



**FORWARD KENYA PARTY
(FKP)**

ELECTION AND NOMINATION RULES

Amended pursuant to the recommendations of the Office of Registrar of Political Parties, vide the letter dated **5th of November 2024**;

and

Further amended pursuant to the recommendations of the Office of Registrar of Political Parties, vide the letter dated **11th day of April, 2025**;

also

Further amended to comply with the recommendations of the Office of Registrar of Political Parties, vide a letter dated **5th day of May, 2025**.

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PART I: PRELIMINARIES

1. Short Title

These rules may be cited as Forward Kenya Party (FKP) Elections and nomination rules (hereinafter “the Rules”).

2. Preamble

The rules are made in accordance with the FKP Constitution, Constitution of Kenya 2010, Elections Act, 2011, Political Parties Act, 2011, and all other electoral laws.

3. Interpretation

In these rules, unless the context otherwise requires-

"Board" means the National Elections Board established under Rule 1 of these rules;

"Commission" means the Independent Electoral and Boundaries Commission established under Article 88 of the Constitution of Kenya;

"County Elections Board" means a subordinate elections board established at the county level under Rule 1.1(p) of these rules;

"Direct Nomination" means the process of selecting party candidates through competitive party primaries;

"Indirect Nomination" means the process of selecting party candidates through a non-competitive process as provided under Rule 5;

“National Elections Board or the NEB” means the National Elections Board established under Article 61 of the Party Constitution;

"National Executive Committee (NEC)" means the national governing body of the Forward Kenya Party;

"Party" means the Forward Kenya Party (FKP);

"Party List" means a list of nominated candidates prepared by a political party in accordance with Article 90 of the Constitution;

“Special Interest Groups” include—

- (a) Women;
- (b) Persons with Disabilities;
- (c) Youth;
- (d) Ethnic and other Minorities; and
- (e) Marginalised Communities;

"Tribunal" means the National Elections Appeals Tribunal established under Rule 8 of these rules;

"Voter" means a person whose name is included in the Party Members' Register and in a current Register of Voters compiled by the National Elections Board under rule 2 of these Rules for the specific electoral area in which he or she is eligible to vote;

"Ward" means an electoral area demarcated under Article 89(4) of the Constitution.

3. Application

These Rules shall apply to Party primaries and Party nominations to Party Lists.

4. Guiding Principles

The NEB shall conduct Party primaries and Party nomination to Party Lists in a manner that—

- (a) Is democratic, free and fair;
- (b) Is inclusive and participatory;
- (c) Applies technology where appropriate;
- (d) Provides equal opportunities for all eligible party candidates, including women, persons with disability, youth and minorities;
- (e) Selects the strongest candidates to position the Party to win the applicable electoral seat;
- (f) Ensures that the Party's candidates list for the general elections to the National Assembly, the Senate and County Assemblies meet the requirements of the applicable laws on gender

equity;

(g) Is open, transparent and accountable;

(h) Is credible; and

(i) Is peaceful.

5. Access to information

A copy of these Rules shall be available and accessible to the members of the Party;

(a) at the Party's head office and branch offices; and

(b) on the Party's website.

PART II

6. Rule 1: NATIONAL ELECTIONS BOARD

6.1: Establishment of the National Elections Board

- a) There shall be an independent organ to be known as the Forward Kenya Party (FKP) National Elections Board (NEB), which shall be responsible for coordinating all matters touching on internal party elections, national elections and by-elections.
- b) The FKP National Elections Board shall be comprised of Seven (7) persons of high integrity who do not hold any elective party position all appointed by NEC;
- c) Any person who wishes to be a member of the National Elections Board shall submit a letter signifying their interest to become a member of the NEB to the NEC upon the declaration of the vacancies by the NEC.
- d) The National Executive Council shall then conduct a vetting exercise for all applicants and recommend and approve persons to be appointed the members of the NEC.
- e) At least one third of the members of the Board shall be of the opposite gender.
- f) The National Election Board (NEB) shall act independent of any direction from anybody or other organ of the party BUT may incorporate experts from outside it.
- g) The members of the National Election Board shall hold office for a period of five years renewable once.
- h) The Board members shall represent regional diversity and not more than two thirds of the members of the board shall be of the same gender.
- i) The Board shall consist of;
 - i) The Chairperson;
 - ii) Six (6) other members; and,
 - iii) The Director of Elections as an ex-officio member and the Secretary to the Board.
- j) For one to be a NEB member, the person must have the following qualifications:
 - (i) Active member of the Forward Kenya Party (FKP);
 - (ii) Knowledge in matters elections and democracy; and
 - (iii) Not a member of any other organ of the party save for the National Director of Election.

- k) Membership of the National Elections Board (NEB) shall portray regional balance.
- l) The Board shall make its own rules of procedure for its meetings save for the Nomination Rules and Regulations to be approved by the National Executive Committee.
- m) The National Secretariat shall provide secretarial support to the National Elections Board on need basis.
- n) The quorum for meetings of the board shall be at least half of the members.
- o) All decisions of the Board shall be ratified by the NEC.
- p) The FKP National Executive Committee shall on a need-to-need basis establish County Elections Boards as subordinate bodies to the National Elections Board. These County Elections Boards shall be responsible for implementing the decisions of the NEB at the county level.
- q) Each County Elections Board shall consist of a Chairperson, a Deputy Chairperson, a Secretary, and two (2) other members.
- r) The Chairperson, Deputy Chairperson, and Secretary shall be appointed by the NEC, while the two additional members shall be appointed by the National Elections Board.
- s) The composition of County Elections Boards shall adhere to the two-third gender rule and regional inclusivity requirements.
- t) The County Elections Board members shall have the following qualifications:
 - i. Be distinguished persons of good moral standing and high integrity
 - ii. Be ordinarily resident in the county where they serve
 - iii. Not be seeking any elective post or nomination
 - iv. Be registered party members in good standing
- u) A member of the NEB ceases to hold office if he/she:
 - i. Resigns as a member of NEB
 - ii. Dies

- iii. Defects from the Party
- iv. Seriously violates the Party Constitution, Nomination Rules or the Code of
- v. Conduct
- vi. Gross misconduct while performing his/her duties
- vii. Declares an interest in an elective or nomination position
- viii. Becomes mentally incapacitated
- ix. Is adjudged bankrupt
- x. Convicted of an election offence or criminal offence that carries a sentence of at least six months with no fine or the court finds that
- xi. Violates the provisions of chapter six of the Constitution of Kenya, 2010

6.2: Rights, Duties and Functions of the National Elections Board

Members of the FKP National Elections Board shall have the right to sit in all meetings and have the right to vote on any matters that have been subjected to such voting.

The functions of the National Elections Board shall include;

- i. To plan, organize, direct and coordinate the party internal party elections;
- ii. To undertake the Governor, Senator, Women Representative, parliamentary and County Assembly candidate's nomination;
- iii. Implement party nomination and election rules in accordance with the Constitution of Kenya, the electoral laws and the party constitution;
- iv. Prepare and make periodic reports to the National Executive Committee (NEC);
- v. Supervise and coordinate the implementation of elections and nominations by the County, Constituency Ward and Polling Centre Committees;
- vi. Prescribe forms and documents for purpose of party elections and nominations;
- vii. Issue provisional certificates to candidates duly elected or nominated;
- viii. Issue final list of duly elected and nominated members to the National Executive Committee (NEC) for final approval and ratification;
- ix. the supervision of the conduct of Party Lists elections for compliance with Article 90 of the Constitution of Kenya, 2010;

- x. the identification, acquisition, installation and utilization such technology as may be appropriate for the conduct of elections;
 - xi. 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;
 - xii. 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;
 - xiii. declaration of results of all elections conducted under these Rules in the prescribed forms;
 - xiv. the procurement of all electoral material goods and services
- The NEB shall be responsible for the recruitment of officers to oversee internal elections and party nominations;
- xv. Develop and implement a comprehensive training program for all election officials including Returning Officers, Presiding Officers, and Polling/Counting Clerks to ensure they understand electoral procedures, relevant laws, and ethical conduct in elections; and
 - xvi. Determine and oversee the remuneration of all election officials based on a standardized scale approved by the NEC, taking into account the nature of duties, duration of service, and responsibility level.

6.3 Training and Remuneration of Election Officials

- a) The NEB shall develop a comprehensive training manual that covers:
 - i. Electoral procedures and processes
 - ii. Relevant electoral laws
 - iii. Ethical conduct and integrity requirements
 - iv. Handling of disputes
 - v. Management of electoral materials
 - vi. Results management

- b) All election officials must undergo mandatory training before being deployed.
- c) The NEB shall maintain a database of trained officials for future electoral activities.
- d) Remuneration scales for election officials shall be:
 - i. Determined by the NEB and approved by NEC
 - ii. Based on responsibility level, duration of service, and complexity of duties
 - iii. Paid promptly upon completion of assigned tasks
 - iv. Structured to provide appropriate compensation for pre-election training, election day duties, and any post-election responsibilities.

