
ONE NATION MOVEMENT(ONM) CONSTITUTION

2024

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ONE NATION
— MOVEMENT —

Hatua Moja, Taifa Moja.

DECEMBER 20, 2024

ONM

HATUA MOJA, TAIFA MOJA.

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ARTICLE 1: ESTABLISHMENT

- i. There is established for the people of Kenya a political party known as One Nation Movement (**ONM**) hereinafter referred to as 'the party', which is registered under the Political Parties Act. It shall be a body corporate with a common seal, perpetual succession and may sue and be sued in its corporate name.
- ii. The party is founded on the principles of good governance including equity, diversity, love, unity, freedom, justice, accountability, transparency and peace.
- iii. The leadership of the party shall ensure a just and prosperous nation through good governance, nurturing the right political atmosphere for businesses and industries to thrive, development of human resource, foster political stability and welfare of the people of Kenya.
- iv. The party symbol is a **Human hands, "Embracing, unity and empowerment.**
- v. The party colors are **white, Black, Red and Luminous Green** background.
- vi. The party's slogan is "**Hatua Moja, Taifa Moja**", meaning "**We Make Positive Step Together as a Nation**"

ARTICLE 2. PREAMBLE

WE, the members of the party;

- i. **PROUD** Kenya's ethnicity, cultural practices, and unique traditions, which showcase the nation's rich diversity and heritage.
- ii. **COMMITTED** to create a better Kenya where there is unity for positive changes and inclusivity for everyone in decision making;
- iii. **APPRECIATING** that the citizens' voice matters in every decision making
- iv. **RECOGNISING** the need for Unity, openness, transparency and accountability in political leadership in our country;
- v. **INSPIRED** by the strong spirit of unity and oneness of the people of Kenya;

- vi. **DRIVEN** by the commitment to honor the integrity of the rule of law and safeguard the implementation of the Constitution of the Republic of Kenya.;
- vii. **EXERCISING** Our civic and societal freedoms as acknowledged and assured by the Constitution of Kenya.

DO RESOLVE to form A cohesive, inclusive, transparent, accountable, and representative political movement to promote unity and national togetherness.

WE FURTHER RESOLVE The party is committed to ensuring the nation remains unified and inseparable, celebrating its diversity, where all individuals, regardless of their status, wealth, or social standing, are granted the rights, freedoms, and protections outlined in the Constitution of Kenya. Everyone will have the opportunity to participate fully in the country's decision-making processes, to the fullest extent allowed by law.

OUR PHYLOSOPHY Our belief is that every individual in Kenya is important and deserves a seat at the table of decision-making. Through the party, Kenyans from all backgrounds will have the opportunity to actively participate in nation-building, improving their own lives and those of future generations. Our philosophy centers on the idea that the voice of the people is crucial in every decision-making process

2.1 VISION

A prosperous and united Kenyan society, at peace, where the voice of the people matters in every decision-making.

2.2 MISSION STATEMENT

To uphold the essential rights, needs, and potential of the Kenyan people through a democratic, decentralized, and responsible government rooted in a unity-driven model that fosters equal opportunities, collective prosperity, and enhanced economic well-being, with the voice of the people leading the way.

2.3 PARTY SYMBOL & SLOGAN

The party symbol shall be a human hands embracing unity and empowerment and the party shall adopt the Kiswahili slogan **“Hatua Moja, Taifa Moja”**. We Make Positive Step together as a Nation.

2.4: PHYSICAL ADDRESS AND OFFICIAL WEBSITE OF THE PARTY

The registered head office of the party shall be based at Biashara Building, 4th Floor, Biashara Road, Mlolongo.

The official website address of the party shall be www.onm.org

2.5 GUIDING PRINCIPLES AND VALUES

- i. Respect and unity;
- ii. Creativity, effort, and persistence;
- iii. Collaborative leadership;
- iv. Adherence to the rule of law;
- v. Fairness and inclusion;
- vi. Honesty and openness.

ARTICLE 3: AIMS AND OBJECTIVES

- a) To create a united, people-driven government, founded on integrity and fairness for all Kenyans;
- b) To rise as one nation that values its diversity and upholds the dignity of every individual and community, affirming equality before each other;
- c) To foster peace, unity, and reconciliation across the nation;
- d) To ensure the inclusion of Minority, women and youth in the governance of the country;
- e) To advocate for fair working conditions and fundamental human rights, free from discrimination based on gender, race, tribe, color, faith, sexual orientation, or identification, while ensuring inclusion and equal opportunities for youths, women, minorities, and persons with disabilities (PWD);
- f) To protect and promote fundamental human rights and freedoms, including life, dignity, freedom of worship, movement, and association;

- g) To shift governance from a system that favors the few to a people-centered, service-driven model;
- h) To build a fair, thriving economy that rewards effort and entrepreneurship;
- i) To guarantee access to free healthcare, quality education, and welfare services, ensuring a dignified standard of living for all Kenyans while nurturing every economic activity;
- j) To promote and establish a just, corruption-free government committed to high moral standards and the rule of law;
- k) To preserve and protect national heritage, resources, security, and ensure equality before the law;
- l) To support legal reforms aimed at repealing unjust laws, ensuring justice, and promoting natural justice principles;
- m) To uphold constitutional principles and good governance while safeguarding civil, political, economic, religious, and cultural rights for all citizens;
- n) To nominate, support, and field candidates from the party for presidential, parliamentary, and county elections;
- o) To lead with humility, integrity, and by example, inspiring collective action for the change we seek;
- p) To protect and promote national resources, strengthen independent institutions for effective government operations;

ARTICLE 4: MEMBERSHIP

i. Membership in the party is open to all Kenyan citizens who align with its principles, vision, values, policies, and objectives, regardless of race, gender, color, or belief, and are committed to upholding this Constitution and any rules set by the party.

ii. Any individual who identifies with the party's mission, policies, and vision may seek to join, showing a clear commitment to the values that drive the movement.

iii. All members must pledge to uphold the party's Code of Conduct, actively participating in the realization of its collective aspirations.

iv. Each member is required to contribute the necessary membership fee as determined by the party.

v. Members shall commit to the party's guiding principles, objectives, and collective vision, working together to amplify the voice of the people and build a unified nation.

Article 4.1: Application for Membership

i. Individuals may apply for membership either in person or in writing to the authorized party officials at the county level or the National Executive Council (NEC).

ii. The National Executive Council (NEC) holds the authority to approve or deny any membership application based on the outlined criteria or any other provisions in this Constitution.

iii. Upon payment of the required subscription fee, as determined by the NEC periodically, approved members will receive an official party membership card upon payment of the membership fee.

iv. The party shall establish and communicate the different membership categories and the corresponding fees for each level of membership.

v. The Membership Register will include details such as identification, region, ethnicity, persons with disabilities, gender, and county of residence.

vi. The Membership Register will be updated continuously to reflect any changes and ensure accuracy in party records.

Vii Membership fee for joining the party shall be ksh 50 for the ordinary members and 500 for life members. The annual subscription fee shall be decided by NEC from time to time

ARTICLE 4.2: Rights of Party Member

- i. Contest any elective position, provided they meet the required qualifications and pay the prescribed party fee.
- ii. Engage in party activities and attend meetings, contributing to the collective progress of the movement.
- iii. Actively participate in the discussions, development, execution of party policies and initiatives, ensuring the voice of the people shapes the direction of the nation.
- iv. Vote in party elections and participate in the nomination of candidates for various positions, upholding democratic principles within the party.
- v. Submit proposals and recommendations to help shape party strategies and decisions, ensuring inclusivity in all levels of leadership.
- vi. Access party information, including policies, strategies, and financial records, to remain well-informed and contribute effectively to party growth

ARTICLE 4.3: Duties of a Party Member

A member of the party shall:

- Uphold the party's aims, policies, and programs, taking all necessary steps to understand and actively engage in their implementation.
- Explain and advocate for the party's principles, policies, and programs to potential members, supporters, and the public.
- Counter any harmful misinformation or negative campaigns against the party and defend its values and objectives.
- Promote and expand the party's presence and influence across the country.
- Observe discipline, adhere to the Party Code of Conduct, and respect decisions made by the party's governing bodies.
- Refrain from releasing confidential party information or making statements purporting to represent the party without proper authorization.
- Register as a voter and engage fully in the party's electoral activities and processes at all levels.
- If holding an elected position at any level (national, county, constituency, or ward), be an active member of the relevant party caucus and abide by its rules and decisions as

outlined in the Constitution.

- Members elected to positions such as County Assembly, Parliament, or Governor shall provide leadership and collaborate with party officials in their regions to advance the party's objectives, excluding matters concerning party elections.
- Pay the prescribed membership fees as determined by the party.
- Support the party financially and materially when called upon, particularly for key initiatives.
- Avoid promoting the policies, platforms, or interests of rival political parties.
- Do not support candidates from other parties unless explicitly authorized by the party.

ARTICLE 4.4: Termination of Membership

4.4.1. Membership Termination Conditions:

- a) **Resignation:** By submitting a written resignation to the nearest party office, with the membership ending on the date of receipt. The member is still obligated to fulfill any outstanding responsibilities to the party.
- b) **Death of a member.**
- c) **Resolution:** By a decision made by the National Executive Committee (NEC, except for the founding members, unless otherwise decided by the court as per the Kenyan Constitution.
- d) **Affiliation with another party:** By accepting an office in or supporting the activities of another political party.
- e) **Legal action:** By any action mandated by law.

