



THE ELECTION AND NOMINATION RULES
OF
UKWELI PARTY

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PART I: INTRODUCTION

Rule 1: PREAMBLE

Pursuant to Articles 19, 27 and 32 of the Party constitution, the National Executive Council makes the following Election and Nomination Rules:

Rule 2: CITATION AND INTERPRETATION

2.1 CITATION:

2.1.1 These rules may be cited as the Ukweli Party Election and Nomination Rules (hereinafter “the Rules”).

2.1.2 In these rules, unless otherwise stated, the words as used carry the same meaning as prescribed in the Party Constitution.

2.2 INTERPRETATION:

“**Agent**” means a person duly accredited by a candidate as his or her agent.

“**Candidate**” means a person duly cleared by the Party in accordance with these Rules to vie for nomination.

“**Candidates Vetting Committee**” means a committee established under rule 15 herein”

“**Commission**” means the Independent Electoral and Boundaries Commission of Kenya (IEBC) established under Article 88 (1) of the Constitution of Kenya.

“**Constituency Returning Officer**” means a person appointed by the NEB to preside over Party elections and nominations within the Constituency.



“County Returning Officer” means a person appointed by the NEB to conduct Party elections and nominations within the County.

“Nomination” means the election of a person qualified under these Rules to contest for elections at a general or by-election (whatever the case may be) on the Party ticket.”

“Party” means the Ukweli Party

“Persons with Disability (PWD)” means a person with any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the Community to have a substantial or long-term effect on an individual’s ability to carry out ordinary day-to-day activities.

“Polling Station” means the venue for voting in elections as gazetted by IEBC in the last general election, or any other Polling Station designated by the NEB.

“Presiding Officer” means a person appointed or designated under these rules by the NEB to preside over elections at a polling station.

“Register” means the register of Party members approved by the Registrar of Political Parties.

“Special Interest Group” means marginalized persons or Minorities and PWDs.

“The NEB” means the National Elections Board of the Party established under Article of 7.11.1 of the Party Constitution.

“Voter” means a person validly registered by the Commission to vote at a general or by-election and whose names are included in the Party Register.

“Ward” means the electoral unit for County Assembly members within the meaning of Article 177 (1) of the Constitution of Kenya and as de-limited under the National Assembly Constituencies and County Assembly Wards Order, 2012 or as amended or altered by Judgment of the High Court delivered in Nairobi Judicial Review Application Number 94 of 2012 or as may be reviewed by the Commission from time to time.

“Youth” means persons (male, female and gender-diverse individuals) between the ages of 18 years to 35 years.



Rule 3: NATIONAL ELECTIONS BOARD

3.1 Core Function

- a) To plan, organize, direct, conduct, supervise and/or coordinate all Party elections and nominations of candidates.
- b) The National Elections Board shall make its own rules of procedure for its meetings, which shall be approved by the National Executive Council.
- c) The Party Secretariat shall provide secretarial support services to the NEB.
- d) The NEB may with the written approval of the National Executive Council (NEC) grant a candidate automatic nomination.

3.2 Duties of the National Elections Board

Duties of the National Elections Board shall include:

- a) To ensure a free and fair electoral process.
- b) The vetting of all candidates aspiring for Party election or nomination in accordance with provisions of the Constitution of the Republic of Kenya, applicable electoral Laws, Party Constitution, Party Nomination and Election Rules and the Party Code of Conduct.
- c) Appointment of County Returning Officers, Constituency Returning Officers, Polling and Tallying Clerks.
- d) Accreditation of election observers.
- e) Receiving election results from Returning Officers.
- f) Taking all necessary measures to ensure Party elections and nominations are transparent, peaceful, free, and fair.
- g) Devise or formulate rules of procedure for the County Election Disputes Appeals Tribunal.

3.3 Composition and Quorum of the National Elections Board

- a) The National Elections Board shall be made up of five (5) members and a



Chairperson appointed by the National Executive Council.

- b) Neither female nor male members of NEB shall occupy more than two-thirds of the available slots.
- c) Quorum of meetings of the NEB shall be three (3) members.

3.4 Rules, Procedure and Criteria for Identifying and Appointing Members of NEB

- a) A member of NEB shall be a Kenyan citizen in good standing and of unquestionable integrity and probity.
- b) NEC shall identify and shortlist potential members of NEB, interview, appoint and appoint them for office for a renewable term of 5 (five) years for a maximum period of 10 (ten) years.
- c) Members of NEB shall enjoy security of tenure.
- d) A member of NEB shall not hold any other elective office in the Party, nor will they be officials of any other political party.
- e) A member of NEB shall make a pledge of commitment to the Party constitution, policies, and standards of open, democratic, free, and fair elections.
- f) A member of NEB shall be removed from office for violations in respect to **(d)** and **(e)** above; for violations of approved NEB rules and any other electoral offenses under Kenya's electoral laws; if found to have given false information during their appointment; for failure to perform the roles to required standards; and for violating the UP Code of Conduct.