These Officials shall be recruited on a competitive and temporary basis and shall include:

a) Returning Officers

Duties and responsibilities of the County Returning Officers and Constituency Returning Officers shall include but not limited to:

- i. Carrying out briefings or trainings for election officers on the proper conduct of the Party elections in accordance with the Party's Constitution and Elections and Nomination Rules,
- ii. Ensuring that requisite logistics are in place at the election's venue for a free and fair elections,
- iii. Supervising other election officers to ensure level play field,
- iv. Announcing election results promptly and accurately,
- v. Compiling and submitting results of the elections to the NEB, and
- vi. Undertaking any other responsibility or duty that might lawfully be assigned to them by the NEB

b) Presiding Officers

There shall be Presiding Officers appointed by the NEB who shall be in charge of polling and counting in Polling Stations under the general direction of Constituency Returning Officers, in

case of Constituency elections or otherwise County Returning Officers, in the case of County elections. Presiding Officers shall:

- i. Under general direction of respective Returning Officers be in charge of election and nomination exercise within Polling Stations,
- ii. Where applicable, supervise polling and tallying of votes within Polling Stations,
- iii. Co-ordinate and direct Polling and Counting Clerks within Polling Station;
- iv. Submit election results to the respective Returning Officer.
- v. Ensure that there is ample security and an environment conducive for voting during elections within and the immediate surroundings of Polling Stations,
- vi. Ensure that voting process is free and fair; free from all forms of violence, intimidation, bribery, discrimination, manipulation or coercion,
- vii. Protect the rights of all voters including Special Interest groups and the illiterate, and
- viii. Carry all tasks and duties as may be lawfully assigned to them by respective Returning Officers and the NEB.

c) Polling and Counting Clerks

There shall be such number of polling, counting and tallying clerks as the Returning Officers in consultation with the NEB shall determine to carry out such duties and functions as may be assigned to them by Returning Officers or Presiding Officers, as the case may be, for the successful conduct of elections and nominations.

PART III: INTERNAL PARTY ELECTIONS

7.0 Rule 2: RULES RELATING TO FKP INTERNAL PARTY ELECTIONS

The Party in fulfillment of the requirements of the Kenyan constitution, any other written law and the Party constitution shall conduct internal party elections in accordance with the principle of regular, free, fair and peaceful elections.

These elections shall be held from the grassroots all the way to the national level.

7.1: Identification of candidates for internal party elections

7.1.1 Before internal party elections are held, the Party shall ensure that:

- a) Issue a three months' notice notifying party members of the vacant positions.
- b) Call for potential candidates to submit their applications for consideration to elections for party positions.
- c) National Officials candidates shall submit their applications to the National Elections Board while County, Constituency and grass roots (ward) candidates shall submit their applications to their respective County Elections Boards.
- d) Prior to the elections there shall be political education to members of the party and enhanced recruitment of party members.

7.1.2. Upon issuing the notice for the election, the National Elections Board with the support of all structures of the party shall ensure that the elections are held within two hundred and seventy days (9 months) of issuance of the notice.

7.1.3. Any candidate seeking to be elected into party organ shall:

- i. Be a member of the Forward Kenya Party (FKP),
- ii. Be committed to ideals and core values of the Party.
- iii. Be a fully paid-up member, in the case of those seeking for national office, Branch and Sub Branch Chairpersons
- iv. Demonstrate having participated in party activities for at least one year prior to his/her application for election.
- v. Complete and return within the time stipulated by the NEB Party election form prescribed in Schedule III to these rules and Party Code of Conduct. The form shall be accompanied by a copy of the national ID, party certificate, police good conduct certificates, and testimonials.
- vi. Be a delegate by virtue of having been elected from the Grassroots.
- vii. Be present during the meeting at which the election is conducted.
- viii. Clearly demonstrate that they meet the ethic and integrity requirements of Chapter 6 of the constitution. For avoidance of doubt, anyone convicted of a criminal offence shall not be eligible to be elected as an official of FKP.

7.1.4. Prospective candidates may be disqualified from running for any positions under the following circumstances:

- a) A declared bankrupt
- b) The candidate has been legally declared incapable of holding office due to mental incapacity through a process established by law;
- c) Does not meet the requirements of chapter 6 of the Constitution;
- d) The party subscriptions are not up to date.

7.1.5. The National Elections Board shall establish a comprehensive vetting process for all prospective candidates as follows:

a) Initial Eligibility Screening (7 days from close of applications):

- i. Verification of party membership status and duration
- ii. Confirmation of payment of required fees
- iii. Verification of voter registration status
- iv. Basic compliance check of submitted documentation

b) Due Diligence Investigation (14 days from completion of initial screening):

i. Background and character verification through consultation with relevant government agencies including but not limited to:

- Ethics and Anti-Corruption Commission (EACC)
- Kenya Revenue Authority (KRA)
- Directorate of Criminal Investigations (DCI)
- Credit Reference Bureau (CRB)
- Higher Education Loans Board (HELB)

ii. Verification of academic and professional qualifications

iii. Assessment of participation in party activities as claimed

c) Interview Process (7 days from completion of due diligence):

i. Face-to-face interviews with candidates by a panel comprising:

- Two members of the National Elections Board
- One independent party member of good standing
- One representative from the party leadership

ii. Assessment of candidates' understanding of party ideology, policies, and constitution

iii. Evaluation of leadership capabilities and potential contribution to the party

d) Final Shortlisting (2 days from completion of interviews):

- i. Compilation of candidate assessment results
- ii. Ranking of candidates based on predetermined criteria
- iii. Final shortlisting of candidates for each position

7.1.6. The process of identification of candidates shall follow this detailed timeline:

- a) Public notice of vacant positions - 90 days before elections
- b) Receipt of applications - 60 days before elections (duration of 30 days)
- c) Initial eligibility screening - 53 days before elections (duration of 7 days)
- d) Due diligence investigation - 39 days before elections (duration of 14 days)
- e) Interview process - 32 days before elections (duration of 7 days)
- f) Final shortlisting - 30 days before elections (duration of 2 days)
- g) Publication of final list of candidates - 28 days before elections
- h) Appeal period - 21 days before elections (duration of 7 days)
- i) Determination of appeals - 14 days before elections (duration of 7 days)
- j) Publication of final candidate list - 7 days before elections

The entire process from close of applications to final shortlisting shall not exceed 30 days.

7.1.7. Party elections shall be conducted for the following organs of the Party.

- i. National Officials constituting the National Executive Council to be elected by the NDC;
- ii. Regional Coordinating Committee
- iii. County Congress/County Executive Committee
- iv. Constituency Congress/Constituency Executive Committee
- v. Ward Congress/Ward Executive Committee
- vi. Polling Centre Members Committee
- vii. FKP Women Congress
- viii. FKP Youth Congress

7.1.7A. The National Elections Board shall establish a standardized scoring system for candidate evaluation with the following weighted criteria:

a) Party loyalty and active participation (25%)

- i. Duration of membership
- ii. Participation in party activities
- iii. Contributions to party growth and development

b) Leadership capability (20%)

- i. Previous leadership experience
- ii. Communication skills
- iii. Problem-solving ability

c) Integrity and character (20%)

- i. Compliance with Chapter Six of the Constitution
- ii. Financial probity
- iii. Public reputation

d) Educational and professional qualifications (15%)

- i. Academic credentials
- ii. Professional achievements
- iii. Specialized skills relevant to position sought

e) Diversity considerations (10%)

- i. Gender balance
- ii. Youth representation
- iii. Representation of persons with disabilities

f) Regional balance (10%)

- i. Geographic representation
- ii. Ethnic inclusivity
- iii. Urban-rural balance

The National Elections Board shall develop detailed scoring sheets based on these criteria to be used during the vetting process.

7.1.7B. Transparency in the candidate identification process shall be maintained through:

- a) Publication of shortlisting criteria before applications are invited
- b) Regular updates on the progress of the vetting process
- c) Written feedback to unsuccessful candidates upon request
- d) Publication of final shortlisted candidates' profiles on party platforms
- e) Opportunity for party members to provide feedback on shortlisted candidates within 48 hours of publication

7.1.7C. Disqualification during the vetting process:

- a) A candidate may be disqualified at any stage of the vetting process if:

- i. They provide false or misleading information
- ii. New information emerges that renders them ineligible
- iii. They engage in unethical practices during the vetting process
- iv. They withdraw their candidature in writing
- b) Before disqualification, candidates shall:
 - i. Be notified in writing of the grounds for potential disqualification
 - ii. Be given 48 hours to respond to the allegations
 - iii. Have their case reviewed by at least three members of the National Elections Board
- c) Disqualified candidates shall:
 - i. Be notified in writing of the decision and reasons
 - ii. Have the right to appeal to the National Elections Appeals Tribunal within 48 hours
 - iii. Receive a final determination on their appeal within 72 hours
- 7.1.7D. Special considerations for marginalized groups:
 - a) In the identification of candidates, the National Elections Board shall implement affirmative measures to promote:
 - i. Gender balance with a minimum of one-third representation of either gender
 - ii. Youth participation with dedicated opportunities for members under 35 years
 - iii. Inclusion of persons with disabilities
 - iv. Representation of marginalized communities
 - b) The National Elections Board may:
 - i. Reserve specific positions for candidates from special interest groups
 - ii. Apply adjusted scoring criteria for candidates from underrepresented groups
 - iii. Provide capacity building and mentorship to potential candidates from marginalized groups

7.1.8. The party shall encourage the participation of women, youth and PWDs by exempting fees and designating seats to SIG candidates. This shall be done with the direction and approval of NEC.