4.4.2. Return of Party Property:

If a member terminates their membership, they must return all party property in their possession. Failure to do so gives the party the right to claim any outstanding dues or damages for party property under their control prior to membership termination.

4.4.3 Protection of Founding Members:

- a) The founding members of the party cannot be expelled or removed by the NEC, unless prohibited by a court under Kenyan law.
- b) They shall be prioritized for nominations at the national, regional, and county levels, provided they meet the necessary qualifications.

4.4.4 Removal from Membership Register:

Any individual who ceases to be a member will have their name removed from the party's register, and the decision will be communicated to the Registrar of Political Parties.

4.4.5. Regulation of Membership Termination:

The NEC will establish rules and regulations to effectively implement this section of the Constitution.

4.4.6. Commitment to the Party's Constitution:

- a) **Acceptance:** By applying for membership, individuals agree to abide by the party's Constitution, its vision, mission, principles, and values, and commit to supporting the party's candidates during elections.
- b) **Participation:** All members have the right to participate in any internal party elections.
- c) **Eligibility for Election:** Members are entitled to seek and vote for elective positions within the party.
- d) **Access to Information:** Members can request access to the party's Constitution, membership register, manifesto, and audited financial records upon giving the proper notice to the relevant party organs.
- e) **Nomination Rights:** Members can apply for party nominations for any elective position in general elections

ARTICLE 5: ORGANS OF THE PARTY

The following Party organs are hereby established: -

- a. National Delegates Congress (NDC)
- b. National Executive Committee (NEC)
- c. National Governing Council (NGC)
- d. National Elections Board (NEB)
- e. National Dispute Resolution Committee (NDRC)
- f. Disciplinary Committee
- g. Women's Congress
- h. Youth Congress
- i. Governors Caucus
- j. Parliamentary Group
- k. County Congress
- l. Constituency Congress
- m. Ward Congress
- n. Polling Centre Committees
- o. Minority Interests Committee (MIC)
- p. Persons with Disabilities (PWDs) Committee

ARTICLE 6: COMPOSITION AND FUNCTIONS OF PARTY ORGANS

6.1 The National Delegates Congress (NDC)

There is established the National Delegates Congress (NDC), which is the supreme organ of the party. The NDC shall consist of: -

- A. The following national officials elected by the NDC from among its members;
 - 1) **Party Leader;**
 - 2) Deputy Party Leader- Political Affairs
 - 3) Deputy Party Leader- strategic Management
 - 4) **National Chairperson;**
 - 5) Deputy Chairperson
 - 6) **Secretary General;**
 - 7) Deputy Secretary General

- 8) **National Treasurer;**
 - 9) Deputy National Treasurer
 - 10) **National Organizing Secretary;**
 - 11) Deputy Organizing Secretary
 - 12) **National Women chair**
 - 13) Deputy Women Chair
 - 14) **National Youth Leader**
 - 15) Deputy youth Leader
 - 16) **National Minority representative**
 - 17) Deputy Minority Representative
 - 18) **National PWDs representation**
 - 19) Deputy PWDs
 - 20) **County Chairperson**
 - 21) Deputy County Chairperson
 - 22) **The National Steering Committee; and**
 - 23) **Executive Director.**
- B. Governors;
 - C. Elected Members of the Senate;
 - D. Members of the National Assembly;
 - E. Elected Members of the County Assembly;
 - F. County Executive Committee;
 - G. Constituency Executive Committee.

6.2 Functions of the National Delegates Congress

6.2.1 Role and Functions

The National Delegates Congress is the supreme organ of the party and shall have the following powers and duties:

a) **Election of National Officials:**

- To elect national officials from eligible party members in accordance with the Constitution.
- This may be done through wider consultation with members and other officials or by secret ballot, where applicable.

b) Nomination of Presidential Candidate:

- To nominate the party's Presidential candidate from eligible party members or an affiliate coalition.
- This process shall involve wider consultation with members and other officials or be conducted by secret ballot, where applicable.

c) Policy Approval:

- To review, formulate, and approve party policies in consultation with members and other party officials.

d) Report Reception:

- To receive operational reports from the National Governing Council and the National Executive Committee.

e) Consideration of Referred Matters:

- To deliberate on any other matters referred to it by the National Governing Council, following consultation with members and other officials.

6.2 Sessions of the National Delegates Congress

6.3.1 Ordinary Sessions:

- a) An ordinary session shall be held at least twice every four (4) years.
- b) The National Executive Committee shall set the date and location, with a minimum of three (3) weeks' notice provided.

6.3.2 Special Sessions:

- a) A special session may be convened:
- b) By the National Executive Committee.
- c) Upon a written request by at least one-third of the delegates.

6.4 Term of Elected Officials

Elected national officials shall serve a term of four (4) years unless extended by the National Delegates Congress.

ARTICLE 7: THE NATIONAL EXECUTIVE COMMITTEE

- i. The National Executive Committee (NEC) is the executive organ of the party responsible for making binding decisions on party management and policies. The National Executive committee shall be constituted by the National Delegates Committee and shall hold office 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.

The NEC shall consist of:

- a. National officials
- b. The Parliamentary Party Leaders and Whips
- c. The Governors' Caucus Chairperson and Whip
- d. The Executive Director, who shall be ex-officio

7.1 Duties and rights of the National Executive Committee (NEC)

7.1.1 Leadership and Oversight

- a) Oversee the secretariat of the party
- b) Provide political direction and develop party policies.
- c) Supervise the administration of the party at all levels and direct activities to advance its goals and objectives.

- d) Ensure alignment and cohesion in the party's activities by collaborating with other party organs.

RIGHTS

Rights of the members of the National Executive Committee.

- i. The members of the NEC, which shall be the governing body of the party shall have the right to attend and participate in all meetings of the committee and any other organs of the party that they are members of.
- ii. The members of NEC shall have the right to access information on the affairs and activities of the party, subject to any confidentiality obligations.
- iii. The members of NEC shall have the right to express their opinions and views on any matter concerning the party, without fear of victimization or discrimination.
- iv. The members of NEC shall have the right to seek redress from the Political Parties Disputes Tribunal or any other competent authority in case of any violation of their rights or any dispute arising from their membership or office in the party.
- v. The members of NEC shall have any other rights and privileges conferred by this constitution or the Political Parties Act, 2011.

7.1.2 Implementation and Policy Development

- a) Ensure that recommendations from the National Delegates Congress (NDC) and the National Governing Council (NGC) are implemented.
- b) Develop and enforce rules and regulations to govern actions under the Constitution and ensure effective party management.

7.1.3 Meetings and Decision-Making powers

- a) Call special meetings of party organs as necessary.
- b) Set dates, agendas, and venues for NGC and NDC meetings, ensuring proper planning.
- c) Convene and host the Annual General Meeting (AGM) on behalf of party members.
- d) Approve the terms and conditions of employment for party staff members.

- e) Convene NEC meetings, which may be initiated by the Secretary-General in consultation with the National Chairperson or by a written request from at least 25% of NEC members.
- f) NEC members shall meet once in every three months
- g) During the meeting, the secretary general shall be tasked with the responsibility of recording all the proceeding and deliberation of the meeting

7.1.4. Committees and Delegation

- a) Appoint additional committees for specific tasks and define their terms of reference.
- b) Review, approve, and implement reports from standing, ad hoc, or specialized committees and individuals.
- c) Nominate deputies to perform the duties of absent office holders or assign responsibilities to other officials as deemed necessary.

7.1.5 Financial and Administrative Oversight

- a) Approve the annual budget, audited accounts, and programs for the party.
- b) Develop and present the annual financial report.
- c) Approve and coordinate the establishment of diaspora chapters of the party.

7.1.6. Elections and Representation

- a) Collaborate with the Elections Board to ensure free, fair, and transparent elections for party officials at all levels.
- b) Manage party nominations and appoint representatives to affiliated organizations.

7.1.7. Party Growth and Coordination

- a) Establish, coordinate, and implement schemes aimed at stimulating party activities.

7.1.8. Transitional and Quorum Guidelines

- a) The current NEC will remain in office until free, fair, and credible elections are conducted nationwide.
- b) The founding NEC has the authority to nominate, appoint, or replace any NEC member by a majority resolution.
- c) A quorum for NEC meetings shall be at least 50% of its members.

ARTICLE 8: The National Governing Council (NGC)

1. There shall be a National Governing Council which shall be the second highest organ of the Party;
2. The National Governing Council (NGC) shall consist of the following members: -
 - i. National Executive Committee;
 - ii. All party Governors, Senators and Members of National Assembly;
 - iii. County Assemblies' Party Leaders and Whips and,
 - iv. The Chairman, Secretary, Treasurer and Organizing Secretary of every county.