Rule 4: ELECTION OFFICERS

4.1 County Election Committee

There shall be established by NEB, when necessary, a County Election Committee in each county to coordinate nominations on behalf of the NEB.

- 4.1.1 The County Election Committee shall be composed of five (5) members of the Party, ordinarily resident in the County who shall be distinguished persons of good moral standing in society and of high integrity and they shall not be seeking any elective post or nomination.



4.1.2 The County Election Committee shall be under the supervision and general direction of NEB and shall perform all such tasks and duties as assigned and delegated to them.

4.1.3 The NEB shall be responsible for the recruitment and deployment of all County Election Committee personnel.

4.1.4. The County Election Committee shall be composed of the following members:

- i) Chairperson
- ii) Secretary and
- iii) Three ordinary members

4.2. Constituency Election Panel

There shall be established by NEB, when necessary, a Constituency Election Panel in each constituency to coordinate elections on behalf of the NEB.

4.2.1 The Constituency Election Panel shall be composed of five (5) members of the Party ordinarily resident in the constituency who shall be distinguished persons of good moral standing in society and of high integrity and they shall not be seeking any elective post or nomination.

4.2.2 The Constituency Election Panel shall be under the supervision and the general direction of NEB and shall perform all such tasks and duties as assigned and delegated to them.

4.2.3 The NEB shall be responsible for the recruitment and deployment of all Constituency Election Panel personnel.

4.2.4 The Constituency Election Panel shall be composed of the following members:

- i) Chairperson
- ii) Secretary and
- iii) Three ordinary members

4.2 Returning Officers



There shall be, where necessary, County Returning Officers, and Constituency Returning Officers, appointed and supervised by the NEB.

4.3.1 Duties of Returning Officers

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

- a)** Carrying out briefings or trainings for election officers on the proper conduct of the Party nominations in accordance with the Party's Constitution and Nomination Rules,
- b)** Ensuring that requisite logistics are in place at the elections venue for a free and fair elections, including-
 - i)** Availing sufficient and relevant voting materials and equipment, and
 - ii)** Ensuring that there exists adequate security during elections,
- c)** Supervising other election officers to ensure a level playing field,
- d)** Announcing election results promptly and accurately,
- e)** Compiling and submitting results of the elections to the NEB, and
- f)** Undertaking any other responsibility or duty that might lawfully be assigned to them by the NEB.

4.3.2 Role of County Returning Officer

The County Returning Officer shall:

- a)** Be in charge of County nominations of all electoral seats,
- b)** Receive and tally election results in respect of candidates for County Woman Representative, Senator, Governor and President
- c)** Maintain and preserve all election materials and returns and deliver the same to the NEB at the conclusion of the nominations where applicable.

4.3.3 Role of Constituency Returning Officer

The Constituency Returning Officer shall:

- a)** Be in charge of nominations within the Constituency, including all Wards
- b)** Supervise polling and tallying of votes within the Constituency Wards, and



- c) Announce results of nominations after tallying within the Constituency for all electoral seats.

4.3.4 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.

4.3.5 Role of Presiding Officers

Presiding Officers shall:

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

4.3.6. 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 nominations.

PART II: THE NOMINATION OF PARTY CANDIDATES

Rule 5: CATEGORIES OF ELECTIONS COVERED



These rules govern nomination of Party candidates in respect of any nomination, under Part I herein to be held for Members of the County Assembly (MCA); National Assembly (MP); County Women's Representative (MP); Member of the Senate (Senator); Governor and President of the Republic of Kenya.

Rule 6: METHOD OF NOMINATION

6.1 All party nominations shall adhere to the principles of democratic free and fair elections, Chapter 6 of the Constitution of Kenya, the Elections Act, the Political Parties Act and any other relevant laws.

