEC) cannot be sufficiently convened to undertake such urgent matters;

9.2.2 Convening short-notice executive meetings to execute the mandate of the National Executive Committee (NEC);

9.2.3 Setting the agenda of the National Executive Committee (NEC);

9.2.4 Oversee the management and supervision of the party affairs on behalf of the National Executive Committee (NEC);

9.2.5 Approve budgetary plans on behalf of the National Executive Committee (NEC); and,

9.2.6 Perform any such other function as shall be directed by the National Executive Committee (NEC).

## ARTICLE 10: NATIONAL POLICY COMMITTEE

10.1 There is hereby established a National Policy Committee (NPC).

10.1.1 National Policy Committee (NPC) members shall be appointed by the National Executive Committee (NEC) from among party members to serve for a term of five (5) years renewable only once.

10.1.2 The National Policy Committee (NPC) shall consist of;

10.1.2.1 Chairperson,

10.1.2.2 Deputy Chairperson,

10.1.2.3 Seven other members, all of whom have considerable experience in party matters and policy development.

10.1.3 The National Policy Committee (NPC) has the power to incorporate to its membership experts and technical persons with particular expertise when examining specific policies.

10.1.4 The members of the National Policy Committee (NPC) shall sit in all party organs, including the National Delegate Congress, National Governing Council, and National Executive Committee or as the case may be to provide technical, strategic guidance and advice to such organs but without voting rights.

10.1.5 The Chairperson of the National Policy Committee (NPC) shall convene all the meetings, and in their absence, the Vice-Chairperson shall convene.

10.1.6 The National Policy Committee (NPC) shall convene its sittings and execute its roles independent of other party organs.

10.1.7 The National Policy Committee (NPC) shall be resourced by the National Secretariat in all its activities.

## ARTICLE 10.2 ROLE OF NATIONAL POLICY COMMITTEE

10.2 The Committee shall;

10.2.1 Facilitate policy formulation, development, review, and strategic framework

10.2.2 Provide technical advice to the National Executive Committee on policy and strategy issues by the government.

10.2.3 In conjunction with the National Executive Committee, conduct regular policy forums in which participation is encouraged.

10.2.4 To serve as an intermediary and formal consultative mechanism among Party affiliated organizations', the Party and other entities.

10.2.5 Translate the party manifesto post-election into a strategic development blueprint and closely monitor its implementation in the medium term.

## ARTICLE 11: THE GOVERNORS' CAUCUS

11.1 There shall be a caucus of Governors and Deputy Governors elected on the Party ticket to be known as the Governors Caucus which shall meet at least once every year or as may be convened by the National Executive Committee (NEC).

11.2 The National Executive Committee shall, within ninety (90) days of the declaration

of results of a general election, convene an inaugural meeting of the Governors and Deputy Governors elected on the Party ticket at a place as shall be determined by it. The agenda of the meeting shall be:

- 11.2.1 election of the Chairperson;
- 11.2.2 election of the deputy Chairperson; and,
- 11.2.3 The election of the Whip.

11.3 The National Executive Committee shall convene an inaugural meeting within 90 days of the declaration of the results of a general election to

- 11.3.1 Elect the chairperson
- 11.3.2 Elect the deputy chairperson and
- 11.3.3 The whip
- 11.3.4 The Caucus shall take position on matters affecting Counties in line with that of the Party and should not oppose without justification the Party position and policy as are communicated in writing.
- 11.3.5 Decisions on any matter shall be determined by consensus or a simple majority vote and the same be communicated in writing to all members.
- 11.3.6 The Governors' Caucus shall review and advise the Party on the implementation of the party policies and manifesto.
- 11.3.7 The Party Leader may convene the Governors' Caucus.

## ARTICLE 12: PARLIAMENTARY GROUP CAUCUS

12.1 There shall be established a Parliamentary Group consisting of Members of the National Assembly and Senate elected on the Party ticket.

12.2 The National Executive Committee shall, within ninety (90) days of the declaration of results of a general election, convene a meeting of the Parliamentary Group Caucus at a place as shall be determined by it, at which meeting the agenda shall be: -

- 12.2.1 Election of the party leaders in the National Assembly and the Senate;
- 12.2.2 Election of Party Whips for each House;
- 12.2.3 Election of Deputy Party Whips for each House; and,
- 12.2.4 Secretary to the Parliamentary Group.

12.3 There shall be regular meetings of the parliamentary group to discuss parliamentary business and develop positions on matters of national interest.

12.4 The Party Leader may convene and preside over the parliamentary group at any time to discuss any matter.

12.5 The parliamentary group meeting may be convened by any of the parliamentary leaders to discuss parliamentary business.

12.6 The parliamentary leaders of the respective houses may convene the relevant house caucuses to discuss a House-specific agenda.

12.7 The Party Leader is at liberty to attend and preside over any parliamentary group caucus meeting.

12.8 Any member with the support of one-third of the members of the parliamentary group caucus may petition to convene a parliamentary group caucus. If the quorum is attained, any of the parliamentary leaders may preside and, in their absence, the members present shall elect a session chair.

12.9 A Member of the National Assembly or Senate shall support and promote the position and policy of the Party.

12.10 Party positions shall be agreed on at meetings of the Party Parliamentary Group or house caucuses, decisions on any matter shall be determined by consensus or a simple majority vote and the same be communicated in writing to all members.

12.11 The Parliamentary Group caucus shall meet at least four (4) times every year.

## ARTICLE 13: COUNTY ASSEMBLY CAUCUS

13.1 There shall be established a County Assembly caucus, which shall consist of Members of the County Assemblies elected on the Party ticket.

13.2 The National Executive Committee shall within ninety (90) days of the declaration of results of a general election convene a meeting of the County Assembly Caucus at a place as shall be determined by it at which meeting the agenda shall be:-

13.2.1 Election of the Chairperson;

13.2.2 Election of the deputy Chairperson; and,

13.2.3 Election of the Whip.

13.3 The Caucus shall take position on matters affecting Counties in line with that of the Party and should not oppose without justification the Party position and policy as are communicated in writing.

13.4 Decisions on any matter shall be determined by consensus or a simple majority vote, and the same shall be communicated in writing to all members.

13.5 The Party Leader may convene and preside over the County Assembly caucus at any time to discuss any matter.

13.6 Any member with the support of one-third of the members of the County Assembly caucus may petition to convene a County Assembly caucus. If the quorum is attained, any of the county assembly leaders may preside and, in their absence, the members present shall elect a session chair.

13.7 Party positions shall be agreed on at meetings of the County Assembly caucus, where decisions on any matter shall be determined by consensus or a simple majority vote.

## ARTICLE 14: THE NATIONAL WOMEN CONGRESS (NWC)

14.1 There is established the National Women's Congress. The National Women Congress shall consist of: -

14.1.1 The National Officials being;

14.1.1.1 Secretary for Women affairs and gender as convener; and,

14.1.1.2 All Elected and Nominated Women National Leaders.

14.1.2 Elected Women Party Governors, Senators or Members of Parliament and Members of County Assemblies.

14.1.3 Women members of the County, Constituency, and Ward Executive

Committees.

14.1.4 The Secretary, Women Affairs and Gender, shall convene the National Women Congress at least thrice every year, in consultation with the National Executive Committee (NEC) or from time to time as shall be directed by the National Executive Committee (NEC).

#### ARTICLE 14.2 FUNCTIONS OF THE NATIONAL WOMEN CONGRESS (NWC)

14.2.1 The National Women Congress shall mobilize women to:

14.2.2 Popularize the party and recruit members;

14.2.3 Articulate special interest and needs of women for incorporation into Party policy;

14.2.4 Educate and sensitize women on Party policies and the need for their participation in Party and national matters;

14.2.5 Advise all Party organs on matters relating to women; and,

14.2.6 Such other roles as may be assigned by the National Executive Committee (NEC).

#### ARTICLE 15: THE NATIONAL YOUTH CONGRESS (NYC)

15.1 There is established the National Youth Congress (NYC). The National Youth Congress shall consist of: -

15.1.1 The Secretary Youth Affairs;

15.1.2 All National Youth Leaders;

15.1.3 Elected Youth Party Governors, Senators or Members of Parliament;

15.1.4 Elected Youth Members of County Assemblies; and,

15.1.5 Youth members of the County, Constituency, and Ward Executive Committees.

15.2 Membership of the Youth Congress is limited to the age of eighteen to thirty-five (18-35) years. The Secretary Youth Affairs at the National Office in consultation with the National Executive Committee (NEC) shall convene and preside over the National Youth Congress.

15.3 The National Youth Congress shall be convened at least twice every year or from time to time as shall be approved by the National Executive Committee (NEC).

#### ARTICLE 15.4 FUNCTIONS OF THE NATIONAL YOUTH CONGRESS

15.4.1 Popularize and recruit members to the party;

15.4.2 Mobilize youth to participate in the formulation of youth policies;

15.4.3 Guide the Party in special needs and interests peculiar to the youth in the formulation of party policies;

15.4.4 Organize relevant activities and programs for the youth in the country in liaison with the National Executive Committee; and,

15.4.5 Such other roles as may be assigned by the National Executive Committee

#### ARTICLE 16: THE COUNTY CONGRESS

16.1 There is established a County Congress in every county.

16.1.2 The County Congress shall comprise the Twenty (20) Constituency Committee Members drawn from each Constituency in the County in addition to

the Governor, Deputy Governor, Senator(s), and Woman Representative.

16.1.3 The County Congress shall elect from among themselves thirteen (13) officials and seven (7) members, from whom at least three (3) shall be of the opposite gender to constitute the County Executive Committee, provided that the seven (7) members reflect the diversity of the county

16.1.4 The County Executive Committee shall comprise of;

16.1.4.1 Chairperson and Deputy Chairperson, each of the opposite gender;

16.1.4.2 Secretary and Deputy Secretary, each of the opposite gender;

16.1.4.3 Treasurer;

16.1.4.4 Organizing Secretary;

16.1.4.5 Representative of Youth;

16.1.4.6 Representative of Women;

16.1.4.7 Representative of Persons with Disability;

16.1.4.8 Representative of MSMES;

16.1.4.9 Representative of farmers;

16.1.4.10 Representative of the religious groups;

16.1.4.11 Representative of professional groups.

16.1.4.12 Seven (7) members with at least three (3) of the opposite gender

## ARTICLE 16.2 FUNCTIONS OF THE COUNTY EXECUTIVE COMMITTEE

16.2.1 Convene the County Congress as required by this Constitution;

16.2.2 Supervise the day-to-day conduct of the Party activities at the County;

16.2.3 Propagate Party policies within the County;

16.2.4 Assist the National Election Board (NEB) in the conduct of Party nominations and elections at the county level;

16.2.5 Supervise the running of the County Secretariat;

16.2.6 Implement the decisions of the National Executive Committee at the County level;

16.2.7 Coordinate fundraising and publicity of the Party;

16.2.8 Function as the County Electoral College where it is appointed by the National Elections Board.

16.2.9 Recruit new members to the Party.

16.2.10 Perform other functions as may be assigned to it by the National Executive Committee.

## ARTICLE 17: CONSTITUENCY CONGRESS

17.1.1 There is established a Constituency Congress at every constituency.

17.1.1.1 The Constituency Congress shall comprise the Twenty (20) Ward Committee Members from each Ward in addition to the elected members of the National Assembly in the respective constituency.

