

**THE
UKWELI PARTY CONSTITUTION**

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CHAPTER ONE

1. There is established a Party to be known as **Ukweli Party** (herein after referred to as the party)

- 1.1. The motto of the Party shall be "**Kazi Na Haki**"

2. The headquarters of the Party shall be in Nairobi at a specific location to be determined by the NEC, in line with this Constitution and the Political Parties Act.

3. **Party Colours, Symbol and flag**

- 3.1 The Party colours shall be **green, red, black, white**

- 3.2 The Party symbol shall be two hands holding a Bandana with a black and green circular background as set out in the First Schedule to this Constitution.

4. In this Constitution, unless the context otherwise requires:
"**Branch**" means party branch at the County

"**Office bearer**" means any person elected by the members of the party to hold a particular office in the party.

"**Party**" means the Ukweli Party (UP)

"**Political Party**" will have the meaning assigned to it under Article 260 of the Constitution of Kenya 2010.

"**Registrar**" means the Registrar of Political Parties as designated under section 3 of the Political Parties Act, 2011.

"**UP**" means Ukweli Party

5. MISSION, VALUES AND OBJECTIVES

5.1 Mission

The Ukweli Party stands for an open free, just and fair society in which the citizens of Kenya enjoy their inalienable rights as enshrined in the Constitution of Kenya.

5.2 Vision

5.2.1 A Kenya where all citizens – children, women and men – shall be able to develop and realize their full potential in political, economic, social and all other spheres of life.

5.3 Values

The values of the Party shall be:

5.3.1 Justice, Rule of Law, and Equality of all Kenyans under the law;

5.3.2 Inclusivity and non-discrimination on the basis of gender, ethnicity, religion, race, age, disability or any other bias;

5.3.3 Equitable distribution of opportunities and resources for all Kenyans;

5.3.4 Proper and prudent management of public resources;

5.3.5 Zero tolerance to corruption and malfeasance;

5.3.6 Proper and sustainable management of the environment for present and future generations;

5.3.7 Ethics, responsibility and accountability among leaders at all levels.

5.4 Objectives for which the Party is formed:

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

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

- 5.4.3 To organize and mobilize its members to take active role in their constitutional duties and responsibilities as Kenyans, including presenting themselves for elective offices;
- 5.4.4 To facilitate active and fact-based debates on issues affecting Kenyans;
- 5.4.5 To promote accountability among leaders and public officers;
- 5.4.6 To pursue any legal and constitutional mandate as members may decide;
- 5.4.7 To do all such other things as are incidental or conducive to the attainment of the objectives of the Party including:
 - 5.4.7.1 Form such branches as may be necessary anywhere in Kenya to promote and enhance the objectives of the Party;
 - 5.4.7.2 Acquire, purchase, take, lease or otherwise deal in any movable or immovable property and hold or apply the same for the purpose of the objects stated above;
 - 5.4.7.3 To mobilise and/or organise 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;
 - 5.4.7.4 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;
 - 5.4.7.5 Receive and administer gifts, offerings, grants, aid and other contributions for the carrying out of the objects of the Party;
 - 5.4.7.6 Operate, establish, engage in and carry out such activities, projects, schemes and programmes for the advancement and furtherance of the objectives of the Party;
 - 5.4.7.7 Do all such things legal, necessary, and appropriate to the

accomplishment of any of the objectives of the Party.

6. Membership

6.1 Membership of the Party shall be open to all Kenyan citizens in possession of a valid National Identification card or Passport.

6.2 Any person who desires to join the party shall, upon meeting all requirements, be registered as a Party member.

6.3 Any person desiring to join the Party shall accept to abide by the principles, objectives, policies, programmes, directives and discipline of the Party and shall undertake to abide by this Constitution and rules made herein and shall not be a member of another Political Party.

6.4 All members shall read and sign the Party's Code of Conduct before being admitted to the Membership of the Party.

7. Categories of Membership

7.1 Subject to the approval of the National Delegates Convention, the National Executive Council shall have power to create or abolish any category of membership for the advancement of the Party's interest as the circumstances may permit.

The Party shall, for the time being, have the following categories of membership:

- i. Mshindi Membership (renewable annually) – for ordinary members
- ii. Shujaa Membership (renewable every 5 years) – for long-term members
- iii. Mbegu Membership for supporters aged 15 – 18 years (renewable

annually)

7.2 A member may convert his/her membership from one category of membership to the other by paying the prescribed fees and meeting any other requirements as may be recommended by the National Executive Council.