6.2. Party nominations may be conducted through any of the following modes:

6.2.1 Universal suffrage by party members in approved party electoral areas as per the Constitution of Kenya

6.2.2 Direct nomination by the NEB, **ONLY** when in an electoral area there is only one eligible candidate offering themselves for nomination, or if other eligible candidates had who previously offered their candidature pull out leaving a single candidate, provided all the vetting requirements have been met

6.2.3 Documented and NEB-approved and supervised consensus between or among candidates who previously offered their candidature for the same nomination slot

6.2.4 Interviewing of candidates by a NEB constituted panel for nomination of the most qualified applicant based on criteria approved by NEB for instances when the consensus mode fails and there is no adequate time to conduct nominations under the universal suffrage option

Rule 7: ANNOUNCEMENT OF VACANT POSITIONS

Upon a resolution by the NEC, the NEB shall advertise and receive applications in forms prescribed in these rules for Party Elections for nominations for the positions of Members of the National Assembly, Members of the County Assembly, County Woman Representative, Senator, Governor and President.

Rule 8: VETTING OF CANDIDATES

The NEB shall establish a candidate vetting process, subject to approval of the NEC and which shall be responsible for vetting of candidates in accordance with the Constitution of the



Republic of Kenya, The Political Parties Act, 2011, The Elections Act, 2011, The County Government Act, 2012, the Party Constitution and Party Election and Nomination Rules. In vetting a candidate, the NEB shall consider the following:

- a) The contribution of the candidate to the promotion of Party activities, growth, and ideology
- b) Demonstrated loyalty to the party, its leadership and organs, policies, and procedures
- c) Ability to represent the area for which the candidate is seeking nomination
- d) Ability to articulate and propagate Party policies and ideology; and
- e) Compliance with Chapter 6 of the Kenyan Constitution.

Rule 9: QUALIFICATION OF CANDIDATES

9.1 Nominations for Member of the County Assembly

9.1.1 A person seeking nomination for election as member of the County Assembly shall fulfill the following requirements:

- a) Be registered as a voter in the Ward or County for which they are seeking election.
- b) Be a duly registered member of Ukweli Party.
- c) Demonstrate active participation in Party programs six months prior to seeking nomination, provided National Executive Committee may for good cause, which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit.
- d) Meet the minimum requirements for County Assembly Candidates as may be set out by the Independent Electoral and Boundaries Commission.
- e) Agree to participate in the Party vetting process.

9.1.2 An applicant for nomination shall furnish the following documents (all official documents must be certified):

- a) Duly completed Party Nomination Application Form in duplicate.
- b) Copy of national identity card or Passport.
- c) Confirmation of Voters Registration.
- d) Valid Party membership card.
- e) Non- refundable **nomination fee of Ksh. 30,000.00 (Thirty Thousand only)** or any other amount prescribed by NEC by way of reduction/graduation or waiver for qualifying Special Interest Group candidates, paid to Ukweli Party by Banker's



Cheque, or deposits to the Party's mobile money account.

- f) Valid Party membership card.
- g) Duly executed Code of Conduct Form.
- h) Meet all other requirements under the Elections Act and Regulations made by the Independent Electoral and Boundaries Commission.

9.1.3 Disqualification from nomination as a candidate for election as a Member of the County Assembly

A person is disqualified from being nominated as a candidate for election as a Member of County Assembly if the person:

- a) Is a State Officer or other Public Officer other than a Member of County Assembly,
- b) Has at any time within the five years immediately before the date of election, held office as a member of the Independent Electoral Boundaries Commission or any national election management body.
- c) Is of unsound mind.
- d) Is an undischarged bankrupt.
- e) Is serving a sentence of imprisonment of at least six months.
- f) Has been found, in accordance with any law, to have misused or abused a State Office or Public Office or to have contravened any provision of Chapter Six of the Constitution of Kenya.
- g) Is found to have planned, sponsored, or participated in any violent activity intended to disrupt elections.

9.2. Nominations for Member of Parliament

9.2.1 A person seeking nomination for Parliamentary elections shall fulfill the following requirements:

- a) Be a registered voter in the Constituency or County for which he/she seeks election.
- b) Be a duly registered member of Ukweli Party.
- c) Have attained post-secondary school qualification recognized in Kenya.
- d) Demonstrate active participation in Party programs six months prior to seeking nomination, provided that the National Executive Committee may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit.



- e) Meet the minimum requirements for Parliamentary Candidates as may be set out by the Independent Electoral and Boundaries Commission of Kenya.

9.2.2 Candidates in respect of Parliamentary nominations shall be required to provide the following:

- a) Duly completed Nomination Form in duplicate.
- b) Copy of National Identity Card or Passport.
- c) Confirmation of Voters Registration.
- d) Valid Party membership card.
- e) Non- refundable **nomination fee of Ksh. 70,000.00 (Seventy Thousand only)** or any other amount prescribed by NEC by way of reduction/graduation or waiver for qualifying Special Interest Group candidates, paid to Ukweli Party by Banker's Cheque, or deposits to the Party's mobile money account.
- f) Duly executed Code of Conduct Form.
- g) Meet all other requirements under the Elections Act and Regulations made by the Independent Electoral and Boundaries Commission of Kenya.