7.2: Conduct and procedure of elections of National Officials.

- a) The National officials shall be elected by the National Delegates Convention (NDC) convened in accordance with provisions of the Party Constitution save for the Executive Director the Secretary of Women Affairs and the Secretary for Youth Affairs, Sports & Culture.
- b) The Secretary Women Affairs and Secretary Youth Affairs, Sports & Culture shall be elected by members of their respective caucuses.
- c) The quorum of members present that will enable such elections to be conducted must be at least 75% of the total eligible members of NDC.
- d) The elections will be called as per the Party's Constitution.
- e) The National Elections Board shall appoint a returning officer for elections of the National Officials.
- f) The NEB will issue nomination forms for national elections 3ack0 days prior to the holding of the National Delegates Convention.
- g) The duly filled nomination forms must be received at the registered Head office 21 days to the National Convention date.
- h) A nomination form shall be duly completed and comply with all the requirements under these rules.
- i) Each candidate shall have a proposer and seconder who should be party members, registered voters and delegates to the National Convention.
- j) The National Executive Committee may charge nomination fees.
- k) Elections at the National Delegates Convention shall be by secret ballot or any other method approved by the delegates in session.
- l) All registered delegates present at the National Convention shall be provided with a booklet containing ballot papers for all electoral positions.
- m) The time for voting shall be from 8:00 a.m to 5:00 p.m. on the date set by the NEB. The NEB with the approval of the NEC shall have power to extend voting time to compensate for any time

when voting was disrupted.

- n) The ballot boxes must be clear and transparent.
- o) Upon the conclusion of the voting, the counting of the votes shall commence immediately. Vote counting shall be done in the presence of the candidates and their agents (where applicable). The returning officer shall count the votes, audibly read the ballot paper out, and in full view of candidates/or their agents.
- p) Upon completion of the vote counting, the Returning Officer shall announce the results to the persons then present naming candidates, and publicly announcing the number of votes cast for each of the candidates. He/she shall thereafter declare the candidate receiving the highest number of votes as duly elected official. The announcements of the results shall be made within 48 hours of the elections.
- q) Subject to the determination of any appeals, a nomination certificate shall be issued to the successful candidate, which certificate shall be signed by the Chairman of the National Elections Board & 2 other members of the National Elections Board.
- r) Dissatisfied candidates may lodge an appeal against the results with the National Elections Appeals Tribunal.
- s) The National Elections Appeals Tribunal shall hear the presentations and decide each case objectively on its merit.
- t) The decision of the National Elections Appeals Tribunal on such appeals shall be final.
- u) Should the elections be found to be flawed and therefore null and void, the National Elections Board shall announce the dates and venue for fresh elections and conduct such repeat elections in the manner prescribed above.
- v) Persons elected to national offices shall upon declaration of results of election assume office with immediate effect. The elected officials shall serve for a term of five (5) years and shall be eligible for re-election once.

7.3 Conduct and Procedure of Elections of Party Officials at County, Branch and Ward levels:

i. Branch Organization

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

A. Mainstream:

- i. County Executive Committees,
- ii. Constituency Executive Committees,
- iii. Ward Executive Committees,
- iv. Polling Centre Members Committee

B. FKP Women Congress

- i. FKP Women Congress County Executive Committees,
- ii. FKP Women Congress Constituency Executive Committees,
- iii. FKP Women Congress Ward Executive Committees,
- iv. FKP Women Congress Polling Centre Members Committee

C: FKP Youth Congress:

- i. FKP Youth Congress Executive Committees,
- ii. FKP Youth Congress Constituency Executive Committees,
- iii. FKP Youth Congress Ward Executive Committees
- iv. FKP Youth Congress Polling Centre Members Committee

Composition of the County Executive Committee

The County Congress shall be composed of the following officials:

- a) Chairperson and Deputy Chairperson each of the opposite gender;
- b) Secretary and Deputy Secretary each of the opposite gender;
- c) Treasurer;
- d) Organizing Secretary;
- e) Representative of Youth;
- f) Representative of Women;
- g) Representative of Persons with Disability;
- h) Representative of MSMEs;
- i) Representative of farmers;
- j) Representative of the religious groups;

- k) Representative of professional groups.
- l) Seven (7) members with at least three (3) of the opposite gender.

Composition of Constituency Executive Committees

Each Constituency Executive Committee shall be composed of the following officials:

- a) Chairperson;
- b) Secretary;
- c) Treasurer;
- d) Organizing Secretary;
- e) Representative of Youth;
- f) Representative of Women;
- g) Representative of Persons with Disability;

Composition of the Ward Executive Coordinating Committee

The Ward Executive Committee shall be composed of the following officials;

- a) Chairperson and Deputy Chairperson each of the opposite gender;
- b) Secretary and Deputy Secretary each of the opposite gender;
- c) Treasurer;
- d) Organizing Secretary;
- e) Representative of Youth;
- f) Representative of Women;
- g) Representative of Persons with Disability;
- h) Representative of MSMEs;
- i) Representative of farmers;
- j) Representative of the religious groups;
- k) Representative of professional groups.
- l) Seven (7) members with at least three (3) of the opposite gender

7.4 Procedure of elections at the polling centre, ward, constituency and county level

- a) The NEB shall issue a public notice of not less than 21 days in print and electronic media with national circulation and coverage specifying the venue, time and date of the various internal elections to be held by the party.
- b) The elections will be conducted at the County, Constituency, Ward and Polling centre levels by the County Elections Board where party members with membership cards and who are also registered as voters in their respective branch shall elect the officials directly by secret ballot.
- c) The County Elections Board shall appoint election officials whose character is not questionable.
- d) Party Elections at the Branch shall be presided over by returning/presiding officers and any other officials determined by the County Elections Board.
- e) The returning/presiding officers shall take charge of electoral process guided by established rules and procedures.
- f) Candidates should be party members and registered voters.
- g) Candidates wishing to be elected into any Party Position or organ must be of good character.
- h) Candidates wishing to be elected into any Party position or organ must sign and abide by the Party's Code of Conduct.
- i) Candidates wishing to be elected into any Party position or organ must demonstrate loyalty to the party.
- j) Candidates wishing to be elected into any Party position or organ must also have a proposer and a seconder who shall be members of the party and who shall be registered as voters.
- k) All candidates must fully complete prescribed nomination forms.
- l) Nomination forms for all party elections will be issued under authority and direction of the National Elections Board.
- m) The fees and/or any other charges for the nomination process shall be determined by the National Executive Committee.
- n) The date and time of presentation of nomination papers shall be determined and communicated at least 3 days to the polling day by the National Elections Board.
- o) Each returning/presiding officer shall conduct democratic, free, fair and transparent elections using the secret ballot method of voting.

No person shall be eligible to participate in the county, constituency, ward, polling centre and National elections unless that person:

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

7.5 Assumption into Office of elected party officials:

Upon conclusion of elections at every level, the National Elections Board shall publish the names of the winners in the party website within 14 days of the end of the elections.

All winners shall officially assume their positions at least 7 days after the publication of the election's winners subject to determination of any pending appeals.

The National Executive Committee shall organize orientation of all the elected officials.

7.6 Term of Office

All elected officials of the party shall hold office for a period of five (5) years. Any exceptions shall explicitly be provided for in the Party Constitution.

PART IV: ELECTIONS AND NOMINATIONS FOR NATIONAL ELECTIONS

8.0 Rule 3: GENERAL QUALIFICATIONS FOR NOMINATION AND ELECTION OF PARTY CANDIDATES

The Party shall have two ways in which candidates to represent the Party in national elections will be identified.

These shall be through:

- Direct Nominations/Party primaries; and
- Indirect Nominations/ special nomination.

9.0 Rule 4: RULES AND CONDUCT OF DIRECT NOMINATIONS/PARTY PRIMARIES

9.1 Notice Requirements for Party Primaries

- a) The NEB shall issue notice for party primaries through:
 - i. At least two newspapers with national circulation
 - ii. The party's official website
 - iii. All party social media platforms
 - iv. Public notices at party offices
 - v. Text messages to registered party members where feasible
- b) The notice shall be issued at least 21 days before the primaries and shall include:
 - i. Date, time, and venues of the primaries
 - ii. Positions being contested
 - iii. Voter eligibility requirements
 - iv. Contact information for inquiries
 - v. A clear timeline of all related activities

c) For any postponement or change in the primaries schedule, the NEB shall issue a notice at least 72 hours before the originally scheduled date, except in cases of emergency.