8. Rights of Party Members

8.1 A member of the Party shall have the right to:

- a) Participate and vote during the Party's internal electoral processes in accordance with the Party's regulations;
- b) Receive copies of Party documents including the Constitution, Members' Guide, Election and Nomination Rules, Party manifesto and available information about their local branch upon request;
- c) Be informed of the Party's policy positions and participate in the development of those positions;
- d) Contest for any party position for which they qualify;
- e) Inspect the Party's books of account.

9. Duties of Party Member

A member of the Party shall:

- a) Take steps to understand and carry out the objectives, policies and programmes of the party;
- b) Promote, popularize and defend the policies and programmes of the Party;
- c) Observe Party discipline and the Party Code of Conduct;
- d) Obey lawful decisions made by Party organs;
- e) Refrain from publishing and or distributing through the media any information deemed confidential without proper authority or mandate of a regular organ of the Party;

- f) If a member holds an elective office in any sphere of governance at National, Branch or local level, be a member of the appropriate Party caucus and function within its articles, abiding by all lawful decisions under general provisions of this Constitution and structures of the Party;
- g) Pay such fees as shall be prescribed by the National Executive Council;

10. Termination of Membership

10.1 A person shall cease to be a member of the Party:

- a. By resigning in writing to the National Executive Council. Membership shall terminate with effect from the date of receipt thereof, provided that the termination shall not absolve the member from performing any outstanding obligations owed to the Party or other members;
- b. By a resolution of the National Executive Council in pursuant to any provision of this Constitution;
- c. By accepting an office, joining, subscribing to or promoting activities of another Political Party;
- d. Upon death;
- e. By operation of any prescribed law.

10.2 A person whose membership has terminated;

- a) Shall NOT be entitled to a refund of fees or subscriptions made by him or her to the Party prior to termination, and all rights, privileges and responsibilities or facilities granted to or enjoyed by him or her by virtue of his or her membership shall automatically terminate with effect from the date of receipt of written resignation from the Party;
- b) Shall return all party property within his or her custody, possession or control, failure to which the Party shall have a right to lay claims against such person for any money due or owing to the Party or for any damage or loss

occasioned to Party property that was in his or her custody, possession or control prior to termination of membership;

- c) Shall have his or her name struck off from the Register of Party Members.

CHAPTER TWO

NATIONAL OFFICIALS AND PARTY ORGANS

11. The National Officials of the Party shall be;

- a. National Chairperson
- b. Deputy Chairperson
- c. Secretary General
- d. Deputy Secretary General
- e. National Treasurer
- f. Deputy Treasurer
- g. National Organizing Secretary
- h. Deputy Organizing Secretary
- i. Member

12. The national officials shall constitute the National Executive Council of the Party.

13. National Officials shall be elected by the delegates of the party to serve for a five-year term.

13.1 In electing the national officials, the delegates congress shall ensure that no more than two-thirds of the membership is of the same gender;

13.2 Elections shall be conducted through secret ballot;

13.3 Where more than one candidate contests an office, the vote shall be decided by a simple majority. Where only one candidate is nominated to an office, at the close of the nominations, that candidate shall be declared duly elected to the office for which he/she was nominated;

13.4 The National Executive Council of the Party shall have powers to co-opt National Officials in the event of a vacancy before the next Delegates Convention. A National Official may attend any meeting(s) organized by a Branch as an ex-officio member.

14. Duties and Responsibilities of National Officials

- 14.1 All office bearers shall undertake their responsibilities and 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.
- 14.2 Subject to any other duty expressly provided for by this Constitution, the main duties of elected National Officials shall be:

14.3 National Chairperson

The duties and responsibilities of the National Chairperson shall include:

- i) Providing leadership and overseeing the overall management and running of the Party affairs;
- ii) Articulating, promoting and defending Party policies;
- iii) Instilling in members a sense of loyalty and commitment to the objectives, policies and programmes of the Party;
- iv) Ensuring discipline and proper order within the Party in accordance with the Party's Constitution;
- v) Imparting onto Party membership the need to adhere to Party objectives, policies programmes and laws made under this Constitution;
- vi) Symbolizing the image and unity of the Party organs inter se and amongst Party rank and file;

- vii) Convening and presiding over National Executive Council meetings;
- viii) Presiding over the National Delegates Convention and any other meetings requiring his or her attendance;
- ix) Ensuring order at all meetings of the Party organs;
- x) Acting as a signatory Party's bank account subject to the Political Parties Act;
- xi) Signing the nomination certificates of the Party's candidate's subject to the provisions of this constitution or other relevant law;
- xii) Representing the party at official events or other functions where the Party's presence is required;
- xiii) Performing other duties and exercise other powers conferred by this Constitution.