17.1.1.2 The Constituency Congress shall elect from among themselves thirteen

(13) officials and seven (7) Members, at least three (3) of whom shall be of the opposite gender to constitute the Constituency Committee, PROVIDED that the seven (7) members reflect the diversity of the constituency.

17.1.1.3 The Constituency Committee officials shall comprise of;

17.1.1.4 Chairperson and the Deputy Chairperson each of the opposite gender;

17.1.1.5 Secretary and Deputy Secretary, each of the opposite gender);

17.1.1.6 Treasurer;

17.1.1.7 Organizing Secretary;

17.1.1.8 Representative of Youth;

17.1.1.9 Representative of Women;

17.1.1.10 Representative of Persons with Disability;

17.1.1.11 Representative of MSMES;

17.1.1.12 Representative of farmers;

17.1.1.13 Representatives of the religious groups;

17.1.1.14 Representative of professional groups;

17.1.1.15 Seven (7) members whom at least 3 shall be of the opposite gender)

17.1.2 The Constituency Executive Committee shall comprise of;

17.1.2.1 Chairperson;

17.1.2.2 Secretary;

17.1.2.3 Treasurer;

17.1.2.4 Organizing Secretary;

17.1.2.5 Representative of Youth;

17.1.2.6 Representative of Women;

17.1.2.7 Representative of Persons with Disability;

## ARTICLE 17.2 FUNCTIONS OF THE CONSTITUENCY EXECUTIVE COMMITTEE

17.2.1 The Constituency Executive Committee shall have the following functions

17.2.1.1 To oversee the daily affairs of the Party in the constituency;

17.2.1.2 Propagate Party policies;

17.2.1.3 Assist the National Elections Board in the conduct of Party nominations and elections;

17.2.1.4 Implement the Decisions of the National Executive Committee at the constituency level;

17.2.1.5 Coordinate fundraising and publicity of the Party;

17.2.1.6 Function as the Constituency Electoral College where it is appointed by the National Elections Board;

17.2.1.7 Perform other functions assigned to it by the National Executive Committee.

## ARTICLE 18: THE WARD CONGRESS

18.1 There is established a Ward Congress in every ward.

- 18.1.1 The Ward Congress shall comprise the Twenty (20) polling Centre Committee members from each polling centre in the ward in addition to the member(s) of the County Assembly.
- 18.1.2 The Ward Congress shall elect from among themselves thirteen (13) officials and seven (7) members, at least three (3) of whom shall be of the opposite gender to constitute the Ward Executive Committee, PROVIDED that the seven (7) members reflect the diversity of the Ward.
- 18.1.3 The Constituency Committee shall comprise of;
  - 18.1.3.1 Chairperson and Deputy Chairperson, each of the opposite gender.
  - 18.1.3.2 Secretary and Deputy Secretary, each of the opposite gender
  - 18.1.3.3 Deputy Secretary;
  - 18.1.3.4 Treasurer;
  - 18.1.3.5 Organizing Secretary;
  - 18.1.3.6 Representative of Youth;
  - 18.1.3.7 Representative of Women;
  - 18.1.3.8 Representative of Persons with Disability;
  - 18.1.3.9 Representative of MSMES;
  - 18.1.3.10 Representative of farmers;
  - 18.1.3.11 Representative of the religious groups;
  - 18.1.3.12 Representative of professional groups;
  - 18.1.3.13 Seven (7) members with at least three (3) of the opposite gender

## ARTICLE 18.2 FUNCTIONS OF THE WARD EXECUTIVE COMMITTEE

- 18.2.1 The Ward Executive Committee shall have the following functions;
  - 18.2.1.1 To oversee the daily affairs of the Party in the ward;
  - 18.2.1.2 Propagate Party policies;
  - 18.2.1.3 Assist the National Elections Board in the conduct of Party nominations and elections;
  - 18.2.1.4 Implement the decisions of the National Executive Committee at the ward level;
  - 18.2.1.5 Coordinate fundraising and publicity of the Party;
  - 18.2.1.6 Function as a ward electoral college where it is appointed by the National Elections Board; and,
  - 18.2.1.7 Perform other functions assigned to it by the National Executive Committee

## ARTICLE 19: POLLING CENTRE MEMBERS COMMITTEE

- 19.1 There is established a Polling Centre Members Committee as the lowest electoral organ of the party at every polling centre.
  - 19.1.1 The Polling Centre Members Committee shall be elected by all the party members registered at the polling centre and shall comprise of the following categories;
  - 19.1.2 Three (3) members representing the religious groups with at least one of



the opposite genders;

19.1.3 Four (4) members representing Micro, Small, Medium as well as large enterprises/traders with at least two of the opposite gender;

19.1.4 Three (3) members representing the Professional groups with at least one of the opposite genders;

19.1.5 Four (4) members representing the Youth with at least two of the opposite gender;

19.1.6 Three (3) members representing various categories of farmers with at least one of the opposite genders; and

19.1.7 One (1) member representing Special Interest Groups.

19.1.8 Two (2) other members

19.1.9 There is established Polling Centre Executive Committee which shall be the lowest executive organ of the party at the polling centre.

19.1.10 The twenty (20) Polling Centre Members Committee shall elect from among themselves Thirteen (13) members who shall form the Polling Centre Executive Committee comprising of;

19.1.10.1 Chairperson and Deputy Chairperson with each of the opposite gender

19.1.10.2 Secretary and Deputy Secretary with each of the opposite gender

19.1.10.3 Treasurer;

19.1.10.4 Organizing Secretary;

19.1.10.5 Representative of Youth;

19.1.10.6 Representative of Women;

19.1.10.7 Representative of Persons with Disability;

19.1.10.8 Representative of MSMES;

19.1.10.9 Representative of farmers;

19.1.10.10 Representative of the religious groups;

19.1.10.11 Representative of professional groups;

## ARTICLE 19.2 FUNCTIONS OF THE POLLING CENTRE EXECUTIVE COMMITTEE

19.2.1 The Polling Centre Executive Committee shall have the following functions;

19.2.1.1 To oversee the daily affairs of the party at the polling centre;

19.2.1.2 Propagate Party policies;

19.2.1.3 Assist the National elections board in the conduct of Party nominations and elections;

19.2.1.4 Supervise the running of the polling stations in the centre;

19.2.1.5 Implement the decisions of the National Executive Committee;

19.2.1.6 Coordinate fundraising and publicity of the Party; and,

19.2.1.7 Perform other functions assigned to it by the National Executive Committee through the relevant party organs.

## ARTICLE 20: DIASPORA CHAPTER

- 20.1 There may be established diaspora chapters across different parts of the World.
- 20.2 These branches shall have their activities governed by the provisions of this Constitution.
- 20.3 The role of the diaspora chapters is to promote the affairs of the party in their respective branches.
- 20.4 The diaspora branches shall elect officials amongst themselves who shall be the liaison person between the diaspora and the Party.
- 20.5 The Chairperson of the Chapter shall seek formal recognition by the party through the National Executive Committee (NEC).

## ARTICLE 21: NATIONAL ELECTIONS BOARD

- 21.1 There is hereby established the National Elections Board.
  - 21.1.1 The National Elections Board will be appointed by the National Executive Committee and will be comprised of seven (7) persons of high integrity who do not hold any elective party position.
  - 21.1.2 At least one-third of the members of the Board shall be of the opposite gender.
  - 21.1.3 The National Election Board (NEB) shall act independently of any direction from anybody or other organ of the party BUT may incorporate experts from outside it.
  - 21.1.4 The members of the National Election Board shall hold office for five years renewable once.
  - 21.1.5 The Board members shall represent regional diversity.
  - 21.1.6 The Board shall consist of;
    - 21.1.6.1 The Chairperson;
    - 21.1.6.2 Six (6) other members; and,
    - 21.1.6.3 The Director of Elections as an ex-officio member and the Secretary to the Board.
  - 21.1.7 The qualifications of the Chairperson and board members are provided under the nomination and election rules.
  - 21.1.8 Membership of the National Elections Board (NEB) shall portray regional balance.
  - 21.1.9 The Board shall make its own rules of procedure for its meetings save for the Nomination
  - 21.1.10 Rules and Regulations to be approved by the National Executive Committee.
  - 21.1.11 The National Secretariat shall provide secretarial support to the National Elections Board on need basis.

## ARTICLE 21.2 FUNCTIONS OF THE NATIONAL ELECTIONS BOARD

21.2 The Board shall have the following roles: -

- 21.2.1 To plan, organize, direct and coordinate the party internal party elections;
- 21.2.2 To undertake the Governor, Senator, Women Representative, parliamentary and County Assembly candidate's nomination;
- 21.2.3 Implement party nomination and election rules in accordance with the Constitution of Kenya, the electoral laws, and the party constitution;
- 21.2.4 Prepare and make periodic reports to the National Executive Committee (NEC);
- 21.2.5 Supervise and coordinate the implementation of elections and nominations by the County, Constituency Ward, and Polling Centre Committees;
- 21.2.6 Prescribe forms and documents for party elections and nominations;
- 21.2.7 Issue provisional certificates to candidates duly elected or nominated; and,
- 21.2.8 Issue the final list of duly elected and nominated members to the National Executive Committee (NEC) for final approval and ratification.
- 21.2.9 Supervise the conduct of Party Lists elections to ensure compliance with Article 90 of the Constitution of Kenya, 2010.
- 21.2.10 the identification, acquisition, installation, and utilization of such technology as may be appropriate for the conduct of elections;
- 21.2.11 notifying members of the Party of the dates by which applications must be received, as well as the dates, times, and venues of the Party primaries and nomination to Party Lists;
- 21.2.12 appointment of Party election officials including County Returning Officers, Constituency Returning Officers, Presiding Officers and Clerks who shall conduct Party primaries, County Election Coordination Committees, Rapporteurs for Party Lists nominations and Vetting Committees of applicants for Party Lists;
- 21.2.13 Declaration of results of all elections conducted under these Rules in the prescribed forms;
- 21.2.14 the procurement of all electoral material goods and services

## ARTICLE 22: THE NATIONAL SECRETARIAT

- 22.1 There shall be established a National Secretariat, which shall be headed by an Executive Director.
- 22.1.1 The National Secretariat shall have Directorates as approved by the National Executive Committee, with each headed by a Director;
- 22.2 It shall function directly under the supervision of the National Executive Committee through the Secretary General; and;
- 22.3 The Executive Director shall be appointed by the National Executive Committee and shall be responsible for the overall coordination of party activities, budget and resource allocation, and program management.

