

NEEMA CONGRESS PARTY NCP



ELECTION AND NOMINATION RULES

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PART I: Preliminaries

Rule 1: Preamble

These rules may be cited as Neema Congress Party (NCP) Elections and nomination rules.

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

PART II: National Elections Board

Rule 2: Establishment of the National Elections Board

1. There shall be an independent party organ to be known as the Neema Congress Party (NCP) National Elections Board (NEB), which shall be concerned with all matters touching on internal party elections, national elections and by-elections.
2. The National Elections Board shall be headed by the National Director of elections.
3. The National Elections Board shall with the approval of NEC and ratification of the NGC formulate the NCP Nomination rules and regulations
4. The members and or officers of the National Elections Board committee shall be recruited by NEC. The National Chairperson shall submit the list of potential members of the Board to the NEC for competitive selection.
5. For one to be a NEB member, the person must have the following qualifications:
 - a. Active member of the Neema Congress Party (NCP)
 - b. Knowledge in matters elections and democracy.
 - c. Not a member of any other organ of the party



2.1 Functions of the National Elections Board

Functions of the National Elections Board shall include;

- i. Formulate and coordinate the NCP elections strategies and conduct of party nomination and elections.
- ii. Undertake Presidential, Parliamentary and County level primaries nominations in respect to a general election or by-election in accordance with the Party nomination rules as approved by the National Governing Council.
- iii. Vetting of all candidates intending to seek the NCP party ticket for any election.
- iv. Advise the National Executive Committee on matters incidental to and on rules and regulations to govern Party elections provided for under this Constitution.
- v. Formulate strategies, policies and tactics to have NCP field more women, youth and PWDs across all elective seats such as reviewing all incidental fees relating to nominations.

a) Returning Officers

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

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

b) Presiding Officers



There shall be Presiding Officers appointed by the NEB who shall be in charge of polling and counting in Polling Stations under the general direction of Constituency Returning Officers, in case of Constituency elections or otherwise County Returning Officers, in the case of County elections. Presiding Officers shall:

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

c) Polling and Counting Clerks

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



PART III: Rules Governing Internal Party Elections

Rule 3: Identification of candidates for internal party elections

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

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

Rule 4: Conduct and procedure of elections of National Officials

- i. The National officials shall be elected by the National Delegates Convention (NDC) convened in accordance with provisions of the Party Constitution. Except for the Executive Director, the Secretary for Parliamentary Affairs, the Secretary of Women Affairs and the Secretary for Youth Affairs.
- ii. The elections will be called as per the Party's Constitution.
- iii. The National Elections Board shall appoint a returning officer for elections of the National Officials.



Rule 5: Conduct and Procedure of Elections of Party Officials at County, Branch and Ward levels

i. Branch Organization

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

A. Mainstream:

- Branch Executive Committees,
- Sub-Branch Executive Committees,
- Polling Station Steering Committees,

B. NCP Women League:

- NCP Women League Branch Executive Committees,
- NCP Women League Sub-Branch Executive Committees,
- NCP Women League Polling Station Steering Committees,

C: NCP Youth League:

- NCP Youth League Branch Executive Committees,
- NCP Youth League Sub-Branch Executive Committees,
- NCP Youth League Polling Station Steering Committees

C: NCP Equality and Disability Council:

- NCP Equality and Disability Council Branch Executive Committees,
- NCP Equality and Disability Council Sub-Branch Executive Committees,
- NCP Equality and Disability Council Polling Station Steering Committees

Composition of the Branch Executive Committee

The Branch shall be composed of the following officials:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,



- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary,
- ix. Secretary for Women Affairs,
- x. Secretary for Youth Affairs,
- xi. Persons with Disability Representative

Composition of Sub-branch Executive Committees

Each Sub Branch Steering Committee shall be composed of the following officials:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary,
- ix. Secretary for Women Affairs who shall be the person elected as the NCP Women League Sub Branch Leader,
- x. Secretary for Youth affairs who shall be the person elected as the NCP Youth League Sub Branch Leader,
- xi. Persons with Disability Representative

Composition of the County Coordinating Committee

The County Coordinating Committee shall be composed of the following officials;

- i. The County Coordinating Chairman
- ii. The County Deputy Coordinating Chairman
- iii. The County Coordinating Secretary
- iv. The County Coordinating Organising Secretary
- v. The County Coordinating Treasurer
- vi. The County NCP Women League Representative
- vii. The County NCP Youth League Representative
- viii. The County Special Interest Representative
- ix. And twelve Committee Members