14.4 National Deputy-Chairperson

The National Deputy Chairperson shall, deputise the National Chairperson:

- i) Chair meetings in the absence of the Chairman;
- ii) Assist the National Chairperson in matters relating to coordination and liaison with other political parties;
- iii) Assist the National Chairperson in matters relating to general Party administration, Party policies and programmes;
- iv) Oversee administrative operations of Branches;
- v) Perform any other duties as might be directed and /or delegated to him/her by the National Chairperson from time to time.

14.5 **Secretary General**

The Secretary General shall be responsible for:

- i) The overall administrative management of the party, the maintenance of party records and ensuring that the Party complies with the law;
- ii) Ensuring that all meetings including the National Executive Council, and National Delegates Convention take place as provided for in the Constitution at such time as may be decided by the National Executive Council;
- iii) Keeping or causing to be kept a proper record of minutes of all meetings of the National Executive Council, and the National Delegates Convention and ensuring the distribution of such minutes and conveying of decisions made to persons and branches concerned;
- iv) Issuing correspondence on behalf of Party organs in which he or she is a member and sending out notices of all meetings of the organs concerned;
- v) Preparing reports including annual reports on the activities and responsibilities the National Executive Council, and the National Delegates Conferences;
- vi) Acting as depository and custodian of all Party documents including Party Seal, Minutes Register, instruments of intellectual property rights, instruments of registration, registration of all Party Branches and Party members' register;
- vii) Making statutory declarations and issues notices for and on behalf of the Party;
- viii) The Chairman and / or the National Executive Council may assign performing any other duty as required.

14.6 Deputy Secretary General

The Deputy Secretary General shall, under the general direction of the Secretary General assist the Secretary General in the implementation of Party's strategies, policies and programmes and any other specific assignments as may be delegated to him/her by the Secretary General from time to time.

14.7 National Treasurer

The duties of the National Treasurer shall be to:

- i) Take responsibility for Party finances and supervise all financial transactions at all Party levels under the general direction of the National Executive Council;
- ii) Open and maintain Party bank accounts as mandated and authorized by the National Executive Council;
- iii) Receive and bank all monies on behalf of the National Executive Council and operate a banking account together with such other signatories as may be specified by the National Executive Council;
- iv) Keep such books of account as required by law and Party regulations and as may be necessary to record and reflect clearly the financial position of the Party;
- v) Prepare annual Party budgets or estimates and overall fiscal planning;
- vi) Monitor financial allocations and expenditure according to departmental votes as may be approved by the National Executive Council;
- vii) Ensure the execution of prudent stewardship standards and best

financial practices to protect Party's finances;

- viii) Keep separate books and records of accounts in the prescribed manner in respect of the funds of the Political Party and all the transaction for each financial year for which monies have been allocated from the Political parties Fund;
- ix) Liaise with the respective agencies including relevant public bodies to ensure proper auditing of the party accounts;
- x) Prepare and submit to the National Executive Council a Financial Statement every quarter of the year and ensure that copies of duly audited Annual Accounts are circulated to all delegates at the same time the notice convening the National Delegates Convention is sent out.

14.8 Deputy National Treasurer -

The Deputy National Treasurer shall assist the National Treasurer in:

- i) Ensuring the execution of prudent stewardship standards and best financial practices to protect Party's finances;
- ii) Performing such other specific assignments as might be delegated to him/her by the National Treasurer from time to time.

14.9 National Organizing Secretary

The National Organizing Secretary shall supervise organizations of the party and in particular:

- i) Be in charge of the organization and planning for of all party national activities;
- ii) Organise public meetings, functions, and meet-the-people tours;
- iii) Be responsible for promoting and mobilizing for party activities including the recruitment of Party members at branch level;
- iv) Coordinate effective functioning of all branches and ensuring they

hold meetings in accordance with the requirements of this Constitution;

- v) In consultation with the Secretary General and the NEC, supervise the organization of the National Delegates Convention, and thereafter report on the progress in the holding of such meetings to the National Executive Council.