## ARTICLE 22.2 DUTIES OF THE NATIONAL SECRETARIAT SHALL BE

- 22.2.1 Ensure the Management of Party operations;
- 22.2.2 Undertake Implementation of Party policies, strategies, decisions, and programs;
- 22.2.3 Processing clearance of persons to be appointed by the National Executive Committee as the Party's nominees for elective positions;
- 22.2.4 Voter outreach and membership recruitment;
- 22.2.5 Registration and maintenance of voters or members register;
- 22.2.6 Co-ordination, facilitation and synchronization of Party activities and events;
- 22.2.7 Managing Public relations, communication, and media outreach;
- 22.2.8 Undertaking Fundraising and resource mobilization;
- 22.2.9 Developing and implementation of campaign strategies;
- 22.2.10 Delivering Operations and Logistics;
- 22.2.11 Implementation, monitoring, evaluation, auditing and reporting on party policies, strategies, decisions and programs;
- 22.2.12 County, branch, and sub-branch coordination and liaison with all Party structures;
- 22.2.13 Implementation of decisions and programs of the Party under guidance of the National Executive Committee; and,
- 22.2.14 Service the operations of subsidiary organs of the Party;
- 22.2.15 Monitoring, evaluation, auditing, and reporting of all functions;
- 22.2.16 Any other function as may be assigned by the National Executive Committee.

## ARTICLE 22.3 PARTY HUMAN RESOURCE STRUCTURE

- 22.3.1 There shall be Directors to render technical support to the National Secretariat on matters including but not limited to Finance, Administration, Party Organization, and Legislative Affairs, who shall be full-time employees of the Party and who shall serve on such terms and conditions as approved by the National Executive Council.
- 22.3.2 The National Executive Committee shall establish a sub-committee to be known as the Appointments sub-committee, which shall be charged with the responsibility of interviewing and making recommendations for the appointment and terms of appointment of employees of the party,
- 22.3.3 Employees shall be engaged on either a short or long-term contractual basis.
- 22.3.4 The subcommittee shall submit its recommendation to the National Executive Committee, which may adopt or reject the recommendation as the case may be.
- 22.3.5 Employees of the party shall work under the general direction and guidance of the Executive Director and shall perform such functions and exercise such powers as may be assigned to them in accordance with this constitution and terms and conditions of appointment.
- 22.3.6 Either of the Directors can/may deputize the National Executive Director in addition to duties assigned to him/her as provided in this constitution.
- 22.3.7 No person shall qualify to be appointed as an employee of the party unless he is a duly paid-up member of the party.
- 22.3.8 The existing National Executive Committee shall create and fill other offices at the Secretariat as need arises.
- 22.3.9 The National Executive Committee shall come up with party human resource,

financial and audit, and administration and management procedures and policies that shall be used to manage the Secretariat.

22.3.10 The Executive Director shall table before the NEC half-yearly reports of the running, management, and activities of the Secretariat.

## ARTICLE 23: THE EXECUTIVE DIRECTOR

23.1 There shall be established the office of the Executive Director, who shall be an employee of the Party appointed by the National Executive Committee.

23.1.1 The Executive Director shall be in charge of the party secretariat and shall have the following roles:

23.1.1.1 Overseeing the day-to-day operations of the Party;

23.1.1.2 Constituency secretariats;

23.1.1.3 Supervise and enforce discipline of all staff and their observance of all Party policies, manuals, and programs;

23.1.1.4 Maintain a minute book of all resolutions of the National Delegates Conferences, National Governing Council, National Executive Committee and the sub-committees of the National Executive Committee, organs and the Caucuses of the Party;

23.1.1.5 Coordinate the implementation of all party policies, decisions, and programs and generally ensure the achievement of all or any of the objectives of the party as stipulated in this constitution; and,

23.1.1.6 Submit periodic reports on the performance of the Secretariat to the Accounting Officer.

23.1.1.7 Continuous liaison with the organs, structures, and any coordination function of the party from the national level to the grassroots.

## ARTICLE 23.2 VACATION OF OFFICE BY THE EXECUTIVE DIRECTOR

23.2.1 The Executive Director shall vacate office if:

23.2.1.1 He or she ceases to be a member of the Party;

23.2.1.2 By notice to the Secretary General, resigns from office;

23.2.1.3 By death

23.2.1.4 Circumstances arise as would disqualify him from holding a public office in the Republic of Kenya in accordance with the Constitution of Kenya and any other written law; and,

23.2.1.5 The National Executive Committee by a resolution of a simple majority of its membership resolves so in the interest of the Party.

## ARTICLE 24: NATIONAL PARTY OFFICIALS

24.1 The party shall have the following officials at the National Level: -

1) Party Leader;

2) Deputy Party Leader- Policy & Strategy;

3) Deputy Party Leader- Operations;

- 4) Deputy Party Leader- Programs;
- 5) National Chairperson;
- 6) Deputy Chairperson - Policy & Strategy;
- 7) Deputy Chairperson - Operations;
- 8) Deputy Chairperson- Programs;
- 9) Secretary General;
- 10) Deputy Secretary General - Policy & Strategy;
- 11) Deputy Secretary General - Operations;
- 12) Deputy Secretary General- Programs;
- 13) National Treasurer;
- 14) Deputy - National Treasurer- Policy & Strategy;
- 15) Deputy National Treasurer- Operations;
- 16) Deputy National Treasurer- Programs;
- 17) National Organizing Secretary;
- 18) Deputy National Organizing Secretary- Policy & Strategy
- 19) Deputy National Organizing Secretary- Operations;
- 20) Deputy National Organizing Secretary- Programs;
- 21) Secretary for Women Affairs;
- 22) Secretary Youth Affairs, Sports and Culture;
- 23) Secretary for Legal Affairs;
- 24) Secretary for Economic Affairs and Planning;
- 25) Secretary for Devolution & Intergovernmental Relations;
- 26) Secretary for Lands, Housing and Urban Planning;
- 27) Secretary for International Affairs;
- 28) Secretary for Energy, Petroleum and Mining;
- 29) Secretary for Information, Communication and Technology;
- 30) Secretary for Agriculture, Livestock, and Fisheries;
- 31) Secretary for Water and Sanitation;
- 32) Secretary for Transport and Infrastructure;
- 33) Secretary for Tourism, Environment and Natural Resources;
- 34) Secretary for Education;
- 35) Secretary for Health;
- 36) Secretary for MSMEs, Trade, and Industrialization;
- 37) Secretary for Labour and Social Services;
- 38) Secretary for Persons with Disabilities; and,
- 39) Executive Director.

## ARTICLE 24.2 DUTIES OF PARTY OFFICIALS

### 24.2.1 PARTY LEADER

- 24.2.1.1 Shall be the Leader of the Party and the symbol of Unity;
- 24.2.1.2 Shall oversee, coordinate, and supervise the implementation of the Party manifesto by the government and their respective agencies when the Party forms the government of the day.
- 24.2.1.3 Shall issue guidance for the performance of specific acts or omissions thereof in furtherance of the objectives of the Party or fulfillment and compliance with Party manifesto, programs, values, and ideals;

- 24.2.1.4 Shall offer leadership, political direction, and guidance to the party at all times in the discharge of its mandate;
- 24.2.1.5 Shall promote political harmony and democratic ideals within the party;
- 24.1.6 Shall chair all meetings of the National Delegates Congress, National Governing Council and, in his absence, shall designate any of the Deputy Party Leaders to Chair;
- 24.2.1.7 May convene and preside over any meeting of any Organ of the Party;
- 24.2.1.8 Where in attendance shall preside over any meeting of any party organ; and,
- 24.2.1.9 Shall promote political consultation, engagement and co-operation with other Political Parties, coalitions and other stakeholder groups.

## 24.2.2 THE DEPUTY PARTY LEADERS

- 24.2.2.1 The Deputy Party Leaders shall deputize the Party Leader and act as the principal assistants to the Party Leader in their respective portfolios.

## 24.2.3 DEPUTY PARTY LEADER- POLICY AND STRATEGY

- 24.2.3.1 The Deputy Party Leader Policy and Strategy shall;

- 24.2.3.1.1 Assist the Party leader in overseeing the development, communication, execution, monitoring, evaluation, and sustenance of the Party's policies and strategic initiatives to facilitate realization of the goals and objectives of the Party as informed by the Vision and Mission of the Party.

- 24.2.3.1.2 Assist the Party leader in formulating the Party's Policies and overall Strategy as well as ensuring effective execution of the policies and strategy.