8.1: Functions of the National Governing Council: -

- a) To review and/or develop the party's policies for approval by the National Delegates Congress.
- b) To make policy and administrative decisions on behalf of the National Delegates Congress when, in the opinion of the National Executive Committee, these decisions cannot wait until the next National Delegates Congress.
- c) To oversee the party's activities on behalf of the National Delegates Congress and provide guidance for these activities.
- d) To unite the party on national issues and provide leadership on these matters.
- e) To initiate activities that advance the party's goals and objectives.
- f) To hear and review disciplinary appeals from decisions made by the NEC and, if necessary, amend, replace, or uphold those decisions.

- g) To review and approve, modify, or annul any decisions made by the NEC or any other party organs, units, or officials.

ARTICLE 9: NATIONAL ELECTIONS BOARD

The National Elections Board is established as the governing body responsible for overseeing party elections and nominations.

9.1 Composition of the National Elections Board

- a) The National Executive Committee will appoint the board, which shall consist of **nine (9)** members of high integrity who do not hold any elective party position.
- b) At least one third of the board members shall be of the opposite gender.
- c) The board will represent regional diversity.
- d) The board will be made up of:
- The Chairperson.
 - **Eight (8)** other members.
 - The Director of Elections (ex-officio and Secretary to the board).

9.2 Terms and Appointment

- a) Board members shall hold office for **five years**, with the possibility of renewal once.
- b) The board shall create its own rules of procedure, except for the Nomination Rules and Regulations, which must be approved by the National Governing Council.
- c) The National Secretariat shall provide secretarial services to the board.

9.3: Functions of the National Elections Board

The board has the following responsibilities:

- a) Plan, organize, direct, and coordinate internal party elections.
- b) Oversee the nomination process for Governor, Senator, Women Representative, parliamentary, and County Assembly candidates.

- c) Implement party nomination and election rules in line with the Constitution of Kenya, electoral laws, and the party constitution.
- d) Draft and propose nomination rules, regulations, and procedures for approval by the National Executive Committee (NEC).
- e) Prepare and submit periodic reports to the NEC.
- f) Supervise and coordinate the implementation of elections and nominations at the County, Constituency, Ward, and Polling Centre levels.
- g) Prescribe forms and documents for use in party elections and nominations.
- h) Issue interim certificates to candidates who are duly elected or nominated.
- i) Submit a final list of elected and nominated candidates to the NEC for approval and ratification.

ARTICLE 10: DISCIPLINARY COMMITTEE

- i. There is hereby established the Disciplinary Committee comprising seven (7) party members of good standing, honour and integrity.
- ii. The Disciplinary Committee members will be appointed by the National Executive Committee.
- iii. The Chairperson shall be an Advocate of the High Court of Kenya of not less than ten (10) years' standing, who shall be appointed by the National Executive Committee.
- iv. The Disciplinary Committee established under this Constitution shall have the power to receive, hear and determine all cases of discipline concerning party members.
- v. Any party member may, by a written and signed complaint, refer to the committee an issue of discipline.
- vi. In all its proceedings, the Disciplinary Committee shall afford every person a fair hearing with reasonable opportunity to defend themselves against the charges or allegations in accordance with this Constitution, and the laws.
- vii. The Disciplinary Committee shall, after a determination of the complaint, recommend to the National Executive Committee which can acquit, pardon, reprimand, fine, censure, sanction, suspend, expel or otherwise deal with such member(s).
- viii. A member(s) has a right to appeal against the decision of NEC to the NGC, whose decision shall be final.

- ix. A decision to expel a member shall be ratified by a majority of the National Governing Council.
- x. The county, constituency, ward offices shall have no power to suspend or expel a member of the party. Where an issue of discipline is referred to the county, constituency and ward, it shall submit the same to the Disciplinary Committee.
- xi. Any party member under a disciplinary process shall be entitled to represent him/herself in person or by any representative who must be a party member

Article 10.1: Matters Constituting Disciplinary Measures

- i. Disciplinary action shall be instituted against a member in cases of:
 - a) Gross misconduct.
 - b) Corruption.
 - c) Misappropriation of Party funds and / or misuse of Party facilities
 - d) Disloyalty to the Party.
 - e) Allegiance to another political Party.
 - f) Acting or advancing positions in contrary to the Party position.
 - g) Failure, refusal or neglect to carry out directives or instructions of the Party .
 - h) Failure to make remittance / or pay dues to the Party.
 - i) Lack of respect to decisions of the party and the organs of the Party.
 - j) Failure to abide by the Code of Conduct of the Party.
 - k) Any other act or omission that may bring the party into disrepute.
- ii. The National Chairperson may in consultation with the National Executive Committee, appoint a Commission to investigate the affairs of any County, Constituency, Ward, Polling Station Executive Committees or organ of the Party.
- iii. The National Chairperson may refer any disciplinary matter to any disciplinary organ established under this constitution.
- iv. The National Chairperson may act on any recommendations made by the commission and any action or decision taken by them in pursuance of the said recommendations shall be valid unless and until such time as the National Executive Committee may ratify or set aside, or substitute the same.

Article 10.2: Penalties that may be given by the Disciplinary Committee and consequences of indiscipline at the national and county levels.

- i. **Suspension:** The Disciplinary Committee has the power to suspend a party member. Suspension entails the temporary removal of the member's rights and privileges within the party. During the suspension period, the member may be barred from participating in party activities or holding any party position. The consequence at the national level is that the member loses their active participation in national party affairs, while at the county level, they lose their active participation in county party activities and decision-making processes.
- ii. **Expulsion:** The Disciplinary Committee can recommend the expulsion of a party member. Expulsion results in the permanent removal of the member from the party. Expelled members lose all rights, privileges, and affiliations with the party, including their membership and participation in any party activities. At the national level, the consequence is the complete disassociation of the member from the national party structure and operations. Similarly, at the county level, the member is completely disengaged from county party affairs.
- iii. **Fine:** The Disciplinary Committee may impose a financial penalty on a party member. The member is required to pay a specified amount of money as a consequence of their disciplinary violation. Failure to pay the fine may lead to further disciplinary actions. The financial consequences of a fine contribute to the party's funds, supporting its operational activities both at the national and county levels.
- iv. **Removal of Whip:** The Disciplinary Committee can recommend the removal of the whip from a member serving in parliamentary committees or county assemblies. This action entails the member losing their position as the official representative of the party, including their voting and leadership roles within the respective legislative body. The consequence of whip removal is the loss of influence and decision-making power that the member previously held in the national or county legislative context.
- v. **Setting Aside a Decision:** The Disciplinary Committee has the authority to set aside a decision made by any disciplinary organ within the party. This action results in nullifying a previous decision, ensuring fairness and justice in the disciplinary process. The consequence of setting aside a decision is the restoration of the member's rights and privileges, reversing any penalties imposed.

- vi. **Reviewing its Own Decision:** The Disciplinary Committee can review its own decisions, ensuring that they align with party regulations and principles. This mechanism allows the committee to reconsider its initial findings or penalties if new evidence or circumstances arise. The consequence of reviewing its own decision is the potential modification, confirmation, or reversal of the original disciplinary measures imposed on the member.
- vii. **Substituting or Upholding Penalties:** The Disciplinary Committee has the power to substitute or uphold penalties imposed by any other disciplinary organ within the party. This authority allows the committee to ensure consistency in disciplinary actions and address any inconsistencies or inaccuracies in previous decisions. The consequences of substituting or upholding penalties depend on the specific action taken, which may include suspension, expulsion, fines, or other measures.

It's important to note that the consequences mentioned apply to both the national and county levels of the party. The severity of the consequences varies depending on the disciplinary measure taken, ranging from temporary restrictions to permanent removal from the party, financial penalties, loss of influential positions, and potential reinstatement or modification of penalties based on review processes

ARTICLE 11: THE NATIONAL WOMEN'S CONGRESS (NWC)

The National Women's Congress (NWC) is hereby established to unite and mobilize women within the party and enhance their participation in party and national affairs. Its structure and functions are outlined below:

11.1 Composition of the NWC

11.1.1 National Officials:

- a) The Secretary for Women Affairs and Gender, serving as the convener.
- b) All Women National Leaders.

11.1.2 Elected Representatives:

- a) Women party Governors, Senators, Members of Parliament, and Members of County Assemblies (MCAs).

11.1.3 Executive Members:

- a) Women members of County, Constituency, and Ward Executive Committees.
- b) The Secretary for Women Affairs and Gender shall, in consultation with the NEC, convene the NWC at least once annually or as directed by the NEC.

11.2: Functions of the NWC

The National Women's Congress shall mobilize women to:

- a) Promote the party by recruiting members and increasing its visibility.
- b) Advocate for the incorporation of women's interests and needs into party policies.
- c) Educate and create awareness among women on party policies and the importance of their participation in party and national affairs.
- d) Provide guidance to all party organs on issues affecting women.
- e) Perform any additional roles as assigned by the NEC

ARTICLE 12: THE NATIONAL YOUTH CONGRESS (NYC)

The National Youth Congress (NYC) is established to engage young people in the party's activities and ensure their participation in shaping party and national policies. Its structure and functions are outlined below:

12.1 Composition of the NYC

- i. **Leadership:**
 - a. The Secretary for Youth Affairs.
 - b. All Youth National Leaders.
- ii. **Elected Representatives:**
 - a. Youth Party Governors, Senators, and Members of Parliament.
 - b. Youth Members of County Assemblies (MCAs).
- iii. **Executive Members:**
 - a. Youth members of County, Constituency, and Ward Executive Committees.