14.10 Deputy National Organizing Secretary

The Deputy National Organizing Secretary shall deputise the National Organizing Secretary, and perform such official assignments as assigned by the National Organizing Secretary in accordance with this Constitution.

15. Honoraria

- 15.1 The National Executive Council may, in its own discretion and subject to the availability of funds, grant such honoraria, out of pocket expenses, to any National Official so as to reasonably facilitate his or her attendance at meetings or to pay for his or her just and fair expenses at meetings.

16. Party Organs

There is hereby established the following Party organs:

- a) National Delegates Convention (NDC)
- b) National Executive Council (NEC)
- c) Policy Council
- d) Branch Executive Committee (BEC)
- e) Parliamentary Group
- f) MCA Caucus
- g) Governors' Caucus
- h) National Elections Board

i) Party Nominations and Elections Dispute Resolution

17. National Delegates Convention

- 17.1 The National Delegates Convention shall be the supreme organ of the Party with power to determine Party policy.
- 17.2 The National Delegates Convention shall be composed of the following members:
- a. All members of the National Executive Council
 - b. All Members of the Political Council
 - c. All members of the Party Parliamentary group
 - d. All Members of the Governors' Caucus
 - e. All Members of the MCA's Caucus
 - f. All members of the Branch Executive Committee
- 17.3 The National Executive Council may, in its discretion, invite individuals who have made special contribution to the Party or who have special skills or experience to attend the Convention with no right to vote.
- 17.4 The functions of the National Delegates Convention shall be:
- a) Reviewing party policies and programmes and give directions regarding the organization of the Party;
 - b) Ratifying the Manifesto, Constitution, Rules and Regulations of the Party and

those governing its subsidiary organizations and their operations;

- c) Receiving, examining, and approving Annual Financial Statement and Audited Accounts presented by the National Treasurer for the period since the previous ordinary session of the National Delegates Convention and review annual dues payable by the Party members;
- d) Receiving and discussing reports of the National Executive Council and the Policy Council;
- e) Appointing the Party Auditor and determine the terms of his/her engagement;
- f) Electing, from among eligible Party members, the National Officials of the Party who shall constitute the National Executive Council for a term of five years as provided in this constitution;
- g) Delegating or conferring any of its powers or duties to the National Executive Council in addition to its functions;
- h) Electing or appointing any Standing Committee and assign specific tasks and duties to such committee;
- i) Nominating the Party's Presidential candidate for the election of the President of the Republic of Kenya;
- j) Initiating all such activities to further the aims and objects of the Party;
- k) Performing other duties and functions as the National Delegates Convention may determine.

17.5 Procedure of Meeting at National Delegates Convention

17.5.1 Ordinary Sessions

An Ordinary Session of the National Delegates Convention shall be convened by a resolution of the National Executive Council and held once every five years, at a place, time and date to be determined by the National Executive Council. The notice and agenda convening the meeting shall be sent out by the Secretary General, failing which, the Deputy Secretary General any other Party official specially appointed for that purpose by the National Executive Council at least twenty-one days before such date and published in a daily newspaper with nationwide circulation.

17.5.2 The National Executive Council shall determine and set the Agenda of Ordinary Session of the National Delegates Convention.

17.5.3 Special Session:

A Special Session of the National Delegates Convention shall be summoned by the National Chairperson upon a resolution of the National Executive Council or upon a requisition in writing signed by at least one third of the delegates eligible to attend an Ordinary Session of the National Delegates Convention.

17.5.4 The notice and agenda convening the meeting shall be sent out by the Secretary General at least twenty-one (21) days before the date of meeting and shall be published in at least one daily newspaper with nationwide circulation.

17.5.5 Where a Special Session of the National Delegates Convention is requested by delegates, a notice calling upon the National Chairperson to summon the Convention - including the agenda and date desired for the Convention - shall be submitted to the Secretary General not later than sixty-five working days before the date proposed.