- 24.2.3.2 Assisting the Party Leader in:

- 24.2.3.2.1 Overseeing the development of comprehensive policies, strategic plans, and Manifestos for the Party while collaborating with the Party Leader, senior leadership, and other stakeholders within the Party;

- 24.2.3.2.2 Analyzing emerging issues in the political environment and advising the Party accordingly on emerging issues and desirable strategic response;

- 24.2.3.2.3 Identifying and advising viable growth opportunities for the Party, including but not limited to collaborations, strategic alliances, and partnerships

- 24.2.3.2.4 Identify and convey strategic risks and propose mitigation measures; Communicating and implementing the Party's overall policies and strategic framework both internally and externally so that all integral stakeholders of the Party are effectively brought on board to facilitate ease of implementation;

- 24.2.3.2.5 Driving decision-making that creates innovation, creativity, medium and long-term improvement programs, and change initiatives;

- 24.2.3.2.6 Undertaking continuous research to inform review of the Party's programs and activities;

- 24.2.3.2.7 Establishing and reviewing key strategic priorities depending on emerging issues in the operational environment;

- 24.2.3.2.8 Facilitating internal capacity-building within the Party on policy and Strategy initiatives and ensuring the same are cascaded downwards to the lowest levels within the Party; and

24.2.3.2.9 Monitoring, evaluating and reporting on the execution of the Party policy documents and strategic Plan.

#### 24.2.4 DEPUTY PARTY LEADER-OPERATIONS

##### 24.2.4.1 The Deputy Party Leader-operations shall;

24.2.4.1.1 Assist the Party Leader in ensuring that the Party's Programs and project's deliverables are achieved

24.2.4.1.2 in a cost-effective, timely, and highly responsive manner and compliance with the Party's policies and operational guidelines, rules, regulations, and procedures. work closely with other implementing organs of the Party such as the Party Secretary General and the Party Secretariat

24.2.4.1.3 assist the Party Leader in overseeing and managing various financial, administrative, and operational components of the Party's programs and projects,

24.2.4.1.4 providing leadership in project contracting and subcontract management, budget oversight, staff and consultant mobilization and management, stakeholder relationship, and Human Resource management for the Party's programs and projects

##### 24.2.4.2 Assist the Party Leader in:

24.2.4.2.1 Supporting overall tactical allocation and coordination of the Party's program and project resources on behalf of the Party;

24.2.4.2.2 Working with the Secretary General and Party Secretariat in ensuring that all Party activities are carried out in compliance with Party regulations, policies, and procedures, providing or soliciting guidance when appropriate;

24.2.4.2.3 In close collaboration with the Party Leader and consultation with other relevant Party organs, monitoring the program and project budgets, including tracking of expenditure and forecasting, and contributing to development of scopes of work, implementation plans, budgets and forecasts;

24.2.4.2.4 Effective Party programme and project outsourcing and contractor relationship management and ensuring proactive and compliant mobilization of contract expertise;

24.2.4.2.5 Serves as a key liaison for the Party Leader on all matters related to project financial management and operations,

24.2.4.2.6 Assures smooth coordination on all logistics, contracts, financial planning and reporting, and other administrative matters, in close consultation with the Party Secretary General and the Secretariat;

24.2.4.2.7 Keeping the Party Leader effectively apprised of issues related to the Party's programme and project management and implementation;

24.2.4.2.8 Working effectively with the Party Secretary General and Secretariat to ensure timely completion of the Party's administrative deliverables, as requested by the Party Leader or informed by resolutions of other Party organs, depending on unfolding events from time to time.

#### 24.2.5 DEPUTY PARTY LEADER- PROGRAMS

##### 24.2.5.1 The Deputy Party Leader-programs shall;

24.2.5.1.1 Assist the Party Leader in the determination, planning, and designing of



relevant programs that facilitate effective implementation of the Party's policies and strategies.

24.2.5.1.2 be responsible for determining, introducing, managing, and delivering desirable change within the Party.

24.2.5.2 The role requires effective coordination of the Party's programs, effective management of their inter-dependencies, and determination and mitigation of any risks and issues arising.

24.2.5.3 Other key functional mandates include assisting the Party leader in undertaking the following tasks:

24.2.5.3.1 Development of relevant programs that facilitate the realization of the Party's policies and strategies;

24.2.5.3.2 Proactively and continuously monitoring the progress of Party programs, resolving issues and initiating appropriate corrective action;

24.2.5.3.3 Managing both the dependencies and the interfaces between the Party programs to eliminate duplicity of effort and facilitate synergy and linkages at all levels;

24.2.5.3.4 Managing risks to the Party's programs to facilitate successful outcomes;

24.2.5.3.5 Determination and coordination of the new capability for the Party to enable effective change and realization of programme benefits;

24.2.5.3.6 Ensuring overall integrity and coherence of the Party's programs; and

24.2.5.3.7 Ensuring the development and maintenance of an enabling programme environment to support each project within it; and

24.2.5.3.8 Ensuring effective programme management.

## 24.2.6 THE NATIONAL CHAIRPERSON

24.2.6.1 The National Chairperson;

24.2.6.1.1 Convenes and chairs the National Executive Committee;

24.2.6.1.2 Shall ensure discipline, proper conduct, and order in the Party in accordance with this Constitution;

24.2.6.1.3 On behalf of the National Executive Committee, provide policy guidance;

24.2.6.1.4 Promote unity and cohesiveness within the different party organs, ensure an effective working relationship between party officials and members;

24.2.6.1.5 Promote the image of the Party, defend the Party, its constitution, policies, interest, programs, and actions;

24.2.6.1.6 Perform such duties and exercise such powers conferred upon them by this Constitution;

## 24.2.7 DEPUTY CHAIRPERSON

24.2.7.1.1 The Deputy Chairperson shall deputize the National Chairperson.

24.2.7.1.2 The Deputy Chairperson shall perform the duties of the chairperson where in the opinion of the National Executive Committee, the chairperson is unable to perform the functions.

24.2.7.1.3 The other key roles of the Deputy Chairperson under their respective portfolios shall, with necessary modifications, be the roles of the Deputy Chairperson.

## 24.2.8 THE SECRETARY GENERAL

### 24.2.8.1 The Secretary General shall: -

- 24.2.8.1.1 Be the spokesperson of the Party and shall oversee the management of the Party under the general direction of the Party Leader, National Delegates Congress, National Governing Council, and National Executive Committee.
- 24.2.8.1.2 Issue notices to convene meetings of the National Delegates Congress, National Governing Council, and National Executive Committee. under the direction of the National Executive Committee;
- 24.2.8.1.3 Supervise, monitor, and report on the implementation of Party policies and programs and provide quarterly reports to the appropriate Party organs;
- 24.2.8.1.4 Prepare the annual reports of the activities of the Party and present them to relevant national organs;
- 24.2.8.1.5 Responsible for all the Party's affairs at the National Secretariat, the organs or bodies which relate to the National Secretariat and the Party's management from the grassroots to the National level;
- 24.2.8.1.6 Keep or cause to be kept proper record of minutes of all meetings of the National Delegates Convention, National Governing Council, and National Executive Committee, and ensure the dissemination to persons, organs, or bodies concerned;
- 24.2.8.1.7 Be the accounting officer of the Party;
- 24.2.8.1.8 Be the custodian of the seal of the party;
- 24.2.8.1.9 Be the custodian of legal documents of the party;
- 24.2.8.1.10 Be in charge of all correspondences and communications on behalf of the Party and shall issue resolutions upon a written communication from the National Executive Committee;
- 24.2.8.1.11 Be the secretary to the National Delegates Conference, National Governing Council, and National Executive Committee; Implement the decisions of the various organs of the Party;
- 24.2.8.1.12 Perform any other duties conferred upon them by this Constitution or the National Executive Committee; and
- 24.2.8.1.13 Perform such duties and functions as are inherent in or customary to the office of Secretary General of a political party

## 24.2.9 DEPUTY SECRETARY GENERAL

- 24.2.9.1 The Deputy Secretary-General shall deputize the Secretary-General in their respective portfolios.
- 24.2.9.2 The Deputy Secretary General shall have the mandate to undertake the role of the Secretary General in their absence, incapacity to act, or where for any other reason, in the opinion of the National Executive Committee, the Secretary General is unable to perform the duties of the office of the Secretary General.
- 24.2.9.3 Whenever a Deputy Secretary-General performs the roles of the Secretary-General, such decisions made by the Deputy Secretary-General shall be valid as though made by the substantive office holder.

## 24.2.10 NATIONAL ORGANIZING SECRETARY

- 24.2.10.1 The National Organizing Secretary shall;

- 24.2.10.1.1 Be responsible for membership recruitment under the general direction of the National Executive Committee
- 24.2.10.1.2 Be responsible for the organization, management of the public meetings, seminars, study groups, workshops, National Delegate Congress, and National Governing Council under the general direction of National Executive Committee;
- 24.2.10.1.3 Shall be responsible for publicity-related functions; and,
- 24.2.10.1.4 Shall delegate functions and responsibilities as appropriate

#### 24.2.11 DEPUTY NATIONAL ORGANIZING SECRETARIES

- 24.2.11.1 The Deputy National Organizing Secretaries shall deputize the National Organizing Secretary in their respective portfolios.

#### 24.2.12 NATIONAL TREASURER

- 24.2.12.1 The National Treasurer shall;

- 24.2.12.1.1 Be responsible for the management of the finances of the Party under the general direction of the national organs of the Party;
- 24.2.12.1.2 Coordinate fundraising and resource mobilization;
- 24.2.12.1.3 Supervise the financial matters of the various organs of the Party following the Public Finance Management Act, 2012;
- 24.2.12.1.4 Prepare and present the annual budget and accounts of the Party to the National Executive Committee & National Delegate Congress;
- 24.2.12.1.5 Maintain Party bank accounts as one of the signatories to those accounts and shall have access to all bank reports;
- 24.2.12.1.6 Be an "authorized official" of the Party in terms of Section 15 of the Second Schedule of the Political Parties Act, 2011 and shall, together with other authorized officials, sign documents set out in Section 15 of the Second Schedule of the Political Parties Act, 2011 on behalf of the Party; and,
- 24.2.12.1.7 Perform such duties and functions as are inherent in or customary to the office of the National Treasurer.

#### 24.2.13 DEPUTY NATIONAL TREASURERS

- 24.2.13.1 The Deputy National Treasurers shall deputize the National Treasurer in their respective portfolios.

#### 24.2.14 SECRETARY FOR WOMEN AFFAIRS

- 24.2.14.1 The Secretary for Women Affairs shall;

- 24.2.14.1.1 Articulate special interest and needs of women for incorporation into Party policy.
- 24.2.14.1.2 Educate and sensitize women on Party policies and the need for their participation in Party and national matters. Advise all Party organs on matters relating to women.

#### 24.2.15 SECRETARY FOR YOUTH AFFAIRS, SPORTS AND CULTURE

##### 24.2.15.1 The National Secretary for Youth Affairs shall;

- 24.2.15.1.1 Provide leadership in the overall mobilization of the youth participation in the Party affairs;
- 24.2.15.1.2 Provide leadership in the formulation of youth Party policies;
- 24.2.15.1.3 Guide the Party in special needs and interests peculiar to the youth in the formulation of Party policies; and,
- 24.2.15.1.4 Organize relevant activities and programs for the youth in the country in liaison with the National Executive Committee.

#### 24.2.16 SECRETARY FOR PERSONS WITH DISABILITIES (PWDS)

##### 24.2.16.1 The secretary representing persons with disabilities shall;

- 24.2.16.1.1 Provide leadership in overall mobilization of the PWD's participation in the party affairs;
- 24.2.16.1.2 Provide leadership in the formulation of Party policies to incorporate PWDs' interests;
- 24.2.16.1.3 Guide the Party in special needs and interests peculiar to the PWDs in the formulation of party policies; and,
- 24.2.16.1.4 Organize relevant activities and programs for the PWDs in the country in liaison with the National Executive Committee.