Membership is open to individuals aged 18 to 35 years. The Secretary for Youth Affairs, in consultation with the NEC, shall convene and preside over the NYC meetings. These meetings shall occur at least once annually or as approved by the NEC.

12.2: Functions of the NYC

The National Youth Congress shall:

- a) Promote the party by recruiting and engaging new members.
- b) Mobilize youth to contribute to the development of youth-focused policies.
- c) Advise the party on the specific needs and interests of the youth for inclusion in party policies.
- d) Coordinate youth-oriented activities and programs across the country in collaboration with the NEC.
- e) Perform any other duties as assigned by the NEC.

ARTICLE 13: THE COUNTY CONGRESS

A County Congress is established for every county to oversee party activities and ensure representation at the county level.

13.1 Composition of the County Congress

- a) The County Congress shall include 20 Constituency Committee members from each constituency within the county.
- b) The Congress shall elect 13 officials and 7 additional delegates to form the County Executive Committee, ensuring diversity, including gender representation.

13.2 County Executive Committee Membership

The County Executive Committee shall comprise the following:

- a) Chairperson.
- b) Vice-Chairperson.

- c) Secretary.
- d) Vice-Secretary.
- e) Treasurer.
- f) Organizing Secretary.
- g) Representative of Youth.
- h) Representative of Women.
- i) Representative of Persons with Disabilities
- j) Representative of SMEs.
- k) Representative of Farmers.
- l) Representative of Religious Groups.
- m) Representative of Professional Groups.
- n) Governor, Senator, Women Representative, and Members of the National Assembly elected on the party ticket.
- o) Members of the County Assembly elected on the party ticket.

ARTICLE 13.2.1: Functions of the County Executive Committee

The County Executive Committee shall:

- a) Convene the County Congress as required by the party Constitution.
- b) Oversee the daily conduct of party activities at the county level.
- c) Promote party policies within the county.
- d) Forward names of prospective candidates for elective positions to the NEC for approval by the National Election Board.
- e) Assist the National Election Board in organizing party nominations and elections at the county level.
- f) Supervise the operation of the County Secretariat.
- g) Implement NEC decisions at the county level.
- h) Coordinate party fundraising and publicity within the county.
- i) Recruit new members to the party.
- j) Perform additional duties as assigned by the NEC

ARTICLE 14: WARD CONGRESS

The Ward Congress shall consist of elected officials and delegates at the ward level who are responsible for managing party affairs within their ward. These officials shall perform their duties in accordance with the objectives and values of the party, ensuring effective leadership and representation at the grassroots level.

The Ward Congress shall elect, from among its members, the **Ward Executive Committee**, which shall consist of the following officials:

- a) Chairperson
- b) Vice-Chairperson
- c) Secretary
- d) Vice-Secretary
- e) Treasurer
- f) Organizing Secretary
- g) Representative of Youth
- h) Representative of Women
- i) Representative of Persons with Disability
- j) Representative of MSMEs
- k) Representative of Farmers
- l) Representative of Religious Groups
- m) Representative of Professional Groups
- n) Member of County Assembly
- o) Governor, Senator, Women Representative, and Member of National Assembly

14.1 Duties of Ward Officials

The primary duties of the Ward Party Officials are as follows:

14.1.1 Ward Chairperson

The Ward Chairperson is responsible for overseeing party affairs within the ward. They preside over all ward party meetings and supervise the activities of the party at the ward level. The Chairperson is expected to carry out duties as prescribed by the Ward Executive Committee or any other relevant national party organ. They shall use their leadership skills to promote party objectives and enhance the party's visibility and influence in the ward.

14.1.2 Ward Secretary

The Ward Secretary is tasked with ensuring proper record-keeping of all party activities and meetings within the ward. This includes preparing minutes and other relevant documents. They will also facilitate communication between the ward and higher party organs, assisting in organizing events, meetings, and ensuring smooth administrative functions at the ward level.

ARTICLE 15: POLLING CENTRE OFFICIALS

The party shall establish offices at the polling Centre, which will serve as the party's lowest level structures. These offices are essential in ensuring that the party operates effectively at the grassroots level and upholds its values and objectives in the community.

All office bearers within the Polling Centre shall perform their functions in line with the spirit and provisions of this Constitution. They shall uphold the party's values and principles and ensure that the decisions and actions of the party are in the best interest of its members and the community.

The Polling Centre delegates shall elect, from among themselves, six (6) members who shall form the Polling Centre Executive Committee. The elected officials will be:

- a) Chairperson
- b) Secretary
- c) Organizing Secretary

- d) Treasurer
- e) Women Leader
- f) Youth Leader

These officials shall perform their duties in accordance with this Constitution and other relevant party regulations.

15.1 Polling Centre Chairperson

The Polling Centre Chairperson shall be responsible for overseeing all party activities within the polling Centre. The Chairperson shall:

- a) Preside over all meetings held at the polling Centre.
- b) Supervise the affairs of the party and ensure smooth functioning at the polling centre.
- c) Perform duties as prescribed by this Constitution or any relevant national party organ.
- d) Use their skills and leadership experience to promote the party's objectives and enhance its visibility and influence at the local level.

15.2 Polling Centre Secretary

The Polling Centre Secretary shall manage the records and documentation of party activities within the polling Centre. The Secretary's duties include:

- a) Preparing and keeping accurate records of minutes, activities, and decisions made in party meetings.
- b) Maintaining an up-to-date register of all party members at the polling centre.
- c) Exercising responsibilities as outlined in this Constitution and as directed by other relevant party organs.

15.3 Polling Centre Treasurer

The Polling Centre Treasurer shall be in charge of managing the financial matters at the polling centre. Their duties include:

- a) Overseeing all financial transactions and ensuring that funds are appropriately managed.
- b) Maintaining up-to-date and accurate financial statements.
- c) Ensuring that financial records are properly kept, and the transparency of all financial dealings is upheld.

15.4 Polling Centre Organizing Secretary

The Polling Centre Organizing Secretary shall be responsible for the publicity and organization of party activities at the polling center. Their responsibilities include:

- a) Publicizing party meetings and events at the polling centre, ensuring that members are informed and encouraged to participate.
- b) Organizing and coordinating the logistical aspects of polling centre activities.
- c) Ensuring that all communications, including notifications of meetings and activities, are sent out in a timely and efficient manner.

The above officials are key to the success of the Polling Centre as they ensure that the party is well-managed at the grassroots, and its policies are effectively implemented in the community.

These positions contribute to strengthening the party's presence, facilitating participation, and fostering the party's core values at the local level.

ARTICLE 16: NATIONAL MINORITY GROUP COMMITTEE

In recognition of the diverse and inclusive nature of Kenya, the **National Minority Group Committee** is hereby established. This committee is dedicated to representing and

advocating for minority groups in the country, ensuring their concerns and interests are effectively integrated into the party's policies and activities. The committee is tasked with ensuring that minority groups are fairly represented and their unique needs are addressed in both the party's internal processes and national discourse.

16.1 Composition of the National Minority Group Committee

The National Minority Group Committee shall consist of the following officials:

- a) **Chairperson:** Elected to lead the committee and represent it at all relevant forums within the party.
- b) **Deputy Chairperson (Male):** Elected from the male members of the committee to assist the Chairperson and to act as the Chairperson in their absence.
- c) **Deputy Chairperson (Female):** Elected from the female members of the committee to assist the Chairperson and to act as the Chairperson in their absence.

The committee shall be responsible for representing the interests of minority groups, ensuring fair treatment and integration of their needs within the party's broader strategies and activities.

16.2 Functions of the National Minority Group Committee

The National Minority Group Committee shall have the following key functions:

16.2.1 Advocacy for Minority Group Interests:

- a) Advocate for the rights and welfare of minority groups in Kenya, ensuring their concerns are addressed in the party's policies and programs.
- b) Represent minority groups within the party and ensure their inclusion in decision-making processes.

16.2.2 Promoting Inclusivity:

- a) Ensure that party policies and activities reflect the principles of inclusivity, providing equal opportunities for all groups, especially minorities.
- b) Guide the party in developing and implementing policies that address the specific needs of minority groups.

16.2.3 Capacity Building and Empowerment:

- a) Facilitate the development of leadership skills and capacity building for members of minority groups, encouraging active participation in the party and broader political processes.
- b) Support mentorship programs to empower emerging leaders from minority communities.

16.2.4 Cultural Preservation and Celebration:

- a) Promote the preservation and celebration of the cultural identities, languages, and traditions of minority groups in Kenya.
- b) Organize events and initiatives that raise awareness about the cultural diversity of minority groups.

16.2.5 Collaboration and Networking:

- a) Build partnerships with organizations that support minority groups and collaborate on issues of common concern.
- b) Work with other party organs and external stakeholders to ensure that minority groups' voices are amplified and their issues addressed.

16.2.6 Monitoring and Reporting:

- a) Monitor the implementation of policies and programs that benefit minority groups and report on progress to the National Executive Committee.

- b) Ensure that minority groups are adequately represented and that their rights are protected within the party's framework.