9.2.3 Disqualification from nomination as a candidate for election as a Member of Parliament

A person is disqualified from being nominated as a Member of Parliament if the person:

- a) Is a State Officer or other Public Officer other than a Member of Parliament.
- b) Has, at any time within the five years immediately preceding the date of the election, held office as a member of the Independent Electoral Boundaries Commission or any national election management body.
- c) Is a Member of a County Assembly.
- d) Is of unsound mind.
- e) Is an undischarged bankrupt.
- f) Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate.
- g) Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- h) Is found to have planned, sponsored, or participated in any violent activity intended to disrupt elections.



9.2.4 Nominations for County Woman Representative

9.2.4.1 A person seeking nomination for County Woman Representative shall fulfill the following requirements:

- a)** Be a registered voter in the County for which she seeks election.
- b)** Be a duly registered member of Ukweli Party.
- c)** Have been an active member of the party six months prior to seeking nomination, provided that the National Executive Committee may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit.
- d)** Meet the minimum requirements for Parliamentary Candidates as may be set out by the Independent Electoral and Boundaries Commission of Kenya.

9.2.4.2 Candidates in respect of County Woman Representative nominations shall be required to provide the following:

- a)** Duly completed Nomination Form in duplicate.
- b)** Copy of National Identity Card or Passport.
- c)** Confirmation of Voters Registration.
- d)** Valid Party membership card.
- e)** Non- refundable **nomination fee of Ksh. 50,000.00 (Fifty Thousand Only)** or any other amount prescribed by NEC by way of reduction/graduation or waiver for qualifying Special Interest Group candidates, paid to Ukweli Party by Banker's Cheque or deposited in the Party's mobile money account.
- f)** Duly executed Party Code of Conduct Form.
- g)** Meet all other requirements under the Elections Act and Regulations made by the Independent Elections and Boundaries Commission.

9.2.4.3 Disqualification from nomination as a candidate for election as County Woman Representative

A person is disqualified from being nominated as County Woman Representative if the person:

- a)** Is a State Officer or other Public Officer other than a Member of Parliament,



- b) Has, at any time within the five years immediately preceding the date of the election, held office as a member of the Independent Electoral Boundaries Commission or any national election management body.
- c) Is a Member of a County Assembly.
- d) Is of unsound mind.
- e) Is an undischarged bankrupt.
- f) Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate.
- g) Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- h) Is found to have planned, sponsored, or participated in any violent activity intended to disrupt elections.

9.4. Nominations for Governor and Senator

9.4.1 A person seeking nomination for election as Governor or Senator shall fulfill the following requirements:

- a) Be registered as a voter in the County for which s/he seeks election.
- b) Be a duly registered member of Ukweli Party.
- c) Be in possession of academic qualifications obtained and certified from a university recognized in Kenya.
- d) Demonstrate active participation in Party programs for a period of at least three months prior to seeking nomination.
- e) Meet the minimum requirements for candidates for the Governor position as may be set out by the IEBC.

9.4.2 A person applying for nomination for the Governor or Senator position shall present the following documents:

- a) Duly completed Nomination Form in duplicate.
- b) Copy of National Identity Card or Passport.
- c) Confirmation of Voters Registration.
- d) Valid Party membership card.
- e) A non-refundable **nomination fee of Ksh. 200,000.00 (Two Hundred Thousand only)** or any other amount prescribed by NEC by way of reduction/graduation or waiver for qualifying Special Interest Group candidates, paid to the Party by Bankers' Cheque or deposited in the Party's mobile money account.
- f) Certified copy of university degree certificate from a university recognized in Kenya.



- g) Duly executed Party Code of Conduct Form.
- h) Meet all other requirements under the Elections Act and Regulations made by the IEBC.