#### 24.2.17 OTHER SECRETARIES

##### 24.2.17.1 They shall;

- 24.2.17.1.1 Act in their respective portfolios as shadow Secretaries to ensure that the party manifesto and ideals are delivered;
- 24.2.17.1.2 Represent the party in national debates and/or meetings where their respective portfolio are involved to articulate the issues relevant to their dockets
- 24.2.17.1.3 Provide technical support to the party in preparation of the manifesto;
- 24.2.17.1.4 To ensure that each sector is duly covered in the manifesto with deliverables to monitor the implementation of the manifesto in their respective dockets.

### ARTICLE 25: COUNTY OFFICIALS

#### 25.1 The County Party Officials shall manage the Party activities at the County level.

25.1.1 All office bearers shall perform their functions within the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the Party. Subject to any other duty expressly provided for by this Constitution.

25.1.2 The following County Officials shall be elected by the County Congress from among its members;

- 25.1.2.1 Chairperson;
- 25.1.2.2 Deputy Chairperson;
- 25.1.2.3 Secretary;
- 25.1.2.4 Deputy Secretary;
- 25.1.2.5 Treasurer;

- 25.1.2.6 Organizing Secretary;
- 25.1.2.7 Representative of Youth;
- 25.1.2.8 Representative of Women;
- 25.1.2.9 Representative of Persons with Disability;
- 25.1.2.10 Representative of MSMES;
- 25.1.2.11 Representative of farmers;
- 25.1.2.12 Representative of the religious groups;
- 25.1.2.13 Representative of professional groups

## 25.2 COUNTY CHAIRPERSON

- 25.2.1 The County Chairperson shall be in charge of the Party affairs within the County.
- 25.2.2 They shall preside over all County Party meetings and supervise the affairs of all Party branches within the County.
- 25.2.3 They shall do all such duties as may be prescribed by the National Executive Committee or any other relevant national Party organ.
- 25.2.4 They will be expected to use their skills and experience to promote Party objectives in the County.

## 25.3 COUNTY DEPUTY CHAIRPERSON

- 25.3.1 The County Deputy Chairperson shall assist the County Chairperson in the discharge of their mandate and shall perform all the responsibilities of the County Chairperson in the latter's absence.

## 25.4 COUNTY SECRETARY

- 25.4.1 The County Secretary shall prepare or cause to be prepared proper records of minutes and other activities undertaken by the Party within the County and, in particular, the County Executive Committee meetings.
- 25.4.2 The County Secretary shall exercise the powers and responsibilities according to this Constitution or as directed by the County Executive Committee or the National Executive Committee.

## 25.5 COUNTY DEPUTY SECRETARY

- 25.5.1 The County Deputy Secretary shall assist the County Secretary in the performance of their duties. They shall also discharge any other function assigned to them from time to time by the County Secretary or the County Executive Committee.

## 25.6 COUNTY TREASURER

- 25.6.1 The County Treasurer shall;
  - 25.6.1.1 Be in charge of all Party financial affairs in the County.
  - 25.6.1.2 Be responsible for all financial transactions within the County under the direction of the County Executive Committee.
  - 25.6.1.3 Ensure that up-to-date and proper financial statements are kept.

## 25.7 COUNTY ORGANIZING SECRETARY

25.7.1 The County Organizing Secretary shall be in charge of County party publicity.

25.7.2 They shall publicize and send out notifications of County public meetings of the Party.

## 25.8 COUNTY WOMEN LEADER

25.8.1 They shall promote and mobilize Party activities among women in the County and shall perform duties and responsibilities prescribed to them by the County Executive Committee.

25.8.2 They are the coordinator of the Women's Congress at the County level; they convene and chair the congress.

## 25.9 COUNTY YOUTH REPRESENTATIVE

25.9.1 The County Secretary of Youth Affairs shall promote and mobilize Party activities among the youth in the County.

25.9.2 The County Secretary of Youth Affairs shall, in addition, perform duties prescribed to them by the County Executive Committee.

## 25.10 COUNTY REPRESENTATIVE FOR SPECIAL INTEREST GROUPS AND OTHER STAKEHOLDER GROUPS

25.10.1 County Representative for Special Interest Groups and other Stakeholder Groups shall;

25.10.1.1 Promote and mobilize Party activities among the special interest groups in the County.

25.10.1.2 Articulate the particular issues affecting the stakeholder group they represent and ensure their inclusion in the party programs.

25.10.1.3 In addition, perform duties prescribed to them by the County Executive Committee.

## ARTICLE 26: CONSTITUENCY OFFICIALS

26.1 The Constituency Party Officials shall manage the Party activities at the Constituency Level.

26.1.1 All office bearers shall perform their functions within the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the Party.

26.1.2 The Constituency Officials shall be elected by the Congress and shall consist of the following officials;

26.1.2.1 Chairperson and the Deputy Chairperson, with each from either gender;

26.1.2.2 Secretary and Deputy Secretary with each from either gender;

26.1.2.3 Treasurer;

26.1.2.4 Organizing Secretary;

26.1.2.5 Representative of Youth;

26.1.2.6 Representative of Women

26.1.2.7 Representative of Persons with Disability;

- 26.1.2.8 Representatives of MSMES
- 26.1.2.9 Representatives of farmers
- 26.1.2.10 Representatives of Religious Groups
- 26.1.2.11 Representatives of professional groups
- 26.1.2.12 Seven (7) other members (with 3 of opposite gender)
- 26.1.13 Subject to any other duty expressly provided for by this Constitution, the main duties of the County Party Officials shall be as follows: -

## 26.2 CONSTITUENCY CHAIRPERSON

### 26.2.1 The Constituency Chairperson shall be;

- 26.2.1.1 In charge of the Party affairs within the constituency;
- 26.2.1.2 Preside over all Constituency Party meetings and supervise the affairs of all Party branches within the Constituency;
- 26.2.1.3 Do all such duties as may be prescribed by the National Executive Committee or any other relevant national Party organ; and,
- 26.2.1.4 Expected to use his skills and experience to promote party objectives in the Constituency.

## 26.3 CONSTITUENCY SECRETARY

### 26.3.1 The Constituency Secretary shall;

- 26.3.1.1 Prepare or cause to be prepared proper records of minutes and other activities undertaken by the Party within the Constituency;
- 26.3.1.2 Be the Secretary to the Constituency Executive Committee meetings, and,
- 26.3.1.3 Exercise the powers and responsibilities according to this constitution or as directed by the Constituency Executive Committee.

## 26.4 CONSTITUENCY TREASURER

### 26.4.1 The Constituency treasurer shall be;

- 26.4.1.1 In charge of all Party financial affairs in the Constituency;
- 26.4.1.2 Responsible for all financial transactions within the Constituency under the direction of the Constituency Executive Committee (CEC);
- 26.4.1.3 Ensure that up-to-date and proper financial statements are kept;
- 26.4.1.4 Mobilize and fundraise for the Party at the Constituency level.

## 26.5 CONSTITUENCY ORGANIZING SECRETARY

### 26.5.1 The Constituency Organizing Secretary shall be;

- 26.5.1.1 In charge of Constituency, Party publicity;
- 26.5.1.2 Issue all notices for public rallies convened by the Party;
- 26.5.1.3 Publicize and send out notifications of Constituency public meetings of the Party.

## 26.6 CONSTITUENCY WOMEN REPRESENTATIVE

26.6.1 The Constituency Women representative shall promote and mobilize Party activities among women in the Constituency.

26.6.2 They shall perform the duties and responsibilities prescribed to them by the Constituency Executive Committee.

## 26.7 CONSTITUENCY YOUTH REPRESENTATIVE

26.7.1 They shall promote and mobilize Party activities among the youth in the Constituency.

26.7.2 They shall perform in addition to their duties prescribed to them by the Constituency Executive Committee.

## 26.8 CONSTITUENCY REPRESENTATIVE FOR PERSONS WITH DISABILITIES

26.8.1 They shall promote and mobilize Party activities among the Persons with Disabilities in the Constituency.

## ARTICLE 27: WARD OFFICIALS

27.1 The Ward Party Officials shall manage the Party at the Ward level.

27.1.1 All office bearers shall perform their functions in accordance with the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the Party.

27.1.2 The Ward Congress shall elect from among themselves Ward officials to constitute the Ward Executive Committee consisting of the following officials;

27.1.2.1 Chairperson and Deputy Chairperson, each from either gender;

27.1.2.2 Secretary and Deputy Secretary, each from either gender;

27.1.2.3 Treasurer;

27.1.2.4 Organizing Secretary;

27.1.2.5 Representative of Youth;

27.1.2.6 Representative of Women;

27.1.2.7 Representative of Persons with Disability;

27.1.2.8 Representative of MSMEs;

27.1.2.9 Representative of farmers;

27.1.2.10 Representative of the religious groups;

27.1.2.11 Representative of professional groups;

## 27.2 WARD CHAIRPERSON

27.2.1 The Ward Chairperson who shall be;

27.2.1.1 In charge of the Party affairs within the ward;

27.2.1.2 Preside over all ward Party meetings and supervise the affairs of the



Party within the ward;

27.2.1.3 Do all such duties as may be prescribed by the Ward Executive Committee or any other relevant national Party organ; and,

27.2.1.4 Be expected to use his skills and experience to promote party objectives in the ward.

### 27.3 WARD SECRETARY

27.3.1 The Ward Secretary shall prepare or cause to be prepared proper records of minutes and other activities undertaken by the Party within their ward.

27.3.2 They shall exercise the powers and responsibilities according to the Constitution as directed by the Ward Executive Committee.

### 27.4 WARD TREASURER

27.4.1 The Ward Treasurer shall be;

27.4.2 In charge of all Party financial affairs in the ward;

27.4.3 Be responsible for all financial transactions within the ward to ensure that up-to-date and proper financial statements are kept; and,

27.4.4 Responsible for fundraising and resource mobilization in the ward.

### 27.5 WARD ORGANIZING SECRETARY

27.5.1 The Ward Organizing Secretary shall be in charge of Party publicity and shall carry out the functions at the ward level.

27.5.2 They shall publicize and send out notifications of Ward public meetings of the Party.

### 27.6 WARD WOMEN REPRESENTATIVE

27.6.1 They shall promote and mobilize Party activities among women within the ward and shall perform duties and responsibilities prescribed to them by this Constitution.

