

OFFICE OF THE REGISTRAR
OF POLITICAL PARTIES

25 JUL 2023

APPROVED ELECTION AND
NOMINATION RULES
P.O. Box 1131 - 00606, NAIROBI.

Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki



Peoples` Forum for Rebuilding Democracy (PFRD)

Elections and Nomination Rules

© 2023

As Developed and Adopted by the Founding Committee Meeting Held On 7th March, 2023 at
Boulevard Hotel, Nairobi

TABLE OF CONTENTS

PART I: PREAMBLE, CITATION, ELECTORAL ORGANS OF THE PARTY	10
Rule 1.0 : Preamble.....	10
Rule 2.0: Citation and Interpretation.....	10
Rule 2.1: Citation	10
Rule 2.2: interpretations.....	10
Rule 3.0 : PFRD Electoral and Nominations Organs.....	12
Rule 3.1: National Delegates Conference (NDC)	12
Rule 3.2: National Governing Council (NGC) and Supreme Council (SC) of the Party	13
Rule 3.3: National Executive Committee (NEC)	13
Rule 3.4: National Elections Board.....	13
I. Establishment	13
II. Core Functions and Devolvement of NEB	13
III. Procedure of Appointments NEB.....	14
IV. Duties of the National Elections Board.....	14
V. Qualifications of members of the National Election Board.....	15
VI. Rights of Members of the National Elections Board.....	16
VII. Removal of a member from the National Election Board	16
VIII. Quorum and conduct of meetings	17
IX. Term of Office and Remuneration	17
Rule 3.5: County Election Board (CEB)	17
I. Establishment	17
II. Qualifications of members of the County Election Board.	18
III. Removal of a member from the County Election Board	18
IV. Quorum and conduct of meetings	18
V. Remuneration.....	18
PART II: RULES GOVERNING PARTY ELECTIONS	19
Rule 4.0: Rules Governing PFRD Party Elections Process	19





Rule 4.1: Elections for Party Officials and Terms of Office	19
Rule 4.2: Notice of Elections.....	20
Rule 4.3: Party Electoral Colleges.....	20
Rule 4.4: Election Criteria and Procedures	21
Rule 4.5: Party elections shall begin with :.....	22
Rule 4.6: Eligibility criteria for candidates:.....	22
Rule 4.7: Qualifications.....	23
Rule 4.8: Conduct of Nomination and Elections of Office Bearers.....	23
Rule 4.9: Elections of National Office Bearers	24
I. Returning Officer eligibility	24
II. Eligibility of Delegates	24
III. Quorum.....	24
IV. Media.....	24
V. Venue.....	24
VI. Candidates	25
VII. Mode of Voting	25
VIII. Assumption of Office	25
IX. Custody of Election Materials.....	25
Rule 4.10: Qualification, documentation and Disqualification from Participating in Election of National Party Offices.....	25
I. Qualification for participating in election of national party offices	25
II. Documentation and fees for election to National Party Offices.....	26
III. Disqualification.....	26
Rule 4.11: Voting Procedures During Elections For National Office Bearers	26
Rule 4.12: Conduct of the Campaigns	27
Rule 4.13: Disputes and Appeal	27
Rule 5.0: PFRD Election Officers.....	28





Rule 5.1: Qualification of Election Officials	28
Rule 5.2: Recruitment, training and remuneration of election officers.....	28
Rule 5.3: Constituency Election Panel	29
Rule 5.4: Returning Officers.....	29
I. Duties of Returning Officers	29
II. Role of County Returning Officer	30
III. Role of Constituency Returning Officer	30
Rule 5.5: Presiding Officers.....	30
I. Role of Presiding Officers.....	30
Rule 5.6: Polling and Counting Clerks	31
Rule 5.7: Security	31
Rule 6.0: Party Elections at the Branch Level	31
Rule 6.1: Branch Organization.....	31
I. Mainstream.....	31
II. PFRD Women League.....	32
III. PFRD Youth League	32
Rule 6.2: Composition and Election of Polling Station Steering Committee	32
I. Composition	32
II. Polling Station Elections	33
Rule 6.3: Composition and Election of Sub Branch Executive Committees.....	33
I. Composition	33
II. Sub Branch Elections	33
Rule 6.4: Composition and Elections of Branch Executive Committee	34
I. Composition	34
II. Election of Branch Executive Committee	34
Rule 6.5: County Coordinating Committee	35
I. Composition	35



II. Election of County Coordinating Committee	35
Rule 6.6: Composition and Election of Regional Conference Committee	35
I. Composition	35
II. Election of Regional Conference Committee	36
Rule 6.7: Organization and Election of PFRD Women League.....	36
I. Organization.....	36
II. Composition and Elections of the PFRD Women League Officials.....	36
III. Election of PFRD Women League National Officials	38
Rule 6.8: Organization and Election of PFRD Youth League	39
I. Organization.....	39
II. Composition and Elections of The PFRD Youth League Officials.....	39
III. Election of PFRD Youth League National Officials	40
PART III : RULES ON THE NOMINATION OF PARTY CANDIDATES	42
Rules 7.0: Nomination of Party Candidates	42
Rule 7.1: Categories of Elections Covered	42
Rule 7.2: Announcement of Vacant Positions (Procedure for Issuing Notice for Vacant Positions)	42
Rule 7.3: Identification, Vetting of Candidates and procedure for encouraging SIGs	43
I. Identification and Vetting of candidates	43
II. Procedure for Encouraging SIGs	44
Rule 7.4: Qualifications and Application for Nomination	45
Rule 7.5: Nominations for Member of the County Assembly.....	45
I. Requirements for Nomination of MCA.....	45
II. Documentation and for nomination of MCA	46
III. Disqualification from nomination as a candidate for election as a Member of the County Assembly.....	47
Rule 7.6: Nominations for the Governor	47
I. Requirement for nomination for election as Governor	47
II. Documentation and fees for nomination for election as Governor	48