9.4.3 Disqualification from nomination as a Party candidate for election as a Governor or Senator

A person shall be disqualified from being nominated as a candidate for election as a Governor or Senator if the person:

- a) Is a State Officer or other Public Officer other than a Member of County Assembly.
- b) Has at any time within the five years immediately before the date of election held office as a member of the IEBC or any national election management body.
- c) Is of unsound mind.
- d) Is an undischarged bankrupt.
- e) Is serving a sentence of imprisonment of at least six months for a criminal offense.
- f) Has been found, in accordance with any law, to have misused or abused a State Office or Public Office or to have contravened any provision of Chapter Six of the Constitution of Kenya

9.5 Nominations of Presidential Candidate

9.5.1 A person seeking nomination for President shall fulfill the following requirements:

- a) Be a Kenyan of high moral standing and integrity.
- b) Be a Kenyan citizen with a valid National Identity Card or Passport.
- c) Be a registered voter.
- d) Be a registered member of Ukweli Party in good standing.
- e) Have been an active member of the party for at least six months prior to seeking nomination, provided that the National Executive Committee may for good cause, which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions and considerations it may deem fit.
- f) Meet the minimum requirements for Presidential candidates as may be set out by the Independent Electoral and Boundaries Commission of Kenya.

9.5.2 Candidates in respect of Presidential nominations shall be required to provide the following:

- a) Copy of National Identity Card or Passport.
- b) Duly completed Party Nomination Form in duplicate.
- c) Confirmation of Voters Registration.



- d) Valid Party membership card.
- e) Non-refundable **nomination fee of Ksh. 500,000.00 (Five Hundred Thousand only)** or any other amount prescribed by NEC by way of reduction/graduation or waiver for qualifying Special Interest Group candidates, paid to Ukweli Party by Banker's Cheque or deposited in the Party's mobile money account.
- f) Duly executed Code of Conduct and Pledge of Commitment Form.
- g) Certified copy of degree certificate earned from a university recognized in Kenya
- h) Meet all other requirements under the Elections Act and Regulations made by the Independent Elections and Boundaries Commission.

9.5.3 Disqualification from nomination as a Presidential candidate

A person is disqualified from being nominated as UP's Presidential candidate if the person:

- a) Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- b) Is of unsound mind.
- c) Is an undischarged bankrupt.
- d) Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate.
- e) Is found to have encouraged, planned, sponsored, or participated in any violent activity intended to disrupt elections.

9.7 Nomination of Party List Candidates

Pursuant to articles 97(1)(c) and 177(1)(b) and (c) of the Constitution of Kenya and section 34 of the Elections Act, 2011, the Party shall nominate members to the Party list as prescribed by these laws prior to Party nominations.

9.7.1 Nomination of members to the Party list shall be by application as prescribed and publicized by NEC in all branches.

9.7.2 NEB shall, with support from the Branch Executive Councils and NEC receive applications, shortlist, interview/vet and recommend nominees to the Party list for Members of County Assembly and the National Assembly to NEC for approval, prioritization, and presentation to IEBC within prescribed timelines.



9.7.3 In addition to meeting eligibility criteria set out in these rules; Party list candidates must meet the following criteria:

- a) Exemplary service to the Party.
- b) Demonstrable commitment towards achieving the aims and objectives of the Party.
- c) Minimum membership period of 1 year.

9.7.4 Qualifications and disqualification prescribed for applicants for Party tickets for Member of Parliament, Senator, Woman Member of Parliament and Member of County Assembly shall apply for nominees for the Party list.

Rule 10: UNIVERSAL SUFFRAGE PROCESS

10.1 Mode of Election

The NEC shall by a resolution determine the mode of election in any electoral area in the Republic of Kenya and NEB shall publish such resolutions not later than twenty-one days to the date of party primaries. The following shall apply:

- a) NEB shall originate the program of the day for all applicable electoral areas;
- b) Voting shall be by secret ballot and each voter shall be entitled to cast one vote only;
- c) Voters must be in the Ukweli Party membership register as provided by the Office of the Registrar of Political Parties;
- d) Inspection of the Membership Register shall be done at the close of the registration period as prescribed by NEB;
- e) NEB shall organize to have all voting material (equipment, stationery, etc.) and duly appointed staff in time for the nomination process;
- f) Voting shall start at 8.00 a.m. and close at 5.00 p.m. at the polling units or designated areas;
- g) At the commencement of the nominations, the NEB officer in charge shall indicate clearly on a poster and announce the names of all eligible candidates.
- h) NEB shall determine the kind and design of ballot papers to be used;
- i) NEB shall designate the polling units;
- j) NEB may accredit observers;



- k) Any ballot paper that does not bear the stamp of UP shall be declared invalid. The stamp shall be in the strict custody of the NEB officer in charge of the nomination process at every polling unit;
- l) At the close of polling, all ballot boxes containing cast votes shall be closed and sealed by the officer in charge in the presence of the candidates or their appointed agents;
- m) Presiding Officers shall count and tally votes cast at each Polling Station and forward them to the Constituency Returning Officer who shall make the final tally before announcing results of the elections in respect of the Member of County Assembly Representatives, County Women Representatives and Member of National Assembly;
- n) The Constituency Returning Officers shall submit forthwith the vote tally to the County Returning Officer who shall make the final tally with respect to nominations for Governor and Senator before making public the result of Party nominations for County elections.