### 27.7 WARD YOUTH REPRESENTATIVE

27.7.1 They shall promote and mobilize Party activities among the youth within the ward.

27.7.2 They perform in addition to the duties prescribed by this constitution and the Ward Executive Committee.

### 27.8 WARD REPRESENTATIVE FOR SPECIAL INTEREST GROUPS AND OTHER STAKEHOLDER GROUPS.

27.8.1 They shall promote and mobilize Party activities among the Persons with Disabilities in the Ward.

27.8.2 They shall articulate the issues affecting the stakeholder group they represent and ensure their inclusion in the party programs.

27.8.3 They shall perform duties and responsibilities as shall be prescribed to them by the Ward Executive Committee.

## ARTICLE 28: POLLING CENTRE OFFICIALS

28.1 The Party shall establish offices at its lowest level, being at the polling centre.

28.1.1 All office bearers shall perform their functions with the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the

Party.

28.1.2 The Polling Centre Committee Members shall elect from among themselves six (6) members who shall form the Polling Centre Executive Committee with officials consisting of: -

28.1.2.1 Chairperson and Deputy Chairperson, each of the opposite gender;

28.1.2.2 Secretary and Deputy Secretary, each of the opposite gender;

28.1.2.3 Organizing Secretary

28.1.2.4 Treasurer;

28.1.2.5 Women leader; and

28.1.2.6 Youth Leader

28.1.3 Subject to any other duty expressly provided for by this Constitution, the main duties of the Polling Centre Officials shall be:

## 28.2 POLLING CENTRE CHAIRPERSON

28.2.1 The Polling center Chairperson shall be in charge of the Party affairs within the polling center as established by law.

28.2.2 They shall preside over all Party meetings at the polling center and supervise the affairs of the Party.

28.2.3 They shall do all such duties as may be prescribed by the Constitution and any other relevant national Party organ.

28.2.4 They will be expected to use their skills and experience to promote Party objectives.

## 28.3 POLLING CENTRE SECRETARY

28.3.1 The Secretary shall prepare or cause to be prepared proper records of minutes and other activities undertaken by the Party within the polling center.

28.3.2 They shall keep a proper register of members.

28.3.3 They shall exercise the powers and responsibilities according to this Constitution or as directed by any relevant Party organ.

## 28.4 POLLING CENTRE TREASURER

28.4.1 The Treasurer shall be in charge of all Party financial affairs.

28.4.2 They shall also be responsible for all financial transactions at the Polling center.

28.4.3 They shall ensure that up-to-date and proper financial statements are kept.

## 28.5 POLLING CENTRE ORGANIZING SECRETARY

28.5.1 The Polling centre Organising Secretary shall be in charge of publicity and shall carry out the functions of the organizing secretary.

28.5.2 They shall publicize and send out notifications of polling centre meetings of the Party.

## 28.6 POLLING CENTRE WOMEN REPRESENTATIVE

28.6.1 They shall promote and mobilize Party activities among women within the polling centre and shall perform duties and responsibilities prescribed to them by this Constitution.

## 28.7 POLLING CENTRE YOUTH REPRESENTATIVE

28.7.1 They shall promote and mobilize Party activities among the youth within the polling centre. The Secretary shall, in addition, perform duties prescribed by this Constitution and the polling centre Executive Committee.

## ARTICLE 29: DISCIPLINARY COMMITTEE

29.1 There is hereby established a disciplinary committee comprising seven (7) party members of good standing and integrity.

29.1.1 The disciplinary committee members shall be appointed by the National Executive Committee.

29.1.2 The chairperson shall be an Advocate of the High Court of Kenya of not less than fifteen years standing.

29.1.3 The Disciplinary Committee established under this Constitution shall have the power to receive, summon, hear, and determine all cases of discipline concerning Party members.

29.1.4 Any party member may, by a written and signed complaint, refer the complaint to the Committee.

29.1.5 The Disciplinary Committee shall handle all Party disputes.

29.1.6 In all its proceedings, the Disciplinary Committee shall afford every person a fair hearing with reasonable notice to defend themselves against the charges or allegations in accordance with the rules and regulations and this Constitution and other laws of Kenya.

29.1.7 The Disciplinary Committee shall, upon hearing all the parties to the complaint, render its determination and communicate to the affected member and the National Executive Committee.

29.1.8 The Committee may acquit, pardon, reprimand, fine, censure, sanction, suspend, or expel the charged member.

29.1.9 A member(s) has a right to appeal against the decision of the Disciplinary Committee to the National Executive Committee, whose decision shall be final.

29.1.10 The National Executive Committee, upon receipt of the decision of the Disciplinary Committee and any appeal thereof, may affirm the decision, enhance the fine or penalty, or vary the decision with its own decision.

29.1.11 The National Executive Committee shall ratify a decision on the expulsion of a member.

29.1.12 Any Party member under a disciplinary process shall be entitled to represent themselves in person or by any representative who must be a Party member or an advocate of their choice.

## 29.2 MATTERS CONSTITUTING DISCIPLINARY MEASURES

29.2.1 Disciplinary action shall be instituted against a member in cases of:

- 29.2.1.1 Allegiance to another political party;
- 29.2.1.2 corrupt activities;
- 29.2.1.3 Conduct unbecoming;
- 29.2.1.4 Disloyalty to the party;
- 29.2.1.5 failure, refusal, or neglect to carry out directives or instructions of the Party
- 29.2.1.6 failure to make remittance / or pay dues to the Party;
- 29.2.1.7 failure to abide by the Code of Conduct;
- 29.2.1.8 gross misconduct;
- 29.2.1.9 lack of respect to decisions of the party and the organs of the Party;
- 29.2.1.10 misappropriation of Party funds and/or misuse of the Party facilities;
- 29.2.1.11 Any other act or omission that may bring the party into disrepute.

## ARTICLE 30: CODE OF CONDUCT

- 30.1 All members shall subscribe to the Party's values, principles, and Code of Conduct.
- 30.2 The Officials of the Party shall all bind themselves by signing the Party's Code of Conduct.
- 30.3 Failure to comply with the Party's Code of Conduct shall constitute a disciplinary offence.

## ARTICLE 31: NOMINATION OF CANDIDATES FOR ELECTIONS

31.1 The Party may nominate Presidential, Gubernatorial, Parliamentary, and County Assembly candidates for General and by elections.

- 31.1.1 All registered Party members shall be eligible to vote in their respective electoral areas during nominations of the Party candidate(s) for any elective office.
- 31.1.2 The party may undertake the nomination of its candidates through universal suffrage, Electoral College, direct nominations, and any other method as may be directed by the National Elections Board and in the best interest of the party.
- 31.1.3 The Nomination Rules and Regulations for County Assembly, Parliamentary, Gubernatorial, and Presidential candidates for general and by-elections shall be prepared and ratified by the National Executive Committee. Party nominations shall be conducted in accordance with such rules and regulations.

## ARTICLE 31.2 NOMINATION OF PRESIDENTIAL CANDIDATE

- 31.2.1 The election of the Party's Presidential Candidate shall take place at the National Delegates Congress.
- 31.2.2 The National Executive Committee shall give notice inviting applications from qualified members for nomination as the Party's candidate to contest for the office of the President.

31.2.3 The notice shall be displayed in a conspicuous place in the Party's Constituency, county, and National Offices and shall specify the closing date for application, which shall not be more than three (3) months before the holding of the National Delegates Congress.

31.2.4 Any member may, prior to the expiry of the three (3) months' period above, submit an application for nomination as the Party's Presidential candidate.

31.2.5 A member shall be entitled to be nominated as the Party's Presidential Candidate if they: -

31.2.5.1 are members of the party;

31.2.5.2 Have paid the prescribed fee for the Presidential Aspirants by the deadline set by the National Executive Committee;

31.2.5.3 Satisfies the Constitutional and statutory requirements;

31.2.5.4 Has signed the "Undertaking for Party code of conduct, and,

31.2.5.5 Has at least one thousand (1000) members from at least twenty-four (24) counties who have endorsed the member's nomination.

31.2.5.6 It shall be the obligation of the member seeking nomination as the Party's presidential candidate to satisfy the National Executive Committee that the conditions stipulated in the Constitution have been fulfilled. Any application that does not comply with these conditions shall be rejected.

31.2.5.7 The National Delegates Congress or any other mechanism as shall have been determined by the National Executive Committee shall elect the Party's Presidential candidate.

31.2.5.8 Where there is more than one (1) contestant, decisions shall be taken through the vote by consensus, voice vote, or secret ballot by a simple majority of the quorum-forming members.

31.2.5.9 Where there is only one (1) contestant for nominations as the Party's presidential candidate, the National Delegates Congress shall acclaim their nomination as the Party's Presidential Candidate.

31.2.5.10 Where a contestant obtains a simple majority of the votes, they shall be declared the Party's Presidential Candidate.

31.2.5.11 In the event of a tie between two contestants, the runoff will continue until one contestant obtains a simple majority.

#### ARTICLE 31.3 SELECTION OF THE DEPUTY PRESIDENTIAL CANDIDATE

31.3.1 The Party's Presidential candidate shall nominate a running mate from within the party or existing coalitions the party may have entered into.

#### ARTICLE 31.4 NOMINATION TO OTHER ELECTIVE OFFICES

31.4.1 The National Executive Committee, in accordance with this Constitution and the Nomination and Election Rules, shall approve nominations to all other elective offices.

#### ARTICLE 31.5 NOMINATION OF CANDIDATES TO PARTY LISTS

31.5.1 In line with Article 90 of the Constitution of Kenya, the party shall submit to the Independent Electoral and Boundaries Commission Party lists containing:

a) Twelve persons for consideration as nominated Members of National Assembly to represent special interests including the youth, persons with disabilities and

workers

- b) Sixteen women for consideration as nominated Members of the Senate:
- c) Two members, one man and one woman, for consideration as nominated members of the Senate representing the youth:
- d) Two members, one man and one woman, for consideration as nominated members of the Senate representing persons living with disabilities.

31.5.2 The Party lists referred to above shall alternate between male and female candidates in the priority in which they are listed and shall reflect the regional and ethnic diversity of the people of Kenya.

31.5.3 In drawing the party lists, the National Elections Board shall receive and process applications from party members who are qualified to be on the party lists.

31.5.4 A report of the persons selected by the board referred to above shall be presented to the National Executive Council for ratification or otherwise.

31.5.5 The Party list for Special Seats in all the County Assemblies shall be drawn by the National Elections Board in the same method as the lists for nominated Members of Parliament.