16.2.7 Public Engagement:

- a) Raise public awareness about the issues and challenges faced by minority groups.
- b) Advocate for the inclusion of minority group perspectives in national policy discussions and social dialogue.

16.3 Meetings and Decision-Making

- a) The National Minority Group Committee shall meet regularly to discuss ongoing issues, formulate strategies, and ensure that the interests of minority groups are effectively addressed. The frequency of meetings shall be determined by the Chairperson, in consultation with the committee members.
- b) Decisions within the committee shall be made through consensus. In case of disagreement, a vote will be held with each member having one vote. If a decision cannot be reached through consensus, the issue shall be referred to the National Executive Committee for further deliberation.

16.4 Gender and Inclusivity

- a) The committee will ensure that both men and women from minority groups are equally represented. The party will prioritize gender balance in the election of the Deputy Chairpersons, and the committee shall strive to ensure that other marginalized groups, such as youth and persons with disabilities, are represented and included in its activities.

16.5 Reporting and Accountability

- a) The National Minority Group Committee shall report annually to the National Executive Committee on its activities, achievements, challenges, and

recommendations. This report shall include strategic suggestions for improving the representation and integration of minority groups within the party.

- b) Through these efforts, the **National Minority Group Committee** will play a crucial role in promoting equality, justice, and representation for minority groups, ensuring their active participation in the party's activities and in the broader political landscape of Kenya.

ARTICLE 17: SPECIAL GROUP COMMITTEE (FOR PERSONS WITH DISABILITIES)

17.1 Establishment of the Special Group Committee

There is hereby established a Special Group Committee to represent the interests of Persons with Disabilities (PWDs) within the party. The committee will focus on advocating for and ensuring the inclusion of PWDs in all aspects of the party's operations.

17.1.1 Composition of the Committee

The Special Group Committee shall consist of the following officials:

- a) Chairperson
- b) Deputy Chairperson (Male)
- c) Deputy Chairperson (Female)

17.2 Functions of the Special Group Committee

The Special Group Committee shall have the following functions:

- a) **Advocate for the Rights of PWDs:** To ensure that the needs and rights of Persons with Disabilities are represented and addressed within the party structure and in public policy.
- b) **Promote Inclusion:** To promote the inclusion of Persons with Disabilities in all party activities and structures, ensuring equal participation.
- c) **Provide Guidance:** To guide the party on matters related to PWDs, ensuring that policies and strategies reflect their needs.

- d) **Mobilize PWDs:** To encourage and facilitate the participation of Persons with Disabilities in political processes, including voter education and leadership opportunities.
- e) **Liaise with Relevant Bodies:** To work closely with government agencies, NGOs, and other stakeholders on issues affecting PWDs, advocating for policies that support their rights and inclusion.
- f) **Perform Other Functions:** To carry out any other roles as may be assigned by the National Executive Committee (NEC) or other relevant party organs.

17.3. Eligibility and Membership

- a) Membership is open to any registered member of the party who identifies as a Person with Disability and is committed to promoting the interests of PWDs within the party and broader society.
- b) The Chairperson and Deputies must be elected by the members of the Special Group Committee.

17.4 Appointment and Term of Office

- a) The Chairperson and Deputies will be appointed from among the members of the Special Group Committee.
- b) The term of office for the Chairperson and Deputies shall be five years, subject to re-election or reappointment

ARTICLE 18: CAUCUSES

18.1. Governors Caucus

- a) The Governors Caucus shall be a collective body comprising Governors and Deputy Governors elected under the Party's banner.
- b) The Caucus shall convene at least once annually or as summoned by the National Executive Committee (NEC).

- c) The Caucus shall align its stance on county-related issues with the party's established position. It shall refrain from opposing the party's stance unless valid and reasonable grounds are provided.
- d) Any Caucus member who challenges the party's positions without adequate justification shall face disciplinary measures.
- e) The Caucus shall deliberate on party positions and decisions shall be made by consensus or a simple majority vote. These decisions shall be documented and communicated in writing to all members.
- f) The Governors Caucus shall assess and provide recommendations to the party on implementing its policies and manifesto.
- g) The Party Leader retains the authority to call for a meeting of the Governors Caucus.
- h) The NEC shall organize an initial meeting of the Governors and Deputy Governors elected on the party's platform within ninety (90) days following the announcement of general election results.
- i) The meeting's agenda shall include; Selection of the Chairperson, Election of the Deputy Chairperson and Election of the Whip.

18.2. Parliamentary Group Caucus

- a) The Parliamentary Group Caucus shall comprise Members of the National Assembly and Senate elected on the party's ticket to advance party policies and parliamentary objectives.
- b) Within ninety (90) days after a general election, the NEC shall convene a meeting to:
 - Elect parliamentary leaders for both Houses;
 - Appoint Party Whips and Deputy Party Whips;
 - Designate a Secretary to the Parliamentary Group.
- c) The Caucus shall hold regular meetings, at least four times a year, to discuss parliamentary business and national issues.
- d) Parliamentary leaders in each House may organize House-specific caucuses to handle legislative agendas.
- e) Members with the support of one-third of the Caucus can request a meeting, which may be chaired by a parliamentary leader or, if absent, an elected session chair.

- f) The Party Leader may attend and preside over any Caucus meeting or convene one when necessary.
- g) Members are required to support and promote the party's policies and decisions, which shall be made by consensus or majority vote and communicated in writing to all members.
- h) Any member who opposes party positions without valid justification shall face disciplinary action.

18.3. County Caucus

- a) The County Caucus shall bring together all elected members from the County Assembly, County Governors, and relevant County Executive Committee (CEC) members elected under the party's banner to address county governance and party positions.
- b) The County Caucus shall meet at least once annually or as necessary, summoned by the National Executive Committee (NEC).
- c) The County Caucus shall be chaired by one of the following officials:
 - The County Governor;
 - The Deputy County Governor;
 - The Speaker of the County Assembly;
 - The Majority or Minority Leader of the County Assembly;
 - An elected Member of the County Assembly (MCA).
- d) The County Executive Committee (CEC) members shall also be part of the County Caucus and shall actively participate in discussions related to county governance.
- e) Within ninety (90) days following a general election, the NEC shall ensure the organization of an initial meeting of County members to elect:
 - A County Chairperson
 - A County Deputy Chairperson;
 - A County Whip.
- f) The County Caucus shall align its position on county-related matters with the national party's policies and strategic goals.

- g) The Caucus shall deliberate on county-level issues and provide recommendations to the party for policy development and implementation.
- h) The Party Leader may convene a meeting of the County Caucus when necessary.
- i) Any member of the County Caucus who fails to align with the party's positions without adequate justification will be subject to disciplinary action.

18.4 DIASPORA LEAGUE

- i. There may be established Diaspora chapters across different parts of the world as need arises.
- ii. The National Executive Council shall approve and register Diaspora branches in any country, as it deems necessary.
- iii. A Diaspora branch shall consist of not less than twenty members who must be Kenyan citizens.
- iv. Diaspora branches shall operate in the same way as other branches as provided in this Constitution.

Article 18.4:1 Functions of the ONM Diaspora League

The ONM Diaspora League shall;

- i. Oversee the Party programs and coordinate all activities relating to diaspora membership of the party in liaison with the National Executive Committee.
- ii. Represent the interests and articulate issues concerning diaspora membership of the Party at the National Level.
- iii. Submit the plan of activities and programs through the office of the Secretary General for approval by the National Executive Committee.
- iv. Submit periodical reports on the performance of their league to the office of the Secretary General

ARTICLE 19: CODE OF CONDUCT

- a) All members shall subscribe to the Party's values, principles, and Code of Conduct.
- b) The officials of the Party shall bind themselves by signing the Party's Code of Conduct.
- c) Failure to comply with the Party's Code of Conduct shall constitute a disciplinary offence.

ARTICLE 20: PARTY NOMINATIONS

- a) The Party may nominate presidential, gubernatorial, parliamentary, and county assembly candidates for general and by-elections.
- b) All registered Party members shall be eligible to vote in their respective constituencies and/or wards for the nomination of the Party's candidate(s).
- c) The Party's Nomination Rules and Regulations for county assembly, parliamentary, gubernatorial, and presidential candidates for general and by-elections shall be prepared by the National Executive Committee (NEC). Nominations shall be conducted in accordance with these rules and regulations.
- d) The National Chairperson and the Secretary-General of the Party shall sign the nomination certificates for any nomination or election.

20.1 ONM PARTY LIST.

- i. The preparation for Party list shall be in accordance with the Party constitutional and democratic principles of promotion of gender equality, mainstreaming of the rights of SIGs and meritocracy
- ii. The procedures to be employed in identifying the candidates for nomination shall require that all persons seeking to apply for nomination as a Member of National Assembly, Senator and, County Assembly representative who become unsuccessful in the nomination shall be prioritised in preparing the party list
- iii. The party shall also draw names from distinguished party members of good standing
- iv. For a person's name to be reserved for consideration in the Party list, such person shall;
 - a. Apply to the National Elections Board in the prescribed manner;
 - b. Submit with the application a duly completed and signed Code of Conduct to the party;
 - c. Fully and truthfully answer all questions posed by the Party, and supply all information that the Party may require in the application accurately and truthfully.
 - d. Submit his application to the National Election Board within the timeframe published by the National Elections Board.
 - e. Pay a nomination fee as shall be determined by the National Executive Committee from time to time

- v. Only persons with demonstrable active contribution to the party shall qualify to be in the party list.
- vi. The qualifications and disqualifications prescribed for Members of Parliament and County Assembly shall apply to the Party List

Article 20.2. Party rules and regulations with respect to nominations of candidates to party lists

1. The party shall conduct free, fair, transparent and democratic nominations of its candidates for any elective public office in accordance with this constitution, the Political Parties Act, 2011 and any other relevant law.