- 17.5.6 Where the National Chairperson fails to summon the Convention within twenty-one working days after due service of the notice, the Convention shall, subject only to Article 17.5.10 here-under, stand duly summoned and properly convened on the date, place and time contained on the notice.
- 17.5.7 Where a Special Session of the National Delegates Convention requisitioned by delegates is convened in default of the National Chairperson summoning the same, the delegates requisitioning the Convention shall, not less than twenty one working days before the proposed date, publish a notice convening the Convention to be published in a daily newspaper with national circulation; and such notice shall contain the agenda, place, date and time of the Convention.
- 17.5.8 Only agenda items prepared by the National Executive Council or as may be requested by delegates shall be discussed at the Special Session of the National Delegates Convention.
- 17.5.9 The National Chairperson shall preside over a Special Session of the National Delegates Convention requisitioned by delegates. In his absence, the Deputy Chairperson shall preside over a Special Session of the National Delegates Convention; failing which a delegate specially elected by delegates in attendance shall preside.
- 17.5.10 The Secretary General shall be the Secretary of such Convention. In his absence, any of his or her deputies shall preside; failing which a delegate specially elected by delegates in attendance shall preside.
- 17.5.11 Quorum of the Ordinary or Special Sessions of the National Delegates Convention shall be a third of all eligible members.
- 17.5.12 Decisions at the Convention shall be taken through vote by secret ballot or

by a unanimous resolution.

18. The Policy Council

18.1 There is established a Policy Council, consisting of not more than twenty-four (24) members, comprising:

- a. All members of the National Executive Council;
- b. Other members, who are knowledgeable on matters in the relevant dockets, appointed by the Chairman on the recommendation of the National Executive Council;
- c. Not more than half of the membership of the policy council shall be of the same gender.

18.2 The Policy Council shall have the following functions:

- a) Reviewing and/or formulating policies of the Party for approval by the National Executive Council and the National Delegates Convention;
- b) Providing strategic guidance and leadership to the Party in the implementation of its programmes and activities;
- c) Establishing specialized committees and other advisory bodies as are necessary to carry out aims and objects of the Party;
- d) Reviewing and developing political agenda for the Party's County and Parliamentary Groups;

e) Making policy and administrative decisions on behalf of the National Delegates Convention if it is the considered opinion of the National Executive Council that such decision cannot await the next National Delegates Convention but thereafter present such decisions at the Ordinary Session of the National Delegates Convention immediately following;

f) Initiating all such activities as might further the aims and objects of the Party.

18.3 The Policy Council shall be convened by a resolution of the National Executive Council and shall meet at least once every six (6) months.

18.4 A member of the Policy Council may resign from their position by notifying the Secretary General in writing.

18.5 Members of the Policy Council may be removed through the same manner that they were appointed.

18.6 The term of the Policy Council shall end contemporaneously with the term of the National Executive Council that recommended its appointment.

18.7 Members of the Policy Council may be paid such allowances as the National Executive Council may authorize.

19. The National Executive Council (NEC)

19.1 The National Executive Council shall be the executive organ of the Party and shall be composed of the following members:

- a. All the National Officials;
- b. The Party's Executive Director, who shall be an ex-officio member.

- 19.2 The National Executive Council shall be constituted by the National Delegates Convention and hold office for a term of five years.
- 19.3 The National Executive Council shall have the following functions and powers:
- a) Acting as the executive body and carry out the decisions of the Policy Council and the National Delegates Congress;
 - b) Supervising the National Secretariat of the Party and taking such measures as deemed necessary to enforce the decisions and programmes of the Party as laid down by the Policy Council and the National Delegates Convention;
 - c) Issuing and sending directives and instructions to and receiving reports from the Branches;
 - d) Convening the meetings of and preparing the agenda and reports to the Policy Council and National Delegates Convention;
 - e) Overseeing the operations of all the party committees and organs;
 - f) Setting up committees as it deems necessary from time to time for specified tasks and to determine their terms of reference;
 - g) Operating and determining the manner in which the Party accounts and finances shall be prudently managed;
 - h) Appointing and fixing the Terms and Conditions of Service of the Executive Director and other members of staff in the employment of the Party;
 - i) Receiving reports, supervising the work of, and delegating such functions to

- the National Secretariat and National Elections Board, as it considers necessary;
- j) Initiating, preparing or causing to be prepared the necessary quarterly, semi-annual or annual financial statements for approval by National Delegates Convention;
 - k) Nominating and presenting a Party List to the Electoral Management Body in accordance with the provisions of the Law;
 - l) Nominating persons to represent the party at body or forum where the party is required to be represented;
 - m) Nominating party signatories;
 - n) Receiving, considering, approving and implementing reports and recommendations from the various standing, ad hoc and specialized committees or individuals;
 - o) Liaising with the Party National Election Board in order to ensure the coordination of elections of Party Officials at all levels and Party nominations for Presidential, Parliamentary and Civic elections;
 - p) Developing Elections and Nomination Rules, and/or Regulations as may be prescribed under this Constitution;
 - q) Initiating all such activities as might further the aims and objects of the Party;
 - r) Amending the Constitution and other documents of the Party when necessitated by a change of national laws, without referral to the National Delegates Convention where time or resources do not allow for the Convention to be held.