9.2 Identification of candidates to participate in primaries

The party shall conduct free, fair and transparent nomination of candidates through party primaries.

- (a) Upon publication of the electoral timelines by the Commission, the National executive Committee shall within 21 days officially instruct the National Elections Board to carry out all activities relating to identification of candidates to participate in party primaries.
- (b) The National Elections Board shall notify the party members and the general public of the vacant positions available for contest in party primaries. The notification shall be in at least two newspapers, all party social media pages and the official party website.
- (c) The duration within which to submit nomination papers shall be for at least 45 days.
- (d) The nomination forms, which shall be formal way of declaring interest shall be accompanied by the various supporting documents depending on the position sort and as provided hereinunder in these rules.
- (e) The fees to be paid by prospective candidates for purposes of participation in the primaries shall be as determined and published by the party's NEC. For avoidance of doubt, women, youth and PWDs candidates shall pay half of prescribed fee in any given category.
- (f) The party's NEB shall take all reasonable steps to ensure that the party reaches out for and support SIG candidates who show interest to participate in the primaries. The NEB may from time to time present to the NEC list of strong SIG candidates who may benefit from support including capacity building, campaign financing, and resource mobilization.
- (g) The NEB shall utilize all resources to its disposal including engaging Kenya's independent offices including EACC, Kenya Police, ORPP, IEBC, Judiciary, KRA etc to ascertain the suitability of prospective candidates before clearing them to participate in the primaries.

(h) Upon the lapse of the timeline for submission of the nomination papers, the National Elections Board shall publish a notice be in at least two newspapers, all party social media pages and the official party website giving details of the nominations including:

- Date (s) of nominations
 - Mode of nominations
 - Venue (s) of nominations
 - Eligibility criteria to participate in the nominations as voters.
- (i) Notwithstanding any other rule put in place by any organ of the party, the National Elections Board shall disqualify any candidate who is:
- a) Not a fully paid-up member with up-to-date subscriptions;
 - b) A convicted criminal;
 - c) Does not adhere to the provisions of chapter 6 of the Constitution and all laws relating to ethics and integrity.

9.2.1. Vetting Procedure for Primary Candidates:

a) The National Elections Board shall establish a three-tier vetting process for all primary candidates:

i. Pre-qualification Stage (14 days):

- a. Document verification
- b. Membership status confirmation
- c. Verification of voter registration
- d. Criminal background check
- e. Basic integrity assessment

ii. Substantive Vetting Stage (21 days):

- a. Comprehensive background investigation
- b. Verification with government agencies (EACC, KRA, DCI)
- c. Financial integrity assessment
- d. Academic and professional qualification verification
- e. Assessment of leadership experience and capabilities
- f. Evaluation of commitment to party ideology and principles

iii. Final Clearance Stage (7 days):

- a. Interview with vetting panel
 - b. Presentation of political agenda and manifesto
 - c. Assessment of electoral viability
 - d. Final determination of suitability
- b) The vetting panel for each constituency shall comprise:
- i. One member of the National Elections Board
 - ii. Two members of the County Elections Board
 - iii. One representative of the National Executive Committee
 - iv. One independent party member of good standing from outside the constituency
- c) Standardized evaluation forms shall be used at each stage of the vetting process
- d) Candidates shall receive written feedback after each stage of the vetting process
- e) Appeals against decisions at any stage shall be filed within 48 hours and determined within 72 hours

9.2.2. Detailed Timeline for Identification of Primary Candidates:

- a) The process of identifying candidates for party primaries shall follow this comprehensive timeline:
- i. Publication of notice for vacant elective positions - 120 days before IEBC deadline
 - ii. Submission of nomination papers and supporting documents - 90 days before IEBC deadline (duration of 45 days)
 - iii. Pre-qualification vetting - 76 days before IEBC deadline (duration of 14 days)
 - iv. Publication of pre-qualified candidates - 75 days before IEBC deadline
 - v. Appeal period for pre-qualification decisions - 72 days before IEBC deadline (duration of 3 days)
 - vi. Substantive vetting stage - 51 days before IEBC deadline (duration of 21 days)
 - vii. Publication of candidates who passed substantive vetting - 50 days before IEBC deadline
 - viii. Appeal period for substantive vetting decisions - 47 days before IEBC deadline (duration of 3 days)
 - ix. Final clearance stage - 40 days before IEBC deadline (duration of 7 days)
 - x. Publication of final list of cleared candidates - 39 days before IEBC deadline

xi. Appeal period for final clearance decisions - 36 days before IEBC deadline (duration of 3 days)

xii. Resolution of all appeals - 31 days before IEBC deadline (duration of 5 days)

xiii. Publication of final list of primary candidates - 30 days before IEBC deadline

xiv. Party primaries - 21 days before IEBC deadline

b) The National Elections Board may adjust this timeline with approval of the National Executive Committee, provided that:

i. The adjustments are communicated to all party members at least 14 days before implementation

ii. The adjusted timeline still allows for proper vetting of candidates

iii. The adjusted timeline complies with IEBC requirements

9.3 Conditions for candidates for various positions under the Kenyan Constitution:

a. Presidential Candidates

- i. The Party Leader or any other member of the party who qualifies to be president of the Republic of Kenya will be the Party's presidential Candidate in the event of a National Presidential election.
- ii. If more than two individuals declare their interest to be the party's presidential candidate, there shall be an election conducted by the NEB at the National Delegates Congress (NDC).
- iii. The Deputy Party Leader will be the Party's Presidential Candidate Running mate in the event of a National Presidential election. Any other party member who qualifies to be the Deputy President of the Republic of Kenya may also seek the party ticket for Deputy President.
- iv. If more than two individuals declare their interest in being the party's deputy presidential candidate, there shall be an election conducted by the NEB at the National Delegates Congress (NDC).

Any hopeful Presidential Candidate and their Running mate shall be fully paid members of the party and shall provide the following documents to the National Elections Board:

- a) Detailed CV
- b) Copy of ID Card or Passport
- c) Evidence of registration as a voter
- d) Copies of academic and professional qualifications
- e) Pay the nomination fee as determined by NEC
- f) Sign the party's code of conduct
- g) Meet all the requirements for election as president or deputy president under Kenyan law

b. Gubernatorial Candidates

Any person seeking nomination as Governor or Deputy Governor shall be a fully paid-up member of the party and shall provide the following to the NEB:

- i. Detailed CV
- ii. Copy of ID Card or Passport
- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Pay the nomination fee as determined by NEC
- vi. Sign the party's code of conduct
- vii. Meet all the requirements for election as Governor or Deputy Governor under Kenyan law

c. Parliamentary Candidates (Senate and National Assembly)

Any person seeking nomination as a member of the National Assembly (MP/County Women Rep) or Senate shall be a fully paid-up member of the party and shall provide the following to the NEB:

- i. Detailed CV
- ii. Copy of ID Card or Passport
- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Pay the nomination fee as determined by NEC
- vi. Sign the party's code of conduct
- vii. Meet all the requirements for election as senator or member of the national assembly under Kenyan law

d. County Assembly Candidates

Any person seeking nomination as a member of any county assembly shall be a fully paid-up member of the party and shall provide the following to the NEB:

- i) Detailed CV
- ii) Copy of ID Card or Passport
- iii) Evidence of registration as a voter
- iv) Copies of academic and professional qualifications
- v) Pay the nomination fee as determined by NEC
- v) Sign the party's code of conduct
- vi) Meet all the requirements for election as a member of a county assembly.

Notwithstanding the above-mentioned conditions, the following general conditions shall apply to any candidate intending to participate in the party primaries:

- a) The person must be conversant with, support and subscribes to the party ideology, philosophy, mission and values.
- b) The person is a validly current registered member in any branch in Kenya, and his name appears in the National Register of the party members.
- c) The person is a citizen of Kenya and a holder of a National Identity Card or such other document of national identity as may be prescribed by law and is registered as a voter in some constituency in the Republic of Kenya.
- d) The person is qualified to stand for an election which he/she seeks under the provisions of the law for the time being regulating and governing the conduct of election in Kenya.
- e) The person has no criminal record of an offence against which there is no pending in the last five years immediately before applying for nomination.
- f) The person is not an undischarged bankrupt under the laws of Kenya.
- g) The person must have paid his nomination fee.
- h) The person undertakes to and signs the party code of conduct and to abide by the party Disciplinary Rules.
- i) The person must have been cleared by the Higher Education Loans Board (HELB)

9.4 Conduct and procedure of the FKP party primaries

- a) The party membership register as certified by the Registrar shall be register to be used for

purposes of party nominations.