2. The party shall adopt and publish its rules and regulations for the conduct of its nominations, which shall include the following:

- i. The criteria and qualifications for eligibility of candidates and voters;
- ii. The methods and procedures for nomination of candidates, which may include direct or indirect elections, consensus or any other lawful method;
- iii. The timelines and venues for the nomination process;
- iv. The fees payable by the candidates, if any;
- v. The dispute resolution mechanisms and appeals procedures.

3. The party shall ensure that its nomination process promotes representation of women, youth, persons with disabilities and marginalized groups as required by the constitution and laws of Kenya.

4. The party shall submit the names and particulars of its nominated candidates to the Registrar of Political Parties and the relevant electoral body within the prescribed time and manner.

5. The party shall respect and uphold the rights and obligations of its nominated candidates as conferred by this constitution, the Political Parties Act, 2011 and any other relevant law

ARTICLE 21: NOMINATION OF PRESIDENTIAL CANDIDATE

- a) The election of the Party's Presidential Candidate shall take place at the National Delegates Congress (NDC).
- b) The NEC shall announce a call for nominations, inviting Party members to apply for the Presidential candidacy.
- c) The notice of application for Presidential candidates will be displayed in a conspicuous place within the Party's constituency, county, and national offices. The deadline for

submission will be set by the NEC and shall be no more than three (3) months prior to the National Delegates Congress.

- d) A member may submit their application within the prescribed period.
- e) The eligibility criteria for nomination include:
 - Being a registered member of the Party;
 - Payment of the prescribed nomination fee;
 - Meeting all constitutional and statutory requirements;
 - Signing the 'Undertaking for Party Code of Conduct';
 - Obtaining endorsement from at least 1,000 Party members across a minimum of 24 counties.
- f) The member seeking nomination must provide the NEC with proof of compliance with all criteria.
- g) The NDC or any other mechanism determined by the NEC shall elect the Party's Presidential Candidate.
- h) If there is more than one candidate, voting will occur by secret ballot.
- i) If there is only one candidate, their nomination will be acclaimed by the NDC.
- j) The candidate with more than 50% of the votes shall be declared the Party's Presidential Candidate.
- k) If no candidate surpasses the 50% threshold, a runoff will be held between the top two candidates, and the one with the majority will be selected.
- l) In the event of a tie, the runoff will continue until one candidate achieves a simple majority.

ARTICLE 22: SELECTION OF DEPUTY PRESIDENTIAL CANDIDATE

The Party's Presidential Candidate shall nominate a running mate from among Party members who are qualified and capable of fulfilling the responsibilities of the office of Deputy President or from a coalition partner.

ARTICLE 23: NOMINATION TO OTHER ELECTIVE OFFICES

The NEC, in accordance with this Constitution and the Nomination Rules and Procedures, shall approve nominations to all other elective offices.

A member may submit their application within the prescribed period.

23.1 Eligibility for nomination

The eligibility criteria for nomination include:

- a) Being a registered member of the Party;
- b) Payment of the prescribed nomination fee;
- c) Meeting all constitutional and statutory requirements;
- d) Signing the 'Undertaking for Party Code of Conduct';
- e) Obtaining endorsement from at least 1,000 Party members across a minimum of 24 counties.
- f) The member seeking nomination must provide the NEC with proof of compliance with all criteria.

The NDC or any other mechanism determined by the NEC shall elect the Party's Presidential Candidate.

- a) If there is more than one candidate, voting will occur by secret ballot.
- b) If there is only one candidate, their nomination will be acclaimed by the NDC.
- c) The candidate with more than 50% of the votes shall be declared the Party's Presidential Candidate.
- d) If no candidate surpasses the 50% threshold, a runoff will be held between the top two candidates, and the one with the majority will be selected.
- e) In the event of a tie, the runoff will continue until one candidate achieves a simple majority.

ARTICLE 24: SELECTION OF DEPUTY PRESIDENTIAL CANDIDATE

The Party's Presidential Candidate shall nominate a running mate from among Party members who are qualified and capable of fulfilling the responsibilities of the office of Deputy President.

ARTICLE 25: NOMINATION TO OTHER ELECTIVE OFFICES

The NEC, in accordance with this Constitution and the Nomination Rules and Procedures, shall approve nominations to all other elective offices.

ARTICLE 25: INTERNAL PARTY DISPUTE RESOLUTION MECHANISM

- i. The party shall establish and maintain an internal party dispute resolution mechanism that is fair, impartial, expeditious and accessible to all its members.
- ii. The internal party dispute resolution mechanism shall be guided by the principles of natural justice, due process, equity and good conscience, and shall respect the rights and obligations of the parties as conferred by the constitution and laws of Kenya, the Political Parties Act, 2011 and this constitution.
- iii. The internal party dispute resolution mechanism shall consist of the following organs:
 - a) The branch dispute resolution committee, which shall be responsible for resolving disputes arising at the branch level or involving branch officials or members;
 - b) The county dispute resolution committee, which shall be responsible for resolving disputes arising at the county level or involving county officials or members;
 - c) The national dispute resolution committee, which shall be responsible for resolving disputes arising at the national level or involving national officials or members, or any other disputes referred to it by the lower organs or by the National Executive Committee.
- iv. The composition, functions and procedures of the internal party dispute resolution organs shall be prescribed by this constitution or by the rules and regulations made by the National Executive Committee.

- v. Any party member who is aggrieved by a decision or action of the party or any of its organs or officials may lodge a complaint with the relevant internal party dispute resolution organ within fourteen days of becoming aware of such decision or action.
- vi. The internal party dispute resolution organ shall hear and determine the complaint within thirty days of receiving it and shall communicate its decision in writing to the parties.
- vii. Any party member who is dissatisfied with the decision of an internal party dispute resolution organ may appeal to the next higher organ within fourteen days of receiving the decision, and the appeal organ shall hear and determine the appeal within thirty days of receiving it and shall communicate its decision in writing to the parties.
- viii. Any party member who has exhausted the internal party dispute resolution mechanism and is still dissatisfied with the final decision may appeal to the Political Parties Disputes Tribunal within thirty days of receiving the decision, in accordance with the Political Parties Act, 2011 and any other relevant law.
- ix. The dispute resolution mechanisms mentioned above shall apply across the county level, branches and any other levels outlined in this constitution

ARTICLE 26: PROCEDURE AND QUORUM OF MEETINGS

- a) An Ordinary Session of the National Delegates Congress (NDC) shall be convened by a resolution of the NEC, held at least twice every five (5) years. The notice convening the meeting shall be sent by the NEC at least fourteen (14) days before the meeting date.
- b) The NEC shall prepare the agenda, which shall be adopted for discussion at the Ordinary Session of the NDC.
- c) A Special Session of the NDC may be summoned upon a resolution by at least two-thirds of the NEC members or a written requisition signed by at least one-third of the delegates eligible to attend an Ordinary Session.

- d) The notice and agenda for the Special Session shall be sent by the NEC. For a petitioned Special Session, the Secretary-General shall issue the notice at least three weeks before the proposed date.
- e) Where a Special Session of the NDC is requisitioned by delegates, the requisitioning delegates shall serve a notice to the National Chairperson, specifying the desired date and agenda, at least sixty (60) working days before the proposed date.
- f) If the National Chairperson fails to summon the Congress within twenty-one (21) working days after the notice, the congress shall stand duly summoned based on the proposed date, place, and time.
- g) Where the Special Session is convened in default of the National Chairperson summoning it, the requisitioning delegates shall publish the notice in a daily newspaper with the greatest circulation and in at least two radio broadcasts.
- h) Only agenda items prepared by the NEC or requisitioned by delegates shall be discussed at the Special Session.
- i) The Party Leader, or in their absence, a deputy, shall preside over a Special Session requisitioned by delegates.
- j) The Secretary-General, or their deputy, shall be the secretary of the Special Session.
- xi. The quorum for both Ordinary and Special Sessions of the NDC, or any other Party organ, shall be 50% of the members.
- k) Decisions shall be made by consensus, voice vote, or secret ballot, and require a simple majority of the quorum.

ARTICLE 27: RULES AND REGULATIONS

- a) The NEC shall have the authority to adopt procedures, rules, and regulations for the implementation of the Party's mandates and the management of its organs at all levels.
- b) Party organs, committees, and sub-committees shall establish procedural rules and regulations for conducting meetings, hearings, or decision-making in line with the Constitution.

- c) All rules and regulations shall align with the Constitution, and in case of inconsistency, the provisions of the Constitution shall take precedence.
- d) Rules and regulations shall become operative once approved by the NEC or, on a provisional basis, pending approval.