10.2. Announcement of results and issuance of nomination certificates:

- a) Each Returning Officer shall tabulate and collate certified results received from Presiding Officers at the Polling stations level and promptly announce the results in the presence of all the candidates or their agents.
- b) The Returning Officer shall thereafter issue a certificate of return showing the total number of votes garnered by each candidate in every polling station and which shall be signed by either the candidate or their agents and a certified copy of which shall be immediately forwarded to the County Elections Board which shall in turn certify the same and transmit to the NEB.
- c) Where a dispute has been filed at the County Elections Appeal Tribunal, the County Elections Board shall withhold the certificate of return until such time as they are furnished with the verdict of the Tribunal and which, in any case, shall not be more than fourteen (14) days of the date of the dispute, save for by-elections where the verdict shall be furnished within the shortest time possible, in any case, not exceeding a period of 72 hours from when a dispute is filed.
- d) Upon receipt of the certified copy of the certificate of return from the County Elections Appeal Board and where no appeal has been lodged at the National



Elections Appeals Tribunal, the NEB shall proceed to process and issue the nomination certificate to the declared winner within seven (7) days of the primaries or determination of a dispute.

- e) The NEB shall accordingly enter the name of the winner on the Party list and the same shall not be removed except by a decision of the Independent Electoral and Boundaries Commission Complaints and Dispute Resolution Committee or an order of the High Court.

Rule 11: DISPUTES RESOLUTION AND APPEAL TRIBUNALS

11.1 National Appeals Tribunal:

11.1.1 There shall be established an independent National Appeals Tribunal composed of five members of the Party, with neither female nor male members occupying more than two-thirds of the available slots.

11.1.2 Members of the National Appeals Tribunal shall be appointed by the NEC and shall designate one member of the Tribunal as the Chairperson. Members shall be distinguished persons of good moral standing in society and of high integrity.

11.1.3 The National Appeals Tribunal shall determine appeals arising from elections of National officials and nominations in respect of Members of the National Assembly, Members of the County Assembly and County Women Representatives.

11.1.4 No member of the Tribunal shall, during his/her tenure of office, be a Party official or an aspirant in any Party election or nomination.

11.1.5 The appeals to the National Appeals Tribunal shall be in writing duly signed by the appellant and shall be lodged within 48 hours of the announcement of results appealed from.

11.1.6 An appellant shall, on appeal, pay a non-refundable fee of Ksh. 30,000/= to the Party.

11.1.7 The National Appeals Tribunal may, in its discretion but for reasons to be recorded consider the appeal and make its decision or make directives without the need to hear the appellant in person.



11.1.8 The National Appeals Tribunal shall, in suitable cases, have powers to summon the Returning Officer responsible, Party witnesses with relevant evidence and thereafter dismiss the appeal or order re-count, re-tallying of votes or repeat of elections.

11.1.9 The National Appeals Tribunal shall consider and determine the appeal in accordance with the Constitution of Kenya, any applicable Law, Party Constitution and Election and Nomination Rules within 48 hours of receipt of the appeal.

11.1.10 The decision of the National Appeals Tribunal shall be final.

Rule 12: PLEDGE OF COMMITMENT

All applicants for nomination as Party candidates shall sign the Party Code of Conduct and the Ukweli Party Pledge of Commitment.

PART III: GENERAL

Rule 13: POLLING STATIONS AND STREAMS

The Polling station(s) where the nominations shall take place shall be at the Wards and the number of polling streams to be determined and published by the NEB fourteen days before the nomination day.

Rule 14: PARTY REGISTER

14.1 For purposes of conducting elections by universal suffrage, the NEB shall ensure that there are registers of all Party members in all Wards, Constituencies and Counties as the case may be.

14.2 On the date determined for polling, eligible voters as per the Party register shall be identified by availing the following documents:

- i) National Identity card, and
- ii) Voters card/ slip



Rule 15: VOTING PROCEDURE

Voting under these rules shall be by way of secret ballot or any other method of voting acceptable to the delegates. 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. Nominations of all candidates shall be in the prescribed form.