31.5.6) Consideration for inclusion in the party list shall entail the following: - being

- (i) A fully paid-up member;
- (ii) Actively involved in party activities;
- (iii) Involved in recruitment of members;
- (iv) Involved in identifying and introducing candidates for election
- (v) Involved in resource mobilization;

## ARTICLE 32: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE.

32.1 There is hereby established a committee referred to as the Dispute Resolution Committee whose mandate is to receive, hear, and determine disputes resulting from internal Party elections or nominations.

32.2 The Committee will be appointed by the National Executive Committee and will comprise seven (7) members of good standing and integrity who do not hold any elective Party position. The membership of the Committee shall ensure that at least one-third of the membership is of the opposite gender.

32.3 Notwithstanding any other provisions of this Constitution, the quorum of the Committee shall be one-third of its membership or as the case may be.

32.4 The members of this Committee shall hold office for five years, nonrenewable.

32.5 National Executive Committee shall ensure that the Committee members represent regional diversity;

32.6 The Committee shall make its own rules of procedure for conducting its hearings. The rules and regulations shall become effective upon approval by the National Executive Committee. The National Secretariat shall provide secretarial support to this committee.

32.7 The decisions of the Committee shall be final.

32.8 The Committee shall, in accordance with Articles 47 and 50 of the Constitution of Kenya, make rules to govern procedures and the conduct of its affairs, which shall be ratified by the National Executive Committee.

#### ARTICLE 33: PROCEDURE AND QUORUM OF ALL THE MEETINGS OF THE PARTY

33.1 Meetings may be conducted either physically, virtually, or both physically or virtually.

33.2 At all meetings of the National Delegates Conference and the National Executive Committee, the National Chairperson or, in case of his/her absence, the Deputy National Chairperson shall preside.

33.3 The notice for an NDC meeting shall be at least twenty-one (21) days except for a Special NDC meeting, which shall be fourteen (14) days to be published in the media by the National Chairperson and the Secretary General. An ordinary meeting of NDC shall be held every 5 years;

33.4 Notice for NEC, all other party organs, and committees shall be at least 7 days.

33.5 Notices for all meetings shall be sent out by the respective Secretaries.

33.6 At all meetings of the Branch, Sub Branch, Ward or Polling Center, the Chairperson or in his/her absence, the Deputy Chairperson shall preside;

33.7 Resolutions, unless otherwise stated in this Constitution, shall be by consensus; if it fails, then the matter shall be decided by a simple majority by show of hands during voting;

33.8 The Resolutions shall be recorded by the secretariat through the minutes and signed by the Chairperson and Secretary-General;

33.9 In the event of an equality of votes at any meeting, the person presiding shall have the casting vote;

33.10 The quorum of any Organ or meeting of the Party, unless this Constitution otherwise provides, shall be one-third of the membership.

However, a meeting shall be deemed to be properly constituted to conduct business at the second sitting, to be convened not later than three (3) months thereafter even when such a meeting is short of the numbers necessary to constitute quorum, provided that the procedures of calling.

Such a meeting were followed;

33.11 The Secretary-General shall be Secretary to the NDC and NEC.

33.12 The Secretary General shall take and distribute the Minutes of each Meeting after necessary approval.

33.13 The National Executive Committee shall meet at least once every three months except for emergency meetings, which may be convened by the Secretary General according to exigencies of time or by a written request made by 25% of the members thereof.

#### ARTICLE 34: RULES AND REGULATIONS

34.1 The National Executive Committee shall have the power to adopt procedures, rules, and regulations for the implementation of the mandates of the party and the management of all of the organs of the party at all levels.

34.2 Party organs, Committees and sub-committees prepare for purposes of conducting its meetings, hearings and or decision-making procedural rules and regulations as per the Constitution.

34.3 All such rules and regulations shall be consistent with the Constitution of the party, and where the rules and regulations are inconsistent with this Constitution, the provisions of this Constitution shall prevail.

34.4 The rules and regulations shall only become operative upon approval by the National Executive Committee or on a provisional basis pending approval by the National Executive Committee.

## ARTICLE 35: FUNDS & ASSETS

35.1 The National Executive Committee shall establish rules governing the mobilization, management, and expenditure of funds.

35.2 All disbursements shall be against expenditures in the approved budget or by resolutions of the National Executive Committee.

35.3 The source of funds for the Party shall include the following:

35.3.1 Membership fees;

35.3.2 Funding by the Exchequer;

35.3.3 Fundraising and Contributions;

35.3.4 Voluntary Contributions;

35.3.5 Grants, donations, loans, subventions, and legacies accepted by the National Executive Committee on recommendation by party officials and its members;

35.4 Proceeds from any investments, project, or undertaking in which the party has an interest;

35.5 Net income from Publications and Consultancies;

35.6 Nomination fee; and,

35.7 Contribution from elected party members.

35.8 The financial year of the Party shall be aligned to the government's financial Year.

35.9 The Party shall operate bank account(s) as approved by the National Executive Committee.

35.10 Party funds shall be utilized only for purposes of furthering the objectives of the Party in accordance with the approved budgets.

35.11 The Distribution of Party Funds amongst its members and the officials of the Party is prohibited.

35.12 Party organs and officials may not incur expenditure in excess of the funds budgeted and disbursed and without written authority from the National Executive Committee.

35.13 The Party shall appoint a qualified, registered Auditor to audit the books of the Party at the National Delegates Congress. The Auditor shall not be an office bearer or a member of any committee of the Party.

35.14 All Party accounts, records, and documents shall be open to inspection by the auditor at any time.

35.15 The National Treasurer shall produce and submit audited accounts made up- to date, which shall not be less than four weeks and not more than two months before the



date of the National Delegates Congress.

35.16 The books of accounts and all documents relating thereto and the list of members of the Party shall be available for inspection at the registered office of the Party by any officer, members of the Party or any member of the public by giving not less than twenty-one- (21) day notice in writing and upon payment of the prescribed fee.

35.17 The National Treasurer shall be the custodian of all Party Assets and investment funds and shall prescribe the Asset Management Policies and Procedures.

#### ARTICLE 36: SIGNATORIES/BINDING AUTHORITY OF PARTY OFFICIALS

36.1 All correspondences to the Office of the Registrar of Political Parties and/or any other State Office on all matters of the party shall be signed by the National Chairperson and/or Secretary General.

36.2 The signatories to the Bank Accounts of the Party shall be the Chairperson, Secretary General, and Treasurer. Any two (2) can sign, with the Chairperson being a mandatory signatory.

36.3 The signatories to the Financial Reports prepared for the Party shall be the National Chairperson, Secretary General, and Treasurer

36.4 The National Chairperson and Secretary General shall be signatories to the Annual Reports of the Party and any other report or document required under the Political Parties Act.

36.5 The signatories to any Statutory Reports prepared for the Party shall be the National Chairperson, Secretary General, and Treasurer.

36.6 The National Chairperson, together with an official designated/appointed by him, shall be signatories to the Nomination Certificates for any nomination of a Member of the Party to any elective position or Party List(s).

#### ARTICLE 37: PARTY SEAL

37.1 The Party shall have a Party seal, which shall be in the custody of the Secretary-General. The National Executive Committee may, from time to time, determine what class of contracts must be sealed with the Party Seal.

#### ARTICLE 38: THE PRESS AND PUBLICATIONS

38.1 The Party, as directed by the National Executive Committee, may own and operate a printing press and/or electronic media and may have an interest in shares in any existing printing press and/or electronic media.

38.2 The Party may publish its own literature, periodicals, magazines, newspapers, pamphlets, and books or run broadcast programs for its use, Sale, and/or public consumption.

#### ARTICLE 39: MERGERS

39.1 The National Executive Committee may pass a resolution to merge with any other political party or parties in the country where the merger involves the dissolution of the

other parties to join forward Kenya Party.

39.2 Where a merger involves the dissolution of the Forward Kenya Party, the following procedure shall apply:

39.3 The party shall appoint a panel comprising of the Chairperson, Party Leader and the Secretary General who shall negotiate the merger with like-minded political parties and shall only enter into structured negotiations with appointed representatives of the other parties.

39.4 The panel shall represent the Party in the drawing of a merger instrument, and any such instrument shall have due regard for, among other things:

39.5 The political objectives and values of Forward Kenya Party and the interests of all members and organs of the party;

39.6 The symbols and flag of Forward Kenya Party;

39.7 The current and fixed assets and liabilities of Forward Kenya Party;

39.8 The retention of at least one-third of the officials of the Forward Kenya Party at every organ of the merged party

39.9 The retention of at least two senior Officers of the Forward Kenya Party in the Secretariat of the merged party

39.10 The panel shall make its report for adoption or otherwise to the National Executive Committee.

39.11 If the National Executive Committee adopts the report of the merger negotiation panel, then the National Chairperson shall within sixty (60) days convene a meeting of a Special National Delegates Conference(NDC) at which the Motion "THAT, Forward Kenya Party resolves to merge with [list names of all Parties entering into the merger] to form, and therefore bind every registered member of Forward Kenya Party to become a member of, a new political party to be known as [give name of new party]" shall be the only agenda of the day.

39.12 If the Special National Delegates Conference (NDC) ratifies the decision to merge with other Political Parties, then:

39.13 The National Treasurer shall, within fourteen (14) days, settle all outstanding financial obligations where possible;

39.14 The National Treasurer shall close all books of account at every organ of the Party and stop every payment except that which relates to the terminal benefits of employees.

39.15 The Secretary General shall circulate copies of the merger instrument to all delegates attending the NDC meeting.

39.16 All the organs of the Party shall, within fourteen (14) days, dissolve and cease to exist in the manner specified in the merger instrument

39.17 The instrument of merger shall bear the signature of the National Chairperson and that of the Secretary General and shall be sealed accordingly.

## ARTICLE 40: COALITIONS

### ARTICLE 40.1 PRE-ELECTION COALITIONS

40.1.1 The National Executive Committee may pass a resolution to enter into a pre-election coalition with any political party or parties or terminate the same.

40.1.2 The Pre-Election Coalition shall in every respect comply with the provisions of the Third Schedule of the Political Parties Act, 2011.

40.1.3 The instrument of Pre-Election Coalition shall bear the signature of the National Chairperson and the Secretary General and shall be sealed accordingly.

#### ARTICLE 40.2: POST-ELECTION COALITIONS

40.2.1 The National Executive Committee may pass a resolution to commit Forward Kenya Party to a Post-Election Coalition or terminate the same.

40.2.2 The Post-Election Coalition shall be purely for purposes of addressing the parliamentary strength of Forward Kenya Party in Parliament and/or in the County Assemblies.