ARTICLE 28: FUNDS

- a) The National Executive Committee (NEC) shall establish rules governing the mobilization, management, and expenditure of funds.
- b) All disbursements shall be made against expenditures outlined in the approved budget or by resolutions of the National Executive Committee.
- c) The sources of funds for the Party shall include, but are not limited to:
 - Membership fees;
 - Funding from the Exchequer;
 - Fundraising activities and contributions;
 - Voluntary contributions;
 - Grants, donations, loans, subventions, and legacies accepted by the National Executive Committee, based on recommendations from Party officials and/or members;
 - Proceeds from investments, projects, or undertakings in which the Party has an interest;
 - Net income from publications and consultancies;
 - Nomination fees;
 - Contributions from elected Party members.
- d) The financial year of the Party shall align with the government's financial year.
- e) The Party shall operate bank accounts as approved by the National Executive Committee.
- f) The signatories to the bank account(s) shall be approved by a resolution of the National Executive Committee.
- g) Party funds shall be used exclusively for the purposes of furthering the objectives of the Party in accordance with the approved budgets.

- h) The distribution of Party funds amongst members and/or officials is prohibited.
- i) Party organs and officials may not incur expenditure exceeding the allocated budget without written authorization from the National Executive Committee.
- j) The Party shall appoint a qualified, registered auditor to audit its books for the National Delegates Congress. The Auditor shall not be an office bearer or a member of any Party committee.
- k) All Party accounts, records, and documents shall be open for inspection by the auditor at any time.
- l) The National Treasurer shall produce and submit up-to-date audited accounts no less than four weeks and no more than two months before the date of the National Delegates Congress.
- m) The books of accounts, all documents relating thereto, and the list of members shall be available for inspection at the Party's registered office by any officer, member of the Party, or any member of the public, upon giving not less than twenty-one (21) days' notice in writing and payment of the prescribed fee.
- n) The National Treasurer shall be the custodian of all Party assets and investment funds and shall prescribe the Asset Management Policies and Procedures.

ARTICLE 29: PARTY SEAL

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

ARTICLE 30: THE PRESS AND PUBLICATIONS

- a) As directed by the National Executive Committee, the Party may own and operate a printing press and/or electronic media and may hold shares in any printing press and/or electronic media.

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

30.1 RULES FOR MERGERS

- i. The National Executive Committee may pass a resolution to merge with any other political party or parties in the country where the merger involves the dissolution of the other parties to join National Transformation Party.
- ii. A merger shall be considered under the following circumstances:
 - a) When two or more political parties express their intent to merge and have conducted discussions and negotiations regarding the merger.
 - b) When the merger aligns with the principles, values, and objectives of the ONM.
 - c) When the merger is likely to enhance the overall effectiveness, reach, and competitiveness of the ONM
- iii. Where a merger involves the dissolution of ONE NATION MOVEMENT, the following procedure shall apply:
 - a. The National Executive Committee shall constitute a panel of five persons drawn from among its members to negotiate the merger with like-minded political parties.
 - b. The panel shall reach out to the like-minded parties and shall only enter into structured negotiations with appointed representatives of the other parties.
 - c. The panel shall represent the Party in the drawing of a merger and any such instrument shall have due regard for:
 - 1. The political objectives and values of ONE NATION MOVEMENT and the interests of all members and organs of the ONE NATION MOVEMENT;
 - 2. The symbols and flag of ONE NATION MOVEMENT;
 - 3. The current and fixed assets and liabilities of ONE NATION MOVEMENT;
 - 4. The retention of at least one third of the officials of ONE NATION MOVEMENT at every organ of the merged Party; and
 - 5. The retention of the National Executive Director and at least two senior Officers of the ONE NATION MOVEMENT in the Secretariat of the merged Party.
- iv. The panel shall make its report for adoption or otherwise to the National Executive Committee.

- v. The authority to authorize the formation of a merger shall lie with the National Executive Committee (NEC) of the ONM. The NEC shall ensure transparency, fairness, and adherence to the party's constitution throughout the merger process.
- vi. The procedure for the formation of a merger shall be as follows:
 - a) The political parties intending to merge shall submit a formal written proposal to the NEC, outlining the purpose, benefits, and terms of the merger.
 - b) The NEC shall evaluate the proposal and may request additional information or clarifications from the merging parties.
 - c) Upon satisfactory evaluation, the NEC shall convene an Annual General Meeting (AGM) of the ONMP, during which the proposed merger shall be presented to the party members for discussion and approval.
 - d) The AGM shall provide an opportunity for members to express their opinions, ask questions, and debate the merits of the merger.
 - e) The merger shall require a two-thirds majority vote of the attending party members present at the AGM for approval.
- vii. In the event that objections are raised against the formation of a merger, the following procedure shall be followed:
 - a) Any member objecting to the merger shall submit a written objection to the NEC, clearly stating their concerns and reasons for opposition.
 - b) The NEC shall thoroughly evaluate the objection, taking into account the interests of the party and the reasons provided by the objector.
 - c) If the objection is deemed substantial, the NEC shall facilitate a process to address the concerns, including further discussions, negotiations, or amendments to the merger agreement, where necessary.
 - d) The final decision regarding objections and the approval of the merger shall rest with the NEC, which shall prioritize the best interests of the ONM.
- viii. If the National Executive Committee adopts the report of the merger negotiation panel, then the National Chairperson shall within sixty (60) days convene a meeting of a Special National Delegates Convention at which the Motion "THAT, the ONE NATION MOVEMENT resolves to merge with (list names of all Parties entering into the merger) to form, and therefore bind every registered member of ONE NATION MOVEMENT to become a member

of, a new political party to be known as (give name of new party)” shall be the only agenda of the day.

- ix. The Secretary General shall put out a notification of the intended merger in at least two daily newspapers of national circulation and shall in the notification invite any person, group of persons or organisations owed by ONE NATION MOVEMENT to lay forth their claims
- x. The authorized signatories for merger agreements shall be designated by the NEC and shall include representatives from both the ONM and the merging parties.
- xi. If the Special National Delegates convention ratifies and approves the merger through a formal process, which may include legal review, adherence to relevant regulations, and consideration of the best interests of the ONM then;
- xii. The assets and liabilities of the parties shall be transferred to the newly formed party in accordance with the provisions of the Political Parties Act, 2011 and the constitution of the newly formed party.”
- xiii. The National Treasurer shall within fourteen days settle all outstanding financial obligations where possible.
- xiv. The National Treasurer shall close all books of account at every organ of the Party and stop every payment except that which relates to the terminal benefits of employees.
- xv. This Article on Mergers shall be subject to periodic review to ensure its effectiveness, relevance, and alignment with the evolving needs and circumstances of the ONM.

ARTICLE 30.2: RULES FOR ENTERING INTO COALITIONS

- i. The ONE NATION MOVEMENT (ONM) acknowledges that political coalitions can be formed to foster cooperation, enhance collective strength, and pursue common objectives. However, the ONM shall not be a member of any coalition unless authorized under exceptional circumstances.
- ii. A party may enter into a coalition under the following circumstances:
 - a) When it aligns with the principles, values, and objectives of the ONM, as defined in the party's constitution.
 - b) When the coalition is likely to contribute significantly to the advancement of the party's agenda, objectives, and electoral prospects.
 - c) When all other reasonable options for achieving the party's goals through independent means have been duly explored and exhausted.

- iii. The National Executive Committee (NEC) of the ONM shall be responsible for authorizing the formation of a coalition
- iv. The NEC shall exercise its authority in a transparent, democratic, and accountable manner, ensuring that the decision to enter into a coalition aligns with the best interests of the ONM and its members.
- v. The procedures for entering into a coalition shall be as follows:
 - a) The party desiring to enter a coalition shall submit a written proposal to the NEC, providing detailed information about the coalition, its objectives, composition, and expected benefits to the ONMP.
 - b) The NEC shall thoroughly evaluate the proposal, considering factors such as ideological alignment, strategic fit, potential risks, and the impact on the ONM's independence and identity.
 - c) The NEC may request additional information, conduct consultations with party members, and engage in discussions with the leaders of the coalition before making a decision.
 - d) The decision to enter into a coalition shall require a two-thirds majority vote of the NEC.
- vi. The party shall enter into a coalition by way of a written coalition agreement that shall specify the following:
 - a) The name and symbol of the coalition;
 - b) The objectives and duration of the coalition;
 - c) The roles and responsibilities of each coalition partner;
 - d) The decision-making and dispute resolution mechanisms of the coalition;
 - e) The modalities for nomination and allocation of candidates for elective public offices;
 - f) The modalities for sharing of funds and resources among the coalition partners;
 - g) The terms and conditions for joining or exiting the coalition.
- i. Once the NEC has authorized the formation of a coalition, the coalition agreement shall be subject to ratification and approval, the ratification process shall be as follows:
 - a) The authorized signatories of the ONM, as designated by the NEC, shall sign the coalition agreement on behalf of the party.
 - b) The signed coalition agreement shall be presented to the NEC for approval, following a thorough review of its terms, conditions, and implications for the ONM.
 - c) The coalition agreement shall require a two-thirds majority vote of the NEC for final approval.