Rule 16: GROUNDS FOR DISQUALIFICATION

16.1 A member shall be disqualified to be a candidate for any nomination if:

- a)** Without authority they make, prepare, print or are in possession of a document or paper purporting to be a register of Party members,
- b)** Knowingly makes any false statements on, or in connection with any application to be registered in any register of Party members; or

16.2 A candidate who corruptly, for the purpose of influencing a voter to vote or refrain from voting for a particular candidate;

- a)** Before or during an election:
 - i)** undertakes or promises to reward a voter to refrain from voting
 - ii)** gives, causes to be given to a voter, or pays, undertakes, or promises to pay wholly or in part to, or for, any voter expenses for giving or providing any food, drinks, refreshment or provision of any money, ticket, or other means, or device to enable the procurement of any food, drink, or refreshment, or provision to ,or for, any person for the purpose of corruptly influencing that person or any other person to vote or refrain from voting for a particular candidate at the election, or being about to vote or refrain from voting for a particular candidate at the election; or
- b)** After an election, gives, provides, or pays any expense wholly or in part to, or for, any particular voter or any other voter for having voted or refrained from voting as aforesaid, shall be disqualified as a candidate for nomination on the Party's ticket.
- c)** A Party member shall be disqualified to vote at an election for the nomination



of any candidate if they induce, influence, or procure any other person to vote in an election knowing that the person is not entitled to vote in that election.

16.3 A Party member who accepts or takes any food, drink, refreshment, provision, any money, or ticket, or adopts other means or devices to enable the procuring of food, drink, refreshment, or provision knowing that it is intended to influence them shall be disqualified from voting in the Party's nominations.

16.4 Any Party member shall be disqualified from voting in an election for the nomination of any candidate if they directly or indirectly in person or through another person on their behalf uses or threatens to use any force, violence, including sexual violence, restraint, or material, physical or spiritual injury, threatens to inflict injury, damage, harm or use harmful cultural practices, damage or loss, or any fraudulent device, trick, or deception for the purpose of or on account of:

- a) Inducing or compelling a person to vote or not to vote for a particular candidate at an election for nomination.
- b) Impeding or preventing the free exercise of the franchise of a voter.
- 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 being registered as a voter.

16.5 A Party member shall be disqualified from voting at an election for the nomination of any candidate if they directly or indirectly by duress or intimidation;

- a) Impedes, prevents, or threatens to impede or prevent a voter from voting; or
- b) In any manner influences the result of an election.

16.6 A candidate shall be disqualified from elections or nomination on account of bribery if they:

- a) Directly or indirectly, lend or agree to lend, or offer, promise, or promise to procure or to endeavor to procure, any money or valuable consideration to, or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter:
 - i) To vote or refrain from voting for a particular candidate.



- ii) To attend or participate in or refrain from attending or participating in any meeting of a candidate, march, demonstration or in some other manner lending support to or for a candidate.
 - iii) Corruptly does any such act on account of such voter having voted for or refrained from voting.
 - iv) In any manner unlawfully influences the result of an election or nomination.
 - b) Directly or indirectly, makes any gift, loan, offer, promise, procurement, or agreement to any election official or voter to:
 - i) Procure the election or nomination of any person; or
 - ii) Procure the vote of any voter at any election or nomination.
 - c) Advances, pays, or causes to be paid any money to, or to the use of any other person with the intent that such money or any part thereof shall be used in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part used in bribery at any election or nomination.

Rule 17: CAMPAIGNS

17.1 The NEB shall give a period of not less than fourteen days to all respective candidates to campaign for the various positions vied for.

17.2 No campaigns shall be permitted on the polling day.

Rule 18: HOURS OF POLLING

18.1 The polling stations shall open at 8:00am and close at 5:00pm.

18.2 The Returning officer shall announce and declare the results of the elections in the presence of the candidate (s) and/or their agents.

18.3 The NEB may at any election, accredit

- a) an observer or observers,
- b) any person or institution to report an election.



Rule 19: NOMINATION CERTIFICATE

- 19.1 The NEB shall compile and certify the list of all successful candidates
- 19.2 Upon receipt of a certified list of the candidates, the authorized, hence official Party signatories shall issue a Nomination Certificate and forward to the IEBC the Party List in accordance with Sec. 35 of the Elections Act, 2011.
- 19.3 The authorized/official Party signatories for purposes of nominations shall be the National Chairperson/Party Leader and the National Secretary General.

Rule 20: RETENTION AND PUBLIC INSPECTION OF DOCUMENTS

All nominations documents and materials shall be archived for a period of six months at the Party Headquarters.