Composition of the Regional Coordination Committee

The Regional Coordinating Committee shall be composed of the following officials;

- i. The Regional Coordinating Chairman
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- ii. The Regional Deputy Coordinating Chairman
- iii. The Regional Coordinating Secretary
- iv. The Regional Coordinating Organizing Secretary
- v. The Regional Coordinating Treasurer
- vi. The Regional NCP Women League Representative
- vii. The Regional NCP Youth League Representative
- viii. The Regional Special Interest Representative

Rule 6: Procedure of elections at the sub-branch, branch, county and regional level

- i. The NEB shall issue a public notice of not less than 21 days in print and electronic media with national circulation and coverage specifying the venue, time and date of the various internal elections to be held by the party.
- ii. The elections will be conducted at the County, Branch and Ward levels by the County Elections Board where party members with membership cards and who are also registered as voters in their respective branch shall elect the officials directly by secret ballot.
- iii. The County Elections Board shall appoint election officials whose character is not questionable.
- iv. Party Elections at the Branch shall be presided over by returning/presiding officers and any other officials determined by the County Elections Board.
- v. The returning/presiding officers shall take charge of electoral process guided by established rules and procedures.

Rule 7: Assumption into Office of elected party officials

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

All winners shall officially assume their positions at least 7 days after the publication of the election's winners.

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



PART IV: Elections and Nominations for National Elections

Rule 8: General qualifications for nomination and election of party candidates

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

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

Notwithstanding the method of choice, the following rules shall apply in respect to the procedure of identification of candidates to participate in the nominations:

- (a) Upon publication of the electoral timelines by the Commission, the National executive Committee shall within 21 days officially instruct the National Elections Board to carry out all activities relating to identification of candidates and their nomination to run for elective office.
- (b) The National Elections Board shall notify the party members and the general public of the vacant positions available for contest in party nominations. The notification shall be in at least two newspapers, all party social media pages and the official party website.
- (c) The duration within which to submit nomination papers shall be for at least 45 days
- (d) Upon the lapse of the timeline for submission of the nomination papers, the National Elections Board shall publish a notice be in at least two newspapers, all party social media pages and the official party website giving details of the nominations including:
 - Date (s) of nominations
 - Mode of nominations
 - Venue (s) of nominations
 - Eligibility criteria to participate in the nominations as voters.
- (e) Notwithstanding any other rule put in place by any organ of the party, the National Elections Board shall disqualify any candidate who is:
 - Not a fully paid up member with up to date subscriptions;
 - A convicted criminal;
 - Does not adhere to the provisions of chapter 6 of the Constitution.

1. Direct Nominations/ Party primaries

The party shall conduct free, fair and transparent nomination of candidates through party primaries. How to identify candidates to represent the party in national elections shall be through consensus, secret ballot, or any other democratic process acceptable to members of the party under the supervision of the NEB and CEB.

The following conditions shall apply in the identification of candidates for the various positions under the Kenyan Constitution:



a. Presidential Candidates

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

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

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

b. Gubernatorial Candidates

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

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

c. Parliamentary Candidates (Senate and National Assembly)

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

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

d. County Assembly Candidates

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

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

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

- i. The person must be conversant with, supports and subscribes to the party ideology, philosophy, mission and values.
- ii. The person is a validly current registered member in any branch in Kenya and his name appears in the National Register of the party members.



- iii. The person is a citizen of Kenya and a holder of a National Identity Card or such other document of national identity as may, be prescribed by law and is registered as a voter in some constituency in the Republic of Kenya.
- iv. The person is qualified to stand for an election which he/she seeks under the provisions of the law for the time being regulating and governing the conduct of election in Kenya.
- v. The person has no criminal record of an offence against which there is no pending in the last five years immediately before applying for nomination.
- vi. The person is not an un-discharged bankrupt under the laws of Kenya.
- vii. The person must have paid his nomination fee.
- viii. The person undertakes to and signs the party code of conduct and to abide by the party Disciplinary Rules.
- ix. The person must have been cleared by the Higher Education Loans Board (HELB)

Rule 9: Rule on the Conduct and procedure of the NCP party primaries

- i. The party membership register as certified by the Registrar shall be register to be used for purposes of party nominations.
- ii. Only registered party members who are also registered voters shall participate in the nomination process. Voters must produce their party membership card and elector's card to cast their vote.
- iii. The National Elections Board (NEB) shall appoint election officials whose character is not questionable.
- iv. Party Elections at the County shall be presided over by returning/presiding officers and any other officials determined by the National Elections Board (NEB).
- v. The returning/presiding officers shall take charge of electoral process guided by established rules and procedures



Rule 10: Rules on the conduct of Indirect / Special/ Non-competitive Nominations

The Party Leader may propose names to the National Executive Committee for direct nomination for any elective seat.