20. The National Executive Council shall meet at least once in every three months.

21. Emergency meetings of the National Executive Council may be convened by the Secretary General according to demands of time in consultation with the National Chairperson or by a written request to the Chairperson made by 25% of the members thereof.

22. Any vacancy in the National Executive Council during the course of the term before the next National Delegates Convention may be filled through nomination by the National Executive Council from amongst members of the National Delegates Convention until the vacancy is substantially filled at the next Delegates Convention.

23. Party Secretariat

23.1 There is hereby established a Party Secretariat headed by an Executive Director appointed by the National Executive Council.

23.2 The National Executive Council shall determine the number and designation of the departments with the National Secretariat.

23.3 The National Secretariat shall have such staff as shall be determined and appointed the National Executive Council.

23.4 The Executive Director shall be responsible for the overall coordination of Party activities as determined by the National Executive Council.

24. Functions of the Party Secretariat

24.1 The Party Secretariat shall be, as directed by the NEC responsible for:

- a. Implementation of Party decisions;

- b. Voter outreach and membership recruitment;
- c. Registration, mobilization and maintenance of voters or members register;
- d. Coordination, facilitation and synchronization of Party activities and events;
- e. Public relations, communication and media outreach;
- f. Resource mobilization;
- g. Operations and logistics;
- h. Party policy and research;
- i. Regional coordination;
- j. Liaison with all Party structures;
- k. Any other duties as may be assigned by National Executive Council.

24.2 The Party Secretariat shall be responsible for implementing decisions and programmes of the Party under guidance of the Secretary General, National Executive Council and in liaison with other National Officials.

25. Party Parliamentary Group (PPG)

25.1 There shall be established the Party Parliamentary Group comprising of all Party representatives to the National Assembly and the Senate; the

National Chairperson; the Secretary General; the Organizing Secretary and the Treasurer

- 25.2 The Parliamentary Group shall act as a dialogue platform to plan party activities and positions in the respective Houses of Parliament.
- 25.3 The Parliamentary Group shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Council for approval.

26. Party Members of the County Assemblies Caucus (MCAs Caucus)

- 26.1 There shall be a Party County Assemblies Caucus consisting of all the party elected and nominated members of the County assemblies.
- 26.2 The Caucus shall be responsible for advocating the Party's agenda within their respective County Assembly.
- 26.3 Members of the Caucus shall elect their own leaders.
- 26.4 Each Party County Assembly Group shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Council for approval and be consistent with the party vision, values and constitutions

27. National Elections Board

- 27.1 There is established the Ukweli Party National Elections Board whose mandate is to plan, organize, direct and coordinate all party nominations and elections.
- 27.2 The National Elections Board shall be made up of four members and a Chairperson appointed by the National Executive Council.

- 27.3 Members of the Board shall not hold any other elective office in the Party.
- 27.4 In executing its mandate, the Board shall appoint officers in each County to oversee party elections in the respective Counties.
- 27.5 The National Elections Board shall make its own rules of procedure for its meetings, which shall be approved by the National Executive Council.
- 27.6 The National Secretariat shall provide secretarial support services to the Board.
- 27.7 Members of the Board shall serve for a term of five years and are eligible for re-appointment at the expiry of their term, to serve for a one further term of five years.
- 27.8 The National Elections Board shall prepare and table before the National Executive Council for approval, the party nomination rules provided that the rules shall adhere to the principles of democratic free and fair elections and accord with the Constitution of Kenya, the Elections Act, the Political Parties Act and any other relevant law.

28. Branch Executive Committees

- 28.1 The Party shall establish Branches in at least twenty-four (24) Counties in the country.
- 28.2 All branches shall be responsible to the National Executive Council.
- 28.3 Each Branch shall be managed by a Branch Executive Committee consisting of the Branch Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Deputy Treasurer, and three other executive members.