ANNEX 1:

UKWELI PARTY CODE OF CONDUCT

- 1.** This document is adopted and decreed as the Code of Conduct of Ukweli Party, hereinafter referred to us “the Party” and it shall be binding equally, in word and deed to all members of the Party.
- 2.** This Code of Conduct shall regulate the behaviour and conduct of members of the Party, office holders of the Party, aspiring Party candidates and their supporters in order to promote democracy, good governance as well as ethical, just and progressive political engagement and leadership.
- 3.** This Code of Conduct is decreed pursuant to Section 6.4 of the Party Constitution, the Political Parties Act, 2011 and shall be an aid to the implementation of Article 34 of the Party Constitution.
- 4.** Enforcement of this Code of Conduct shall be undertaken in accordance with Article 34 of the Party Constitution.
- 5.** A member, official, applicant for nomination, candidate, supporter, volunteer and employee of the Party shall:
 - a)** Be loyal to our country Kenya and the Party;
 - b)** Respect, uphold and defend the Constitution of Kenya and a national culture of constitutionalism and the rule of law;
 - c)** Respect, uphold and promote leadership and integrity standards as prescribed in Chapter 6 of the Constitution of Kenya;
 - d)** Respect, uphold and defend the Constitution of the Party and all its approved policies, positions, rules and regulations and abide by the Party motto: “Nguvu Kwa Mwananchi” and support the Party Programme of Action; values and principles and undertake to work for their realization;
 - e)** Bear true allegiance to the Party and project a positive image of the Party, its policies and programmes;
 - f)** Carry out Party assignments efficiently, meticulously, punctually and in a transparent and accountable manner;
 - g)** Strive to study, understand and propagate the Programme of Action, Constitution and policies of the Party;
 - h)** Act in a transparent and accountable manner and tell the *Ukweli* – the truth, at all times to fellow members and party organs even when it is uncomfortable to do so, in the greater interest of Party growth development and realisation of its Programme of Action;
 - i)** Accommodate plurality of ideas within the Party and externally, and observe principles and practices of open, good and accountable governance
 - j)** Engage in self-criticism and constructive criticism of other members, the Party and its leadership; and



ANNEX 2:

FORM 3: UKWELI PARTY NOMINATIONS PLEDGE OF COMMITMENT

I..... of ID/Passport No.....
and..... (Address) in the Republic of
Kenya, applying to be nominated as the Ukweli Party candidate for election as (mark with **X** where
applicable)

- President of the Republic of Kenya _____ ()
- Governor of the County of _____ ()
- Senator of the County o _____ ()
- Women Representative for the County of _____ ()
- Member of Parliament of _____ Constituency ()
- Member of County Assembly of..... Ward in _____ County ()

Do hereby solemnly swear and pledge as follows:

1. That I swear to respect, defend, and safeguard the Constitution of Kenya and the Ukweli Party Constitution and all its policies.
2. That I shall be loyal to my country Kenya and the Party.
3. That I shall abide by the Party’s motto of “Power to the People” /“Nguvu Kwa Mwananchi” and support the Party manifesto, programmes, values and principles and undertake to work for their realization.
4. That I shall abide by and promote all prescriptions by the Party on the conduct of free, fair, open and peaceful nominations and elections and that I will always act in fairness, respect and honour of fellow candidates and at no time will I conceive, promote or condone election malpractices; and shall comply fully with the Party’s disciplinary process should I be found to have engaged in such malpractice
5. That I shall always stand for and defend the respect, promotion, protection and fulfilment of human rights and freedoms for all Kenyans.
6. That I shall accommodate criticism and plurality of ideas and observe principles and practices of open, good and accountable governance.
7. That I shall support free and fair elections within the Party and in all electoral areas and processes in Kenya.
8. That I shall openly oppose and never practice or condone tribalism, nepotism and I shall ensure that allocation of resources and services are done fairly and equitably, and jobs on



merit, through open and auditable processes.

9. That I shall actively support and practice zero tolerance to corruption.
10. That I shall be transparent in all my business practices and transactions and never allow my personal interest to prevail over the public interest.
11. That I shall always defend and protect public property and that I shall at all times, through appropriate platforms, expose any misuse of public office, money, property and investments irrespective of who is involved in acts of misuse;
12. That I shall not practice or condone any forms and acts of discrimination, racism, sexism, xenophobia, prejudice, hatred, bigotry against any individual or group in Kenya and wherever I go;
13. That I swear this pledge on the understanding that I may be disqualified, or required to resign from leadership, or have my Party membership revoked if I violate this pledge of commitment.

Signed by:

at..... On this.....day of.....20.....

Before me:

Commissioner of Oaths