- vii. The signatories to the coalition agreement shall be the authorized representatives of the ONM, as designated by the NEC, and the authorized representatives of the coalition partners.
- viii. The signatories shall ensure that the coalition agreement reflects the terms, conditions, and commitments agreed upon by all participating parties.
- ix. The party shall submit a copy of the coalition agreement to the Registrar of Political Parties within twenty-one days of its execution or within three months before a general election, whichever is earlier.
- x. The party shall abide by the terms and provisions of the coalition agreement and shall cooperate and consult with its coalition partners in good faith.
- xi. In the event that objections are raised against the formation of a coalition, the following procedures shall be followed:
 - a) Any member objecting to the coalition shall submit a written objection to the NEC, clearly stating their concerns and reasons for opposition.
 - b) The NEC shall thoroughly evaluate the objection, taking into account the interests of the party and the reasons provided by the objector.
 - c) If the objection is deemed substantial, the NEC shall facilitate a process to address the concerns, including further discussions, negotiations, or amendments to the coalition agreement, where necessary.
 - d) The final decision regarding objections and the approval of the coalition shall rest with the NEC, which shall prioritize the best interests of the ONM.
- xii. This Article on Coalitions shall be subject to periodic review to ensure its effectiveness, relevance, and alignment with the evolving needs and circumstances of the ONM.
- xiii. Amendments to this Article shall follow the procedures outlined in the ONM constitution for the amendment of articles.
- xiv. The party may exit from a coalition by giving a written notice to its coalition partners and to the Registrar of Political Parties at least six months before a general election or three months before a by-election, unless otherwise provided in the coalition agreement.

ARTICLE 32: AMENDMENTS OF THE CONSTITUTION

The National Executive Committee may propose or receive proposals from any member of the Party for amendment or review of any particulars of the Party (name, symbol, slogan and colors together with the constitution and rules). Such proposals shall be presented for approval by at least two-thirds of the members of the NEC.

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

A resolution to amend the Constitution shall require support from at least two-thirds of the members.

ARTICLE 33: TRANSITIONAL PROVISIONS

The current office holders, as deposited with the Registrar of Political Parties, shall remain in office as interim officials of their respective portfolios as per this amended Constitution for a period of six (6) months.

The National Executive Committee shall conduct elections for the various offices upon the expiry of the six-month period, or may extend the period until such time as elections are held.

ARTICLE 34: DISSOLUTION

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

In the event of dissolution, all properties and funds of the Party, less any liabilities, shall be distributed in a manner determined by the Special National Delegates Conference that passes the resolution in favor of dissolution. Such assets shall be granted to one or more organizations in Kenya whose objectives align with those of the Party.

The quorum for any meeting at which the dissolution of the Party is proposed shall be two-thirds of the delegates eligible to attend an Ordinary Session of the National Delegates Conference.

A resolution to dissolve the Party shall require support from at least two-thirds of the delegates eligible to attend and vote. Voting shall be by secret ballot only.

ARTICLE 35: POLICIES

35.1 Policy Documents

- i. HAPA policy documents shall govern the day-to-day operations of the party, such as, Human Resources and Administrative policies, financial and audit and administration and management policies.
- ii. The policy documents shall be developed by the National Executive Committee (NEC).
- iii. Once the NEC develops the policies, they shall be circulated to the National Governing Council (NGC) for final review and approval. Should there be comments from the NGC review process, the policy documents shall be sent back to the NEC for corrections and or clarifications before final approvals. The approved policies shall be implemented by the party secretariat. The policy documents shall be reviewed periodically every three years. If there are no changes to the policies, then, they will be re-issued as effective until the next periodic review of three years. If there are changes on the policies, then, the policies will be set to draft and updated by following the development, review and approval process described herein.

35.2 Policy Reporting Documents, Publication and Implementation

- i. The party shall develop the following policy documents on regular basis:
 - a) Annual Policy Report which outlines the Party's policy achievements and challenges for the previous year and sets policy priorities for the upcoming year.
 - b) Quarterly Policy Briefs that provide update on key policy issues in line with the Party's objective
 - c) Policy Position papers which shall be developed from time to time to outline Party's position on specific policy issues.
- ii. The policy reporting documents shall be published on the official party's website and other relevant platforms, in a timely and transparent manner. The party shall

also disseminate the reports to its members, supporters, and stakeholders, and use them to inform its communication and outreach activities.

- iii. The Policy Committee shall through a consultative and participatory process involving the members and organs of the party at all levels develop, redevelop and approve policy and liaise with the NEC, or with the relevant Party organs for implementation.
- iv. The policy documents of the party shall be consistent with the constitution and laws of Kenya, the Political Parties Act, 2011 and this constitution.
- v. The policy documents of the party shall be reviewed and updated periodically to reflect the changing needs and circumstances of the party and the country.
- vi. The policy document of the party shall guide the performance and accountability of the party and its representatives in all spheres of governance.
- vii. All policies that are produced should be documented and stored at the party offices.

35.3 Financial and audit administration and management policies and procedures

- i. The party shall establish and maintain a bank account in its name in a reputable bank approved by the National Executive Committee.
- ii. The party shall keep proper books of accounts and other records relating to its income, expenditure, assets and liabilities.
- iii. The party shall prepare annual financial statements in accordance with the International Financial Reporting Standards and the requirements of the Political Parties Act, 2011.
- iv. The party shall appoint an auditor who is a member of good standing of the Institute of Certified Public Accountants of Kenya to audit its accounts at least once every year.
- v. The party shall submit its audited accounts and reports to the Registrar of Political Parties and the Auditor-General within three months after the end of each financial year.

- vi. The party shall ensure that its sources and use of funds are in compliance with the Political Parties Act, 2011 and any other relevant law.
- vii. The party shall establish a finance committee to oversee the budgeting, fundraising, expenditure and reporting of the party's finances.

The party shall adopt and implement sound financial management policies and procedures that ensure accountability, transparency and efficiency in the use of its resources

Article 35.4 Asset management policies and procedures

- i. The party shall establish and implement sound asset management policies and procedures that ensure the proper custody, utilization, maintenance and disposal of its funds and property.
- ii. The party shall designate the treasurer or the deputy treasurer as the custodian of its funds and property, subject to the oversight and approval of the National Executive Committee.
- iii. The party shall invest its funds in accordance with the law and in a manner that maximizes returns and minimizes risks.
- iv. The party shall maintain an inventory of its assets and liabilities and update it regularly.
- v. The party shall dispose of its assets only for a lawful purpose and in a transparent and accountable manner.
- vi. The party shall comply with any reporting and auditing requirements relating to its asset management as prescribed by this constitution or the Political Parties Act, 2011.

Article 35.4 Party employees and human resource policy.

- i. The Party shall hire qualified persons from time to time to help run its affairs
- ii. The Party employees shall reflect the face of Kenya.
- iii. Terms of employment including clear job description and lawful remuneration shall be described in each employee's employment contract.

- iv. The employees shall reflect gender inclusivity, people with disability and regional balance.
- v. The party shall at all times maintain employees register which shall clearly indicate details on:
 - a) Identification;
 - b) Rank and job group;
 - c) County;
 - d) Persons living with disability;
 - e) Gender; and
 - f) Additional details as may be outlined in the Human Resource Manual, or as prescribed by the NEC.

35.5 Remuneration of Party Employees

- i. The remuneration of party employees shall be determined from time to time by NEC in compliance with the labour laws and the Bill of Rights.
- ii. In determining the same, the NEC shall consider the following:
- iii. Academic qualifications of the employee.
- iv. Work experience.
- v. Compexity and hours of work.
- vi. Employee details may not be reviewed to their disadvantage

35.6 Vicarious Liability

- i. No Party Employee or office bearer shall be held personally liable for any lawful act or omission in good faith in the performance of his or her duties as an official.
- ii. No instrument shall bind the Party or create legal relationship with the party unless the person executing it has written authorization from the National Executive Committee (NEC) and such authorization shall indicate the extent of that authority.

35.7 Party Human Resource Policy

- i. The party Policy Committee in consultation with the NEC and Secretariat shall enact and implement human resource policies from time to time.

- ii. Such policies shall reflect the aspirations of this Constitution and comply with all labour laws in Kenya.

ARTICLE 36 AUTHORISED OFFICIALS OF THE PARTY

1) The authorized officials of the party that shall sign on behalf of the party the following documents presented to the Registrar of Political Parties are:

- i. The party leader or the deputy party leader;
- ii. The secretary general or the deputy secretary general;
- iii. The treasurer or the deputy treasurer.

2) The authorized officials of the party that shall sign on behalf of the party the accounts of the political party are:

- i. The treasurer or the deputy treasurer;
- ii. The auditor appointed by the party.

3) The authorized officials of the party that shall sign on behalf of the party the annual reports and nomination certificates for any election of the party are:

- i. The party leader or the deputy party leader;
- ii. The secretary general or the deputy secretary general.

4) The authorized officials of the party that shall sign on behalf of the party the financial reports of the party are:

- i. The treasurer or the deputy treasurer;
- ii. The auditor appointed by the party.

5) The authorized officials of the party that shall sign on behalf of the party any report or document of the political party required under this act or any other written law are:

- i. The party leader or the deputy party leader;
- ii. The secretary general or the deputy secretary general;
- iii. The treasurer or the deputy treasurer;
- iv. Any other official authorized by the National Executive Committee.