- b) Only registered party members who are also registered voters shall participate in the nomination process. Voters must produce their party membership card and elector's card to cast their vote.
- c) The National Elections Board (NEB) shall appoint election officials whose character is not questionable.
- d) Party Elections at the County shall be presided over by returning/presiding officers and any other officials determined by the National Elections Board (NEB).
- e) The returning/presiding officers shall take charge of electoral process guided by established rules and procedures
- f) The National Elections Board (NEB) shall issue the schedule stipulating the dates and public venue for nomination of Senatorial, parliamentary and county candidates.
- g) The returning /presiding officer may organize to have all the voting equipment, materials and staff at the polling centre before polling opens on the Election Day.
- h) At the polling area, voting shall start at 8.00 am and end at 5:00 p.m.
- i) At the commencement of the nominations, the returning/presiding officer will indicate clearly on the poster and announce the posts and names of all eligible candidates.
- j) Ballot papers for the polling stations may be in the form of a booklet.
- k) Each voter shall write clearly and legibly the name of their preferred candidate(s) and deposit it in the designated ballot box.
- l) The ballot boxes must be clear and transparent.
- m) Illiterate voters may be assisted by Party agents/workers to fill in the name of their preferred candidates.
- n) All ballot papers shall bear the official stamp of the party.
- o) The returning officer shall plan to start counting of votes immediately after 5.00 p.m
- p) Counting of votes will take place at the polling station, in the presence of candidates or their appointed agents.
- q) Ballot papers which have more than one mark/name, such that it is not clear which candidate the voter intended to elect shall be considered spoilt and therefore void. Where names are already indicated on a ballot paper voter can make any type of mark.
- r) The returning officer shall enter the results of the counting process in the prescribed form

before announcing those results.

s) Once the results form is completed, the returning officer shall give a copy of the completed form to the candidates or their agents and then announce those results by reading from the completed form.

t) Candidates taking part in the elections and who are dissatisfied with the results shall be entitled to appeal at the National Elections Appeals Tribunal.

u) The National Elections Appeals Tribunal shall hear the presentations and decide each case objectively on its merit.

v) The decision of the National Elections Appeals Tribunal on such appeals shall be final.

w) Should the election be found to be flawed and therefore null and void, the National Elections Board shall announce the dates and venue for repeat elections and conduct such repeat elections in the manner prescribed above.

x) Returning/presiding officers shall file duly signed returns with the National Elections Board not later than 2 days after the announcement of results.

y) The form will specify the names and positions of elected county, parliamentary, and senatorial candidates.

z) The election materials may be sealed and preserved by the returning officer at the branch level.

aa) The winner of the county, parliamentary and Senatorial nomination will be issued with a prescribed certificate by the National Elections Board signed by the Party Leader, National Chairperson, Secretary General, and Chairperson of the National Elections Board not more than 48 hours after the announcement of the results.

9.4.1 Methods and Procedure of Voting

a) The party shall use standardized paper ballots for all nominations unless otherwise specified by the NEB with approval of NEC at least 30 days before the nominations.

b) Where electronic voting is approved by the NEB:

- i. The system must be tested and certified at least 14 days before the nomination day
- ii. A parallel manual system shall be available as backup

iii. Voter verification shall be biometric where possible

c) Ballot design and marking:

i. Each ballot paper shall contain the party logo, position being contested, names of candidates, and their photographs

ii. Candidates' names shall appear in alphabetical order of surnames

iii. Voters shall mark their choice by placing a mark (X or √) in the box next to their preferred candidate

iv. Where a voter is illiterate or requires assistance, they may be assisted by a person of their choice or by the presiding officer in the presence of agents

d) Upon receiving the ballot paper, the voter shall:

i. Proceed to the voting booth

ii. Mark their choice in secret

iii. Fold the ballot paper to conceal their vote

iv. Place the marked ballot in the designated transparent ballot box

v. Have their finger marked with indelible ink to prevent double voting

e) The NEB shall develop detailed standard operating procedures for the voting process at least 60 days before nominations.

9.4.2 Venues for Voting

a) The criteria for selecting voting venues shall include:

i. Centrality and accessibility to majority of party members

ii. Security considerations

iii. Adequate space to accommodate expected voter turnout

iv. Weather protection features

v. Facilities for persons with disabilities

b) Specific venue requirements:

- i. Separate entrances and exits where possible
- ii. Adequate lighting
- iii. Sufficient space for voting booths ensuring privacy
- iv. Adequate space for observers, agents, and officials
- v. Access to basic amenities

c) The NEB shall publish the list of all voting venues at least 14 days before the nomination day, including:

- i. Name and physical address of each venue
- ii. GPS coordinates where applicable
- iii. Operating hours
- iv. Constituency and ward served by each venue

d) The NEB shall ensure that each venue is accessible to persons with disabilities by providing:

- i. Ramps where necessary
- ii. Priority voting for persons with disabilities, the elderly, expectant mothers, and those with infants
- iii. Adequate seating for those waiting to vote
- iv. Special voting booths designed for wheelchair users

9.4.3 Procedure for Counting and Tallying of Votes

a) Sorting and counting process:

- i. Upon close of polling, the presiding officer shall seal the ballot box slots
- ii. Counting shall be done at the polling station immediately after close of voting

iii. The presiding officer shall open the ballot boxes in the presence of candidates or their agents

iv. Ballot papers shall be sorted by candidate, with rejected ballots separated

v. Each candidate's ballots shall be counted openly, displayed, and announced

b) Documentation of counting:

i. All counting shall be recorded on standardized tally sheets

ii. Each counted batch shall be bundled and labeled

iii. The presiding officer shall complete results declaration forms with the following information:

1. Total number of registered voters
2. Total votes cast
3. Valid votes for each candidate
4. Rejected votes
5. Spoilt ballots
6. Disputed ballots

c) Handling disputed ballots:

i. A ballot shall be considered disputed if a candidate or agent challenges its validity

ii. The presiding officer shall make the final decision on disputed ballots

iii. The grounds for rejection shall be recorded

iv. Disputed ballots shall be kept separately and forwarded to the County Elections Board for review

d) Collation of results:

i. Results from polling stations shall be transmitted to the Constituency Elections Board

ii. The Constituency Elections Board shall collate results from all polling stations

iii. Collated results shall be forwarded to the County Elections Board within 12 hours of conclusion of counting

iv. The County Elections Board shall forward all results to the National Elections Board within 24 hours

e) Security of ballots and election materials:

i. All used ballot papers shall be sealed in tamper-proof bags

ii. All election materials shall be securely transported to designated storage facilities

iii. Materials shall be preserved for at least 90 days after the nomination or until any dispute is resolved

9.4.4 Procedure for Announcing Results

a) Timeline for announcements:

i. Polling station results shall be announced immediately after counting by the presiding officer

ii. Constituency results shall be announced within 12 hours of receipt of all polling station results

iii. County results shall be announced within 24 hours of receipt of all constituency results

iv. National results (for national positions) shall be announced within 48 hours of receipt of all county results

b) Format of result announcements:

i. Verbal announcement at the counting center to candidates, agents, and observers

ii. Written announcements on standardized results declaration forms

iii. Electronic announcements via party digital platforms

iv. Media broadcasts where applicable

c) Content of result announcements:

i. Total number of registered voters

- ii. Total votes cast
- iii. Valid votes for each candidate
- iv. Rejected votes
- v. Spoilt ballots
- vi. Percentage of votes received by each candidate
- vii. Declaration of winner

d) Publication and dissemination of results:

- i. Results shall be posted at the polling station immediately after counting
- ii. Results shall be published on the party website within 12 hours of announcement
- iii. Results shall be displayed at all party offices within 24 hours
- iv. Full results breakdown shall be made available to all candidates within 48 hours

9.4.5 Issuance of Nomination Certificates

a) Format and content of certificates:

- i. Certificates shall bear the party logo, seal, and security features
- ii. Shall contain the name of the winning candidate, position, electoral area, date of nomination, and vote tally
- iii. Shall be signed by the Party Leader, National Chairperson, Secretary General, and Chairperson of the NEB

b) Timeline for issuance:

- i. Provisional certificates may be issued immediately after announcement of results
- ii. Final certificates shall be issued after the expiry of the 72-hour appeal window if no appeal is filed
- iii. Where an appeal is filed, certificates shall only be issued after determination of the appeal

c) Procedure for replacement of lost or damaged certificates:

- i. The candidate shall apply in writing to the NEB
- ii. The application shall be accompanied by an affidavit and police abstract
- iii. A replacement fee of Ksh 5,000 shall be paid
- iv. Replacement certificates shall be clearly marked "DUPLICATE"

9.4.6 Register for Use in Party Nominations

a) Compilation and management of register:

- i. The party shall maintain an up-to-date register of all members
- ii. The register shall be digitized and backed up both physically and electronically
- iii. The register shall be updated continually, with a cut-off date of 90 days before nominations

b) Content of the register:

- i. Member's full name
- ii. National ID or passport number
- iii. Voter registration number
- iv. Contact information
- v. Branch and polling station
- vi. Membership number and date of registration
- vii. Membership payment status

c) Verification process for voters on election day:

- i. Each voter shall present their national ID/passport and party membership card
- ii. Biometric verification shall be used where available
- iii. Manual verification using the printed register shall be used as backup
- iv. Voters shall sign or thumbprint against their names in the register

d) Handling voters not in the register:

- i. A person whose name doesn't appear in the register but has a valid membership card shall fill a supplementary voter form
- ii. The presiding officer shall verify their membership status with the party headquarters
- iii. If confirmed, they shall be allowed to vote and their details added to a supplementary register
- iv. If not confirmed, they shall not be allowed to vote

10.0 Rule 5: RULES ON THE CONDUCT OF INDIRECT / SPECIAL/ NON-COMPETITIVE NOMINATIONS

The party's NEC may, in consultation with NEB, opt to use non-competitive nomination processes under the following circumstances:

- i. Only one-party member has presented themselves as a candidate
- ii. It is more financially prudent to hold noncompetitive nominations
- iii. All other members unanimously agree to drop their bid in favour of one candidate
- iv. To encourage unity within the party

The procedure for identifying candidates shall be as follows:

- a) The National Executive Committee may propose to the NEB names of persons for indirect nomination for any elective seat.
- b) The NEC must give sufficient reasons for exempting the proposed individuals from competitive party primaries.
- c) The proposed names shall be submitted by NEC to the National Elections Board for vetting to ascertain that the proposed candidates meet the requirements of the position in which they are being proposed
- d) The proposed candidate for indirect nomination shall submit the following to the National Elections Board:
 - i. Detailed CV
 - ii. Copy of ID Card or Passport

- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Position interested in
- vi. Sign the party's code of conduct
- vii. Proof that they meet all the requirements for election into the position they seek nomination to.