The Party Leader must give sufficient reasons as to why the proposed individuals should be exempted from competitive party primaries.

The proposed names shall be submitted by NEC to the National Elections Board for vetting to ascertain that the proposed candidates meet the requirements of the position in which they are being proposed.

The proposed candidate for direct nomination shall submit the following to the National Elections Board:

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

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



PART V: Internal Disputes Resolution Mechanisms (IDRM) relating to Elections and Nominations

Rule 11: National Elections Appeals Tribunal

1. The members of the Tribunal shall be nominated by the NEC in consultation with National Elections Board.
2. For avoidance of doubt, the composition of the tribunal shall adhere to the two-thirds gender rule.
3. The National Elections Appeals Tribunal shall establish 8 Regional Elections Appeals Tribunals to listen to appeals on all electoral matters at the grassroots level. The National Elections Appeals Tribunal shall have jurisdiction to listen to the matters emanating from the Regional Elections Appeals Tribunal.

Rule 12: Procedure and conduct of appeals at the National Elections Appeals Tribunal

1. Any person aggrieved by the decision of the National or County Elections Tribunal, may after the declaration of the winner lodge an appeal/ complaint within 72 hours, in writing setting grounds and attaching evidence in support of the appeal/complaint.
2. A person making appeal to the National Elections Appeals Tribunal shall pay such fees thereof as may be determined by the National Executive Council.
3. After lodging the appeal and fulfilling the requirements, the person making the appeal shall be entitled to be heard by the Panel and may be allowed to call any witnesses within 72 hours.



SCHEDULE I: Nomination and Appeal Fee

1. NOMINATION FEE

POSITION CONTESTED	NOMINATION FEES
Presidential Candidate	Ksh. 500,000
Governorship	Ksh. 250,000
Member of National Assembly (Senator and MP excluding Woman Representatives)	Ksh. 100,000
County Women Representatives	Ksh. 50,000
Member of County Assembly	Ksh. 40,000

*All aspiring candidates who are women, youth or person living with disability shall pay half the nomination fees required for candidates in that position.

*Any strong candidate may write to the NEC for exemption or reduction of fees payable by them. They must however provide valid reasons for them.

2. APPEAL FEES

POSITION	APPEAL FEE (KSHS.)
1. President	Ksh. 250,000
2. Governor	Ksh. 100,000
3. Senator	Ksh. 75,000
4. Member of Parliament	Ksh. 50,000
5. Women Representative	Ksh. 35,000
6. Member of County Assembly	Ksh. 30,000



SCHEDULE II: List of Requirements

1. Original identification card.
2. Certificate of Good Conduct.
3. Ethics and Anti-Corruption Commission Clearance Certificate.
4. Higher Education Loans Board Clearance Certificate.
5. Kenya Revenue Authority Clearance Certificate.
6. Credit Reference Bureau Clearance Certificate.
7. KRA Taxpayers Certificate.
8. Academic Certificates.
9. Party Membership Card.
10. Two Passport size Coloured Photographs.
11. Registration Fee Receipt.
12. Nomination Fee Receipt.
13. A duly filled Nomination Application Form.



SCHEDULE III: Application Forms

NEEMA CONGRESS PARTY (NCP)
NOMINATION APPLICATION FORM

I,hereby make an application to NEEMA CONGRESS PARTY (NCP) to vie for the position of

PERSONAL INFORMATION

- 1. FULL NAME:
- 2. ID NUMBER:
- 3. DATE OF BIRTH:
- 4. GENDER:
- 5. CAMPAIGN NAME (IF ANY):
- 6. VOTER REGISTRATION NUMBER:
- 7. COUNTY:
- 8. CONSTITUENCY:
- 9. WARD:
- 10. POLLING STATION:
- 11. TELEPHONE NUMBER:
- 12. EMAIL ADDRESS:



PROFESSIONAL DESIGNATION

List all the professional designations you have and associations you belong to.

ASSOCIATION	FROM (YEAR)	TO (YEAR)



EDUCATION BACKGROUND

List your education history.

INSTITUTION	QUALIFICATION ATTAINED	FROM (YEAR)	TO (YEAR)



NEEMA CONGRESS PARTY

DATED at Thisday of.....20.....

Signed by the Applicant

Signature:

Before me;

COMMISSIONER FOR OATHS/MAGISTRATE

.....

Name and Signature of Receiving Officer