40.2.3 Without prejudice to the generality of Clauses 38.21 and 38.22 above, any Post-Election Coalition building process shall comply with the Third Schedule of the Political Parties Act, 2011.

40.2.4 The instrument of post-election coalition shall bear the signature of the National Chairperson and the Secretary General and shall be sealed accordingly.

#### ARTICLE 41: DISPUTE RESOLUTION

41.1 There is established an Internal Dispute Resolution Committee (IDRC) which shall consist of Nine (9) members to be drawn from among the members of the following organs, Two members from National Governing Council, Two Members from the National Executive Committee, Two Members from National Steering Committee and one member from the National Policy Committee.

41.2 The Committee shall be a standing committee with a two-year renewable term.

41.3 Any dispute other than an electoral dispute arising out of party elections and nominations shall be adjudicated by the Internal Dispute Resolution Committee (IDRC).

41.4 An Appeal from the Internal Dispute Resolution Committee (IDRC) shall lie to the National Executive Committee, and the decision of the National Executive Committee shall be final.

41.5 Appeals on expulsion of a member shall only be determined by the National Executive Committee.

41.6 The Committee is at liberty to seek technical and expert support on a need basis in order to deliver on its mandate.

41.7 The quorum of the Committee shall be three (3).

41.8 The Internal Disputes Resolution Committee shall, in accordance with Articles 47 and 50 of the Constitution of Kenya, make rules to govern procedures and the conduct of its affairs, which shall be ratified by the National Executive Committee.

#### ARTICLE 42: AMENDMENTS OF THE PARTY PARTICULARS & CONSTITUTION

42.1 The National Executive Committee may propose or receive proposals from any member of the Party for amendment or review of the name, symbol, slogan, colours, or the entire Constitution, which proposals shall be presented for approval by at least two-thirds of the members of the National Executive Committee.

42.2 The quorum for any meeting at which the amendment of the entire Constitution is proposed shall be two-thirds of the members

42.3 A resolution to amend the Constitution shall be supported by at least two-thirds of the members.

#### ARTICLE 43. THE FORWARD PARTY FOUNDATION

43.1 There shall be created a foundation which shall have the power to hold in Trust on behalf of the Party all its land, buildings, and other immovable property and invest on behalf of the Party.

43.2 Upon the creation of the foundation, all land buildings and other immovable property invested and securities which are acquired by the Party shall be vested in the Foundation (hereinafter called "the Foundation")

43.3 The Foundation shall consist of the National Chairperson, Secretary General, and Treasurer.

43.4 A Trustee shall not be removed from office except for any of the following reasons:

- a) If he voluntarily tenders a written resignation
- b) If he becomes bankrupt; or
- c) If he so conducts himself that a resolution is passed by the National Executive Council calling for his removal, such a resolution shall be passed by the National Executive Council

43.5 Contravenes the second schedule of the Political Parties Act 2011 and provisions of Chapter 6 of the Republic of Kenya Constitution

43.6 The quorum required for trustees to transact business pertaining to Party Property shall be two trustees personally present.

43.7 The Foundation shall:

- a) Maintain, collect rent, pay out-goings, and keep a list of the Party's properties.
- b) Prepare and submit their annual report and Accounts to the National Executive Council.

43.8 The Foundation shall, subject to written approval of the National Executive Council, have power to sell, purchase and or transfer any immovable properties of the Party and cause, monies belonging to the Party to be invested in or used, or exchanged for the purchase of such bonds, mortgages, shares and other forms of investments as deemed fit.

43.9 Any disposal of party properties shall bear the signatures of the National Chairperson and National Treasurer.

43.10 The Foundation shall use its best efforts to raise money for the Party and the Party's activities.

#### ARTICLE 44.0 DEMOCRATIC PRACTICES COVERING HUMAN RIGHTS AND GENDER.

44.1 The party in the spirit and letter of the Constitution of Kenya and this Constitution shall implement democratic principles covering human rights and gender.

44.2 In the endeavor to reach the objective of full representation of women in all decision-making structures, the party shall implement a program of affirmative action,

including the provision of a quota of not less than a third (1/3) of women in all elected structures of the party to enable such effective participation.

44.3 The method of such implementation will be addressed in all the party's structures immediately and on a continuous basis.

#### ARTICLE 45.0 THE MANNER OF IMPLEMENTING NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE AS PROVIDED IN THE CONSTITUTION.

45.1 The party, in observing its aims and objectives, shall implement the national values and principles of governance under Article 10 of the Constitution.

#### ARTICLE 46.0 THE POLICY DOCUMENTS WHICH THE POLITICAL PARTY WILL DEVELOP AND ON WHICH THE POLITICAL PARTY WILL PERFORM, INCLUDING THE MANNER AND PROCEDURES IN WHICH THEY WILL BE DEVELOPED, APPROVED, AND IMPLEMENTED

46.1 The party shall develop the following policy documents to aid in running and management of the party: Human Resource Policy, Finance and Accounting Policy, Procurement and Asset Disposal Policy, Data Privacy Policy, and Diversity and Inclusion Policy. The policy documents shall be developed and reviewed on a need basis.

46.2 Party policy documents shall be originated by secretaries to the various organs or committees for approval by the National Executive Council and implementation by it, its committees, or any other of its designated organs.

#### ARTICLE 47.0 THE POLICY REPORTING DOCUMENTS AND THEIR REGULARITY WHICH THE POLITICAL PARTY WILL PRODUCE, INCLUDING THE MANNER AND THE PROCEDURES IN WHICH THEY WILL BE DEVELOPED, APPROVED, AND PUBLICIZED.

47.1 The Manifesto and the strategic plan of the party shall be developed by an ad hoc committee appointed by the National Executive Council and launched at a public forum.

47.2 The National Executive Council shall approve the manifesto and strategic plan before they are launched and distributed to members.

#### ARTICLE 48.0; ASSET MANAGEMENT POLICIES AND PROCEDURES, THE CUSTODY AND INVESTMENT OF THE FUNDS AND PROPERTY OF THE POLITICAL PARTY, AND THE DESIGNATION OF THE PERSONS RESPONSIBLE FOR THEM.

48.1 The National Executive Council, in consultation with the Treasurer, shall propose, approve, and implement investments to be done by the party.

#### ARTICLE 49.0 INSPECTION OF PARTY DOCUMENTS & RECORDS:

49.1 Inspection by a Member(s):

49.1.1 Any Member of the Party fully paid up for a period not less than two (2) years who is interested in inspecting the Party's Records and or lists of members of the Party

shall write to the Secretary General (SG) giving fourteen (14) days' notice of his/her said intention and shall pay such fee as shall be prescribed by NEC;

49.1.2 The Member shall specify:

49.1.2.1 His/her Membership Number

49.1.2.2 The type or kind of Records required for scrutiny

49.2 Inspection by Authorized Public Official(s):

49.2.1 The only non-members entitled to inspect the records of the Party shall be Public Officials operating under an applicable statutory authority;

49.2.2 A Public Official seeking to inspect the records of the party above shall write to the SG, giving a twenty-one (21) days' notice of their said intention and shall pay such fee as shall be prescribed by NEC;

49.2.3 A Public Official seeking to inspect the records of the party above shall be required to sign an affidavit confirming that they shall not use the information sought for any purposes with any adverse effect to the Party.

## ARTICLE 50: DISSOLUTION

50.1 The Party may be dissolved by a resolution passed by a two-thirds majority of registered members of the Party at a Special National Delegates Conference called expressly for dissolution.

50.2 In such dissolution, all properties and funds of the Party less liability shall be distributed in a manner as shall be determined by the Special National Delegates Conference at which the resolution in favor of the dissolution is passed. Such assets shall be granted to one or more organizations in Kenya whose objectives conform to those of the Party.

50.3 The quorum for any meeting at which the dissolution of the party is proposed shall be two-thirds of the delegates eligible to attend an ordinary session of the National Delegates Congress.

50.4 A resolution to dissolve the party shall be supported by at least two-thirds of the delegates eligible to attend and vote.

shall be by Secret Ballot only.



#### Schedule II: Party Flag

The FKP flag is rectangular; it is one and a half times longer than it's wide. It is horizontal comprising from top to bottom, the colour green with a streak of black.

#### Schedule III: Party Slogan

The party slogan is "Our Lives, Our Heritage"

#### Schedule IV: Membership Fees

<b>CATEGORY</b>	<b>JOINING</b>	<b>ANNUAL SUBSCRIPTION</b>
Life	10,000/=	5,000/=
Ordinary	10/=	5/-
Corporate Membership	60,000/=	10,000/=
Group Membership	30,0000/=	5,000/=

The above membership fees shall be subject to review from time to time by the National Executive Committee, subject to ratification by the National Delegates Conference.

#### Schedule V: Counties

1. Mombasa
2. Kwale
3. Kilifi
4. Tana River
5. Lamu
6. Taita/Taveta
7. Garissa
8. Wajir
9. Mandera
10. Marsabit
11. Isiolo

12. Meru
13. Tharaka-Nithi
14. Embu
15. Kitui
16. Machakos
17. Makueni
18. Nyandarua
19. Nyeri
20. Kirinyaga
21. Murang'a
22. Kiambu
23. Turkana
24. West Pokot
25. Samburu
26. Trans Nzoia
27. Uasin Gishu
28. Elgeyo/Marakwet
29. Nandi
30. Baringo
31. Laikipia
32. Nakuru
33. Narok
34. Kajiado
35. Kericho
36. Bomet
37. Kakamega
38. Vihiga
39. Bungoma
40. Busia
41. Siaya



- 42. Kisumu
- 43. Homa Bay
- 44. Migori
- 45. Kisii
- 46. Nyamira
- 47. Nairobi City

Schedule VI: Delegates top-up formula:

Total number of Registered Party Members Nationally

Total Number of Constituencies in the Republic of Kenya

= Target Number

Registered Party Members

Determined by the number of registered members as per Party records

Target Number

This is the minimum number of members a branch must have to qualify for one (1) delegate.

Number of Registered Party Members in Good Standing @ the Branch Target Number

= Qualifying Delegates per branch

Qualifying Delegates

This is the number of delegates that qualify from each branch.

Qualifying Delegates X Multiplier

= Actual Top Up Delegates per branch

Multiplier

A number that is determined by the NEC is to be applied uniformly in the determination of the actual delegates in each branch.

Actual Delegates per Branch

The number of Top Up delegates that can represent each branch and fully participate in the Party's NDC as per this formula.

**END**