The National Elections Board shall furnish the NEC with a report either recommending or rejecting the proposal for indirect nomination, and the decision shall be final.

11.0 Rule 6: NOMINATION OF CANDIDATES TO THE PARTY LIST

- a) Criteria of election of members for National Assembly, Senate and County assemblies for Party list seats specified under Article 97(1) (c and 98(1)(b) (c) and (d) and article 177 (1) (b) and (c) of the National Constitution shall be on the basis of proportional representation and in accordance with article 90 of the constitution.
- b) The Party through the Secretary General shall submit the party list to the Independent Electoral and Boundaries Commission as prescribed by the Constitution of Kenya, Elections Act, or any other written law.

11.1 Qualification of candidates to be nominated to FKP Party List

The National Elections Board shall call for applications for all candidates intending to be nominated to the party list to submit their names at least 45 days before the deadline for the submission of the party lists as set by the Commission.

The preparation of the party list shall adhere to the following rules:

- i. Persons for consideration to be nominated to the party list shall apply to the party through the National Elections Board for consideration.

ii. The National Elections Board shall make a public advertisement calling for interested party members to submit their application for consideration.

iii. The applicants shall provide the following:

- a) Detailed CV
- b) Copy of ID Card or Passport
- c) Evidence of registration as a voter
- d) Copies of academic and professional qualifications
- e) Position interested in
- f) Sign the party's code of conduct
- g) Meet all the requirements for election into the position they seek nomination on.

Anyone who wishes to be nominated into the FKP party list must fulfill the following conditions:

- i. Kenyan adult citizen
- ii. Fully paid-up member
- iii. Actively involved in party activities
- iv. Involved in recruitment of members
- v. Involved in identifying and introducing candidates for election
- vi. Involved in resource mobilization
- vii. Proof and evidence of contributions to the party in its efforts to popularize and implement its agenda
- viii. Proof of membership in a given social group such as NCPWD, workers unions, etc.

11.2 Vetting Procedure for Party List Candidates

- a) The NEB shall establish a Vetting Committee comprising five members with at least two members of the opposite gender.
- b) The Vetting Committee shall develop a standardized evaluation matrix based on:
 - i. Membership status and duration
 - ii. Party contribution history
 - iii. Representation of special interest groups
 - iv. Regional balance considerations
 - v. Educational and professional qualifications
 - vi. Compliance with Chapter 6 of the Constitution
- c) The vetting process shall include:
 - i. Document verification - The committee shall verify all submitted documents for authenticity
 - ii. Background checks - Including criminal records and ethical conduct history
 - iii. Face-to-face interviews - To assess candidate suitability and commitment to party ideology
 - iv. Public participation - Allowing party members to submit relevant information about candidates
- d) The Vetting Committee shall prepare a report on each candidate with recommendations to the NEB.

e) The NEB shall compile the preliminary party list based on the Vetting Committee's recommendations, ensuring compliance with constitutional requirements on gender balance, regional representation, and inclusion of special interest groups.

f) The preliminary list shall be published on the party website and party headquarters for 7 days for any objections.

g) Any objections shall be addressed by the NEB within 72 hours.

h) The final party list shall be approved by the NEC before submission to the IEBC.

11.3 Disqualifications for Party List Candidates

In addition to general qualifications, a person shall be disqualified from being included in a party list if the person:

- a) Has been convicted of an election offense within the preceding five years
- b) Has been convicted of any offense and sentenced to imprisonment for at least six months
- c) Has been found by the Ethics and Anti-Corruption Commission to have misused or abused a public office
- d) Has been removed from office for contravening the provisions of Chapter Six of the Constitution
- e) Is an undischarged bankrupt
- f) Has misappropriated party funds or resources as determined by a competent tribunal
- g) Is of unsound mind as certified by a registered medical practitioner
- h) Has outstanding membership fee arrears at the time of application
- i) Has actively campaigned against the party or its candidates in previous elections
- j) Has been suspended or expelled from the party

- k) Has provided false information in their application
- l) Has been found guilty of electoral malpractices by a competent court or tribunal
- m) Has been disqualified by the Independent Electoral and Boundaries Commission from participating in elections
- n) Is serving as an official in another political party
- o) Does not meet the minimum academic qualifications as prescribed by law for the position sought

11.4 Fees for Party List Candidates

a) Applicants for consideration to be nominated to party lists shall pay non-refundable application fees as follows:

i. National Assembly Party List:

- a. Male: Ksh 75,000
- b. Female: Ksh 37,500
- c. Youth (35 years and below): Ksh 37,500
- d. Persons with Disabilities: Ksh 37,500

ii. Senate Party List:

- a. Male: Ksh 100,000
- b. Female: Ksh 50,000
- c. Youth (35 years and below): Ksh 50,000
- d. Persons with Disabilities: Ksh 50,000

iii. County Assembly Party List:

- a. Male: Ksh 25,000
- b. Female: Ksh 12,500

c. Youth (35 years and below): Ksh 12,500

d. Persons with Disabilities: Ksh 12,500

b) Payment procedures:

i. Fees shall be paid through the official party bank account or authorized electronic payment platforms

ii. Proof of payment must accompany the application

iii. All payments shall be acknowledged with an official receipt

iv. Fees are non-refundable except in cases where the party declines to submit a party list to IEBC

c) Fee waiver provisions:

i. The National Executive Committee may, in exceptional circumstances, waive or reduce fees for specific candidates

ii. Applications for waiver must be made in writing to the Secretary General at least 30 days before the deadline

iii. All waivers granted shall be reported to the NEC and recorded in the party's financial records

12.0 Rule 7: CODE OF CONDUCT AND CAMPAIGN GUIDELINES

12.1 General Principles

a) This Code of Conduct is established in accordance with the Constitution of Kenya 2010, the Political Parties Act 2011, the Elections Act 2011, and all other relevant electoral laws.

b) All candidates, party officials, members, and agents participating in party nominations shall subscribe to this Code of Conduct by signing a declaration of commitment.

c) The Code shall apply during the nomination period, which begins with the announcement of positions and ends with the declaration of results and exhaustion of internal dispute resolution mechanisms.

12.2 Candidate Obligations

All candidates shall:

- a) Uphold and promote the party's constitution, ideology, and values.
- b) Respect the rights of all party members, including other candidates.
- c) Refrain from any form of violence, intimidation, or coercion of voters or other candidates.
- d) Not use language that is defamatory, inflammatory, or promotes hatred based on ethnicity, gender, religion, or any other discriminatory grounds.
- e) Not offer or accept bribes or undue influence to gain advantage.
- f) Not use public resources for campaign purposes unless legally authorized.
- g) Respect the role of the NEB and other election officials in conducting fair nominations.
- h) Cooperate with security agencies to maintain peace during the nomination process.
- i) Refrain from actions that may lead to division within the party.
- j) Avoid practices that may lead to election fraud, including multiple voting, impersonation, or ballot stuffing.
- k) Respect the secrecy of the ballot and the free choice of voters.
- l) Refrain from any form of sexual harassment or gender-based violence.
- m) Accept the results of nominations conducted in accordance with party rules or seek redress through established internal dispute resolution mechanisms.

12.3 Party Officials and Agents Obligations

- a) Maintain strict impartiality when dealing with all candidates.
- b) Adhere to the principles of fairness, transparency, and accountability.
- c) Not accept any gifts or favors from candidates that may compromise their neutrality.
- d) Report any violations of this Code to the appropriate party organ.

12.4 Campaign Guidelines

- a) The NEB shall issue a campaign schedule indicating when and where campaigns can be conducted.
- b) Campaigns shall cease 24 hours before the nomination day.
- c) Candidates shall only use campaign materials approved by the NEB.
- d) Campaign meetings must be coordinated through the NEB to avoid clashes or security concerns.
- e) Use of party symbols, logos, and other intellectual property shall be in accordance with guidelines issued by the party.
- f) Candidates shall not deface or remove campaign materials of other candidates.
- g) Environmental sustainability shall be considered in the use of campaign materials.