28.4 The Chairperson shall convene and preside over all branch meetings of the Party.

28.5 The duties of the Branch Executive Committee shall be:

- i) Promoting party policies and activities among the people in the County in order to realize the Party's objectives, policies and programs;
- ii) Recruiting members to the Party;
- iii) Representing views and interests of the Branch members at the Policy Council and the National Delegates Convention;
- iv) Ensuring discipline and adherence to Party policies and programmes among individual Party members;
- v) Investigating any allegations of misconduct of any member and make recommendations to the National Executive Council;
- vi) Promoting political, civic and voter education amongst the people for the benefit of the Party;
- vii) The Branch Executive Committee shall meet at least once in every three months.

29. Procedure at Branch Meetings

29.1 Notices for all meetings including the agenda shall be sent out by the Branch Secretary as directed by the Chairperson.

29.2 There shall be two classes of meetings as follows:

- a) Ordinary meetings shall be convened by a written notice of twenty-one days.
- b) Special meetings shall require a notice of four days and shall be requisitioned

for a specific purpose only by order in writing to the Branch Secretary. No other matter shall be discussed other than that stated in the requisition.

29.3 Quorum for all meetings shall be one-third of the membership thereof. Any official who fails to attend three consecutive meetings without reasonable apology shall be liable to suspension.

29.4 Resolutions, unless otherwise stated in the constitution shall be decided by consensus or a simple majority by secret ballot or any other method of voting acceptable to the members.

30. Overseas Branches

30.1 The National Executive Council shall approve and register overseas branches in any country, as it deems necessary.

30.2 An overseas branch shall consist of not less than twenty members who must be Kenyan citizens.

30.3 Overseas branches shall operate in the same way as other branches as provided in this Constitution.

31. Nomination of Candidates

31.1 The Party shall in a transparent and democratic manner nominate candidates to contest for public elective office in the country.

31.2 Whenever an election to public office is to be held, the Board shall invite eligible party members to express their interest in a nomination.

31.3 Aspirants shall pay all fees as may be prescribed by the Board with the approval of the National Executive Council.

31.4 The National Elections Board may conduct nominations through any of the following modes;

- a) Universal suffrage by party members;
- b) Direct nomination by the Board if there's only one Candidate, or if other eligible candidates pull put leaving a single candidate;
- c) Consensus by the Candidates.

32. Dispute Resolution

32.1 If a dispute arises within the Party, the same shall be referred to the National Executive Council in writing, which shall preside over and resolve that dispute.

32.2 Any member of the National Executive Council who is a Party to the dispute shall recuse himself/herself from hearing such a dispute.

32.3 A complainant shall indicate in writing the exact dispute, and shall also have prayers that they wish granted at the determination of the dispute.

32.4 Disputes shall be resolved within 60 days from the date of lodging and all parties shall be given a fair hearing that underlines the best interest of the Party.

32.5 Dispute proceedings shall be held at the Party headquarters, and may be held physically, virtually or through a hybrid format.

32.6 The National Executive Council shall, within fourteen days of a dispute being lodged, issue guidelines to be followed which shall include specific timelines, service, filing of responses, hearing dates, hearing format (whether physical, virtual or hybrid), filing of further evidence and general hearing procedure.

32.7 The National Executive Council shall be guided by the principles of Fair

Hearing, expeditious disposal of disputes, impartiality, principals of equity, and shall be guided by the doctrine of necessity where applicable.

32.8 The Council may refer a matter for mediation to help resolve any disputes before making a final determination.

32.9 The Council may dismiss a complaint, allow a complaint, or allow parts of the complaint. The decisions herein shall apply to a counter-complaint in the event that one is filed.

32.10 No member of the Party shall refer any dispute to the Courts or Tribunal before exhausting the internal dispute mechanism set out herein unless the dispute relates to a criminal offence.

33. Alliances and Coalitions

33.1 The Party may form alliances and coalitions with other likeminded political parties.

33.2 The Party shall not enter into any alliance or coalition without the approval of the National Executive Council.

33.3 The Party shall deposit all Coalition or Alliance instruments it has entered into, with the Registrar of Political Parties.

33.4 A member of the Party shall have the right to access any such instruments upon request and payment of any administrative cost to be used in processing the instrument.

34. Party Discipline

34.1 All members of the Party shall at all times uphold and adhere to the party Constitution and policies.

34.2 The relevant provisions on Dispute Resolution shall apply herein mutatis mutandis.

34.3 The National Executive Council shall have the power to discipline any member of the Party for a breach of the Constitution, the Political Parties

Act or acting in a manner incompatible with the party ideology or policies.

34.4 Provided that the National Executive Council shall accord any such member the right to be heard and defend himself/ herself before making any decision in accordance with established mediation rules.