12.5 Monitoring Compliance

- a) The NEB shall establish a Code of Conduct Monitoring Committee comprising three members with at least one of the opposite gender.
- b) The Committee shall have the following responsibilities:
 - i. Monitor compliance with the Code of Conduct
 - ii. Receive and investigate complaints of violations
 - iii. Make recommendations to the NEB for action
 - iv. Maintain a record of all reported violations
- c) Party members, candidates, and the public may report violations to the Committee.

- d) The Committee shall investigate all reported violations promptly and transparently.

13.0 Rule 7A: ENFORCEMENT OF CODE OF CONDUCT

13.1 Monitoring and Identification of Malpractices

a) The NEB shall be the primary body responsible for monitoring compliance with the Code of Conduct.

b) The NEB shall establish monitoring teams at each electoral level to identify and report malpractices.

c) The monitoring teams shall comprise:

- i. At least one NEB representative
- ii. A legal officer appointed by the party
- iii. At least one neutral party member not participating in the elections
- iv. Where possible, independent observers

d) Malpractices shall be identified through:

- i. Direct observation by monitoring teams
- ii. Reports from candidates or their agents
- iii. Reports from party members
- iv. Evidence from media or other sources
- v. Reports from security agencies

e) All reported malpractices must be documented with sufficient evidence, including statements from witnesses where applicable.

13.2 Specific Nomination Malpractices

A. Malpractices by Candidates:

- i. Bribery of voters or election officials through:
 - a) Direct cash payments
 - b) Provision of goods or services with intent to influence voting
 - c) Promises of appointments or contracts
 - d) Sponsoring events specifically to induce voters
 - e) Payment of voter registration fees or membership fees
- ii. Violence and intimidation including:
 - a. Physical assault on opponents, their supporters, or officials
 - b. Verbal threats against opponents or voters
 - c. Destruction of opponents' property
 - d. Use of armed individuals or groups to intimidate
 - e. Incitement of supporters to engage in violence
- iii. Electoral fraud through:
 - a. Ballot stuffing
 - b. Multiple voting using different identities
 - c. Impersonation of registered voters
 - d. Tampering with ballot boxes or election materials
 - e. Interfering with electronic voting systems
 - f. Falsification of results
- iv. Misuse of resources:
 - a. Using party resources to favor specific candidates
 - b. Using public resources for campaign purposes

- c. Diverting campaign funds for personal use
 - d. Using state officers or public servants for campaign activities
 - v. Hate speech and defamation:
 - a. Making statements that promote ethnic, racial, or religious hatred
 - b. Spreading false information about opponents
 - c. Using derogatory language targeting gender, disability, or age
 - d. Publishing materials containing hate speech or defamation
 - vi. Violation of campaign rules:
 - a. Campaigning outside designated areas or times
 - b. Removing or defacing opponents' campaign materials
 - c. Using banned campaign methods or materials
 - d. Failure to adhere to campaign spending limits
 - e. Unauthorized use of party symbols or imagery
- B. Malpractices by Voters:
- i. Multiple voting through:
 - a. Voting more than once at different polling stations
 - b. Using multiple membership cards or IDs
 - c. Impersonating other registered voters
 - ii. Electoral fraud:
 - a. Accepting bribes to vote for particular candidates
 - b. Selling membership cards or voter details to candidates
 - c. Deliberately spoiling ballots
 - d. Assisting in ballot box stuffing

- e. Taking photographs of marked ballots

iii. Disruption of voting process:

- a. Creating disturbances at polling stations
- b. Intimidating other voters
- c. Interfering with election officials' duties
- d. Destroying or damaging election materials
- e. Campaigning within polling stations

iv. Misrepresentation:

- a. Using false identification documents
- b. Providing false information to election officials
- c. Pretending to be an election official
- d. Falsely claiming to need assistance in voting

13.3 General Consequences of Conducting Malpractices

The following sanctions may be imposed depending on the severity of the violation:

a) Minor violations:

- i. Verbal warning
- ii. Written warning
- iii. Public apology requirement

b) Moderate violations:

- i. Monetary fines not exceeding Ksh 100,000
- ii. Suspension of campaign activities for a specified period
- iii. Requirement to attend ethics training

c) Severe violations:

- i. Disqualification from the nomination process
- ii. Suspension from the party for a specified period
- iii. Recommendation for expulsion from the party
- iv. Disqualification from future party nominations for a specified period
- v. Referral to relevant law enforcement agencies for criminal prosecution where applicable

13.3.1 Specific Consequences for Malpractices:

- i. For candidates:
 - a. Immediate disqualification from the nomination process
 - b. Suspension from participating in future party nominations
 - c. Referral to disciplinary committee for possible expulsion
 - d. Reporting to relevant authorities for criminal prosecution
 - e. Financial penalties as determined by the NEB
- ii. For voters:
 - a. Immediate ejection from polling station
 - b. Suspension of voting rights in party elections
 - c. Suspension or termination of party membership
 - d. Reporting to relevant authorities for criminal prosecution
 - e. Ban from participating in party activities for a specified period

13.4 Enforcement Mechanism

- a) The NEB shall be the primary enforcement body for all sanctions related to the nomination process.

b) For sanctions that exceed the NEB's authority (e.g., expulsion from the party), the NEB shall make recommendations to the NEC for final decision.

c) The enforcement process shall follow these steps:

- i. Formal notification of the alleged violation to the accused
- ii. Opportunity for the accused to respond to allegations
- iii. Investigation by the NEB or its designated committee
- iv. Determination of violation and appropriate sanction
- v. Communication of decision to the affected parties
- vi. Implementation of the sanction
- vii. Documentation of the process for future reference

d) For monetary fines, the NEB shall establish a transparent accounting system to ensure all funds are accounted for and used for party activities.

e) The NEB shall submit a report of all violations and enforcement actions taken to the NEC within 14 days of the conclusion of the nomination process.

PART V: INTERNAL DISPUTES RESOLUTION MECHANISMS (IDRM) RELATING TO ELECTIONS AND NOMINATIONS

14.0 Rule 8: NATIONAL ELECTIONS APPEALS TRIBUNAL

- a) There is established a National Elections Appeals Tribunal which shall comprise of three members comprising of a chairperson who shall be an advocate of the High Court with at least 7 years of Practice and two other members.
- b) The members of the Tribunal shall be nominated by the NEC in consultation with National Elections Board.
- c) For avoidance of doubt, at least one of the three members of the tribunal shall be of a different gender, and the composition of the tribunal shall adhere to the two-thirds gender rule.
- d) The quorum for the National Elections Appeals Tribunal shall be 3 members.
- e) The duties of the Tribunal shall be:
 - i. Formulate its procedure rules to be presented to the ratified by NEB
 - ii. Jurisdiction to hear and determine disputes arising from the party nominations and elections.
- f) The decisions of the Tribunal shall be final and can only be challenged at the Court of Law.
- g) The National Elections Appeals Tribunal shall establish 8 Regional Elections Appeals Tribunals to listen to appeals on all electoral matters at the grassroots level. The National Elections Appeals Tribunal shall have jurisdiction to listen to the matters emanating from the Regional Elections Appeals Tribunal.

14.1 Appointment and Timelines for the National Elections Appeals Tribunal

- a) Appointment process:
 - i. The National Executive Committee shall announce vacancies for tribunal positions at least 180 days before general party nominations
 - ii. Interested and qualified persons shall submit applications within 21 days of the announcement

iii. The NEC shall shortlist and interview applicants within 14 days after the close of applications

iv. The NEC shall appoint members within 7 days of concluding interviews

v. Appointees shall be officially notified and gazetted within 7 days of appointment

b) Term of service:

i. Members of the tribunal shall serve for a term of three years

ii. A member may be reappointed for one additional term

iii. Terms shall be staggered to ensure continuity

iv. Members shall take an oath of office before the Party Leader

c) Replacement procedures:

i. A position becomes vacant if a member:

- a. Resigns in writing to the NEC
- b. Dies
- c. Is absent from three consecutive meetings without reasonable cause
- d. Is convicted of a criminal offense
- e. Is incapacitated by physical or mental illness
- f. Contravenes the code of conduct for tribunal members

ii. Replacement process:

- The NEC shall declare a vacancy within 7 days of its occurrence
- The vacancy shall be filled within 21 days following the same process as initial appointments
- A replacement member shall serve for the remainder of the original term

14.2 Detailed Procedure for Hearing Disputes

a) Filing of complaints:

i. Format of complaints:

- a. Complaints shall be in writing, clearly stating the grounds of dispute
- b. Complaints shall be supported by affidavits and relevant evidence
- c. A standardized complaint form shall be available at all party offices and on the party website

ii. Fees and timelines:

- a. A non-refundable filing fee of Ksh 5,000 shall accompany each complaint
- b. Complaints must be filed within 72 hours of declaration of results
- c. Receipt of complaint shall be acknowledged in writing

iii. Service:

- a. The complainant shall serve the respondent with a copy of the complaint within 24 hours of filing
- b. Proof of service shall be filed with the tribunal
- c. The tribunal may facilitate service in exceptional circumstances

b) Format of hearings:

i. Physical hearings:

- a. Shall be conducted at designated venues announced by the tribunal
- b. Parties shall be notified of venue at least 24 hours before the hearing
- c. Venues shall be accessible to persons with disabilities

ii. Virtual hearings:

- a. May be conducted using appropriate technology if physical presence is impractical
- b. The tribunal shall ensure all parties have access to the technology required
- c. The proceedings shall be recorded and transcribed

iii. Hybrid hearings:

- a. A combination of physical and virtual participation may be allowed
- b. The tribunal shall ensure equal opportunity for all parties regardless of mode of participation

c) Rules of evidence:

i. Admissible evidence:

- a. Documentary evidence including photographs, videos, and audio recordings
- b. Testimonial evidence from witnesses
- c. Expert opinions where relevant
- d. Election materials including ballot papers, registers, and result forms

ii. Authentication:

- a. All documentary evidence must be authenticated
- b. Digital evidence must be verified for authenticity
- c. The tribunal may request forensic examination of evidence

iii. Weight of evidence:

- a. The tribunal shall determine the weight to assign to each piece of evidence
- b. Hearsay evidence may be admitted but given appropriate weight
- c. The tribunal may reject evidence deemed irrelevant, prejudicial, or obtained illegally

d) Representation of parties:

i. Parties may be represented by:

- a. Advocates of their choice
- b. Party members in good standing
- c. Themselves (self-representation)

ii. Restrictions:

- a. No member of the NEC, NEB, or any party election body may represent a party
- b. Representatives must disclose any conflict of interest
- c. The tribunal may disqualify a representative for misconduct

e) Decision-making process:

i. Deliberation:

- a. The tribunal shall deliberate in private after hearing all evidence
- b. Decisions shall be reached by consensus where possible, or by majority vote
- c. Each member shall have one vote

ii. Factors to consider:

- a. Compliance with party constitution and rules
- b. Compliance with electoral laws
- c. Impact of irregularities on results
- d. Credibility of evidence presented
- e. Precedents from previous decisions

iii. Possible decisions:

- a. Dismissal of complaint
- b. Nullification of results and order for fresh elections
- c. Amendment of results
- d. Disqualification of candidates
- e. Any other appropriate remedy

f) Communication of decisions:

i. Format:

- a. All decisions shall be in writing
- b. Decisions shall state the facts, issues, analysis, and conclusion

- c. Reasons for the decision shall be clearly explained
- d. Dissenting opinions, if any, shall be included

ii. Notification:

- a. Parties shall be notified of the decision within 6 hours of determination
- b. Decisions shall be communicated through email, SMS, and physical copies
- c. Decisions shall be posted at party offices and on the party website within 12 hours

iii. Record keeping:

- a. All decisions shall be systematically recorded and archived
- b. A database of decisions shall be maintained for reference
- c. Annual reports of tribunal activities shall be submitted to the NEC

g) Implementation of decisions:

- i. The NEB shall implement tribunal decisions within 48 hours
- ii. The tribunal shall monitor implementation of its decisions
- iii. Non-implementation shall be reported to the NEC for appropriate action

15.0 Rule 9: PROCEDURE AND CONDUCT OF APPEALS AT THE NATIONAL ELECTIONS APPEALS TRIBUNAL

- a) Any person aggrieved by the decision of the National or County Elections Tribunal, may after the declaration of the winner lodge an appeal/ complaint within 72 hours, in writing setting grounds and attaching evidence in support of the appeal/complaint.
- b) A person making appeal to the National Elections Appeals Tribunal shall pay such fees thereof as may be determined by the National Executive Council.
- c) After lodging the appeal and fulfilling the requirements, the person making the

appeal shall be entitled to be heard by the Panel and may be allowed to call any witnesses within 72 hours.

d) All appeals filed for determination shall be determined within 72 hours.

c. Inducing or compelling a person to refrain from becoming a candidate or to withdraw if he has become a candidate; or

d. Impeding or preventing a person from being nominated as a candidate or from

16.0 Rule 10: COMPREHENSIVE FEE STRUCTURE FOR PARTY NOMINATIONS

16.1 Classification and Schedule of Nomination Fees

a) Presidential and Deputy Presidential Nominations:

i. Presidential Candidate:

- a. Male: Ksh 450,000
- b. Female: Ksh 240,000
- c. Youth (35 years and below): Ksh 225,000
- d. Persons with Disabilities: Ksh 225,000

ii. Deputy Presidential Candidate:

- a. Male: Ksh 350,000
- b. Female: Ksh 175,000
- c. Youth (35 years and below): Ksh 175,000
- d. Persons with Disabilities: Ksh 175,000

b) Gubernatorial Nominations:

i. Governor Candidate:

- a. Male: Ksh 300,000
- b. Female: Ksh 150,000
- c. Youth (35 years and below): Ksh 150,000
- d. Persons with Disabilities: Ksh 150,000

ii. Deputy Governor Candidate:

- a. Male: Ksh 200,000
- b. Female: Ksh 100,000
- c. Youth (35 years and below): Ksh 100,000
- d. Persons with Disabilities: Ksh 100,000

c) Senatorial Nominations:

- a. Male: Ksh 250,000
- b. Female: Ksh 100,000
- c. Youth (35 years and below): Ksh 125,000
- d. Persons with Disabilities: Ksh 125,000

d) Member of National Assembly Nominations:

- a. Male: Ksh 200,000
- b. Female: Ksh 100,000
- c. Youth (35 years and below): Ksh 100,000
- d. Persons with Disabilities: Ksh 100,000

e) County Women Representative Nominations:

- a. Female: Ksh 100,000
- b. Young Women (35 years and below): Ksh 50,000
- c. Women with Disabilities: Ksh 50,000

f) County Assembly Member Nominations:

- a. Male: Ksh 50,000
- b. Female: Ksh 20,000
- c. Youth (35 years and below): Ksh 25,000
- d. Persons with Disabilities: Ksh 25,000

16.2 Payment Methods and Procedures

a) Acceptable payment methods:

- i. Direct deposit to the party's official bank account
- ii. Electronic funds transfer (EFT)
- iii. Mobile money transfer to designated party accounts
- iv. Banker's checks payable to Forward Kenya Party
- v. Cash payments at party headquarters (for amounts below Ksh 100,000 only)

b) Payment timeline:

- i. Full payment must be made at the time of submission of nomination papers
- ii. Proof of payment must be attached to nomination forms
- iii. Late payments shall not be accepted except in exceptional circumstances as approved by the NEB
- iv. Installment payments may be allowed with prior approval from the NEB, with 50% payable upfront and the balance before the nomination date

c) Receipt and acknowledgment:

- i. An official receipt shall be issued for all payments received
- ii. Receipt details shall be entered into the party's financial management system
- iii. A candidate's payment status shall be verified before they are cleared to participate in nominations

16.3 Refund Policy

a) Circumstances where refunds may be issued:

- i. If the party cancels nominations for a particular position
- ii. If a candidate withdraws at least 30 days before nominations due to documented medical reasons

iii. If a candidate is disqualified by the party for reasons not attributable to the candidate's actions or omissions

iv. If the party decides not to field candidates in a particular electoral area

b) Refund procedure:

i. Candidates seeking refunds shall apply in writing to the National Treasurer

ii. Applications must be made within 14 days of the qualifying event

iii. The NEC shall consider applications and communicate decisions within 21 days

iv. Approved refunds shall be processed within 30 days

c) Refund rates:

i. Full refund (100%) if the party cancels nominations

ii. Partial refund (75%) if candidate withdraws for medical reasons

iii. Partial refund (50%) if candidate is disqualified through no fault of their own

iv. No refund if candidate withdraws for reasons other than medical or is disqualified due to their actions or omissions

16.4 Management and Accountability of Nomination Fees

a) All nomination fees shall be deposited in a designated party account within 24 hours of receipt

b) The National Treasurer shall:

i. Maintain detailed records of all fees received

ii. Present monthly financial reports to the NEC

iii. Ensure proper receipting and documentation of all transactions

iv. Facilitate annual auditing of nomination fee accounts

c) Allocation of nomination fees:

i. 50% towards party nomination expenses

- ii. 30% towards general party operations
- iii. 10% towards candidate support programs
- iv. 10% towards party development fund

d) Financial reporting:

- i. A comprehensive financial report on nomination fees shall be presented to the NEC within 30 days after nominations
- ii. The report shall be made available to party members upon request
- iii. An annual audit shall be conducted and findings presented to the National Delegates Convention

DATED at.....This.....day of.....20.....

Signed by the Applicant.....

Signature:.....

Before me;

COMMISSIONER FOR OATHS/MAGISTRATE

.....

Name and signature of the receiving officer