34.5 Any member of the party or a branch may initiate disciplinary proceedings against a member before the National Executive Council.

34.6 In determining any disciplinary proceedings, the Council may give any of the following sanctions;

- a. Admonish the member
- b. Warn the member
- c. Suspend for a specified period
- d. Expel the member from the Party

34.7 The decision of the National Executive Council shall be final.

35. Amendment of the Constitution

35.1 An amendment to this Constitution may be proposed by the National Executive Council, which shall forward the proposal to the National Delegates Convention for approval.

35.2 A resolution to amend the Constitution shall be supported by at least two-thirds of the delegates eligible to attend and vote.

35.3 A proposal to amend the Constitution shall not take effect unless the provisions set out in the Political Parties Act have been complied with.

36. Dissolution of the Party

36.1 The Party may be dissolved upon a resolution of at least two thirds of the members of the National Executive Council approved by a resolution of at least two thirds of all the delegates of the Party.

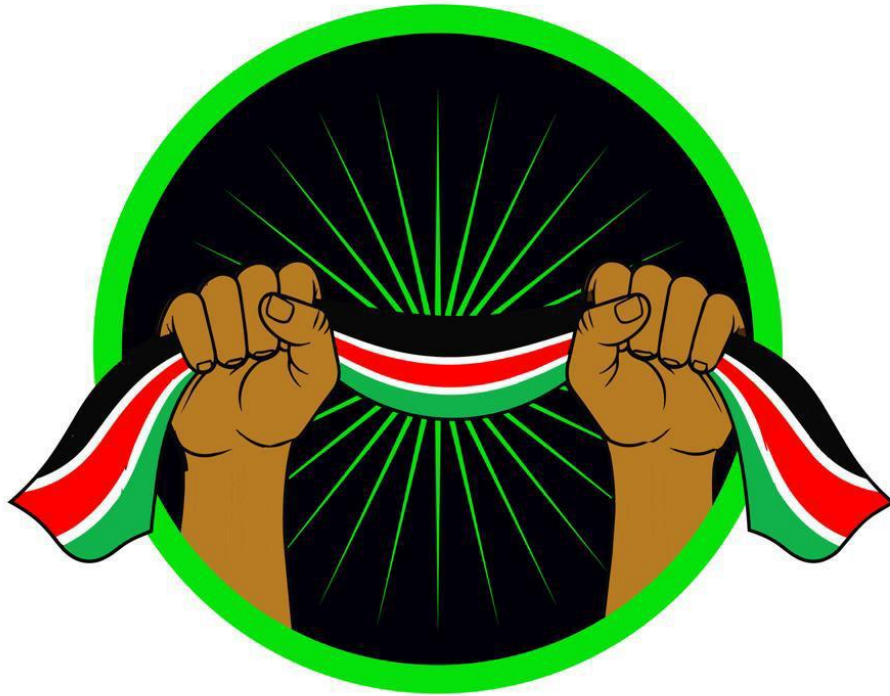
- 36.2 Upon dissolution of the Party, all its assets shall be dealt with in the manner provided by law, provided that such assets shall only be distributed to an organization whose objectives conform to those of the Party.

37. Transitional Provisions

- 37.1 Pending the holding of first elections under this Constitution, an interim National Executive Council, Political Council and Branch Executive Committees shall be nominated by the first registered interim officials of the Party.
- 37.2 The Interim officials shall hold office for a period of five years from the date of full registration of the party before elections are held.
- 37.3 Provided that if a vacancy arises in any of the interim organs of the Party, the interim National Executive Council shall nominate a member to fill that vacancy.
- 37.4 The provisions of this Article shall expire upon the holding of the first elections under this Constitution.

FIRST SCHEDULE

Party Symbol



UKWELI PARTY

KAZI NA HAKI

END

SIGNATORIES TO THE CONSTITUTION

A handwritten signature in black ink, appearing to be 'Donnie M.' with a stylized flourish at the end.

NATIONAL CHAIRPERSON

A handwritten signature in black ink, written in Arabic script, appearing to be 'أحمد محمد' (Ahmed Mohamed).

SECRETARY GENERAL

A handwritten signature in blue ink, appearing to be 'Ahmed' with a large circular flourish on the left.

TREASURER

A handwritten signature in black ink, appearing to be 'Ahmed' with a large circular flourish on the left.

ORGANIZING SECRETARY