III. Disqualification from nomination as a candidate for election as a Governor	48
Rule 7.7: Nominations for a Member of Parliament.....	49
I. Requirement for Nomination of a Member of Parliament	49
II. Documentation and fees for Nomination for a Member of Parliament.....	50
III. Disqualification from nomination as a candidate for election as a Member of Parliament	50
Rule 7.8: Nominations for County Woman Representative	51
I. Requirement for Nomination of County Woman Representative.....	51
II. Documentation and fees for nomination of county woman representative	51
III. Disqualification from nomination as a candidate for election as County Woman Representative.....	52
Rule 7.9: Nomination of a Presidential Candidate	53
I. Requirements and procedure for Nomination of a Presidential Candidate	53
II. Documentation and Fees for Nomination of a Presidential Candidate	55
III. Disqualification from nomination as a candidate for election as a presidential candidate	56
IV. Election Officials	57
V. Security.....	57
VI. Voting Procedure.....	58
Rule 8.0: Procedure and Nomination of Party List Members.....	59
Rule 9.0: Procedure for conducting Primaries for Party Parliamentary, Gubernatorial and County Assembly candidates	60
Rule 9.1: Requirements and qualification of elections officials	60
I. Requirements	60
II. Qualification of Election Officials.....	61
Rule 9.2: Preparation for Voting Process	61
I. Venue/ Polling Station	61
II. Membership Register	61
III. Inspection of Ballot Boxes.....	62
IV. Inspection of Ballot Papers	62
V. Communication with voters at the polling station	62



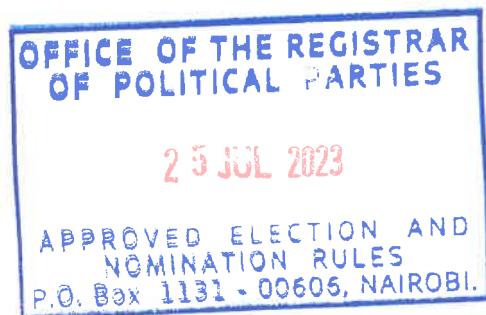


VI. Contents of ballot Papers.....	62
Rule 9.3: Voting Procedure	63
I. Casting of Vote.....	63
II. Evidence of Identity of Voters	63
III. Postponement of Polling.....	64
IV. Votes Marked by Presiding Officer.....	65
V. Spoilt Ballot Papers.....	65
VI. Sealing of Ballot Boxes	65
VII. Procedure on Close of poll	66
Rule 9.4: Counting of Votes and Declaration of Results.....	66
I. Preparation for the counting of votes	66
II. Attendance at counting.....	68
III. Rejected Ballot Papers	68
IV. Recount	69
V. Sealing of Ballot Papers	70
VI. Announcements of Results.....	70
VII. Signing and Issuance of Nomination certificates	72
VIII. Retention and Public Inspection of Documents	72
IX. Petitioning the Nomination Results	72
Rule 9.5: Automatic Nomination of Candidates.....	73
I. Body responsible and considerations	73
II. Procedure.....	74
Rule 10.0: Electoral and Nomination Malpractices	74
Rule 11.0: Disputes Resolution and Appeal Tribunals	76
Rule 11.1: County Appeals Tribunal	76
Rule 11.2: National Appeals Tribunal	77
Article 11.3: Electoral and Nomination Dispute Resolution Committee (EDRC)	78
Rule 12.0: PLEDGE OF COMMITMENT.....	79



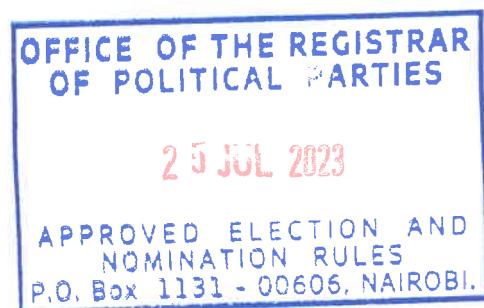


PART IV: GENERAL.....	80
Rule 12.0: Polling Station	80
Rule 13.0: Party Register	80
Rule 14.0: Voting Procedure	80
Rule 15.0: Grounds for Disqualification	80
Rule 16.0: Campaign.....	83
Rule 17.0: Hours of Polling	83
Rule 18.0: Nomination Certificate.....	83
Rule 19.0: Retention and Public Inspection of Documents	83
Rule 20.0: Access To Information	84
PART V: SCHEDULES FOR ELECTIONS AND NOMINATIONS RULES.....	85
Schedule I: Elections and Nomination Structures	85
Schedule II: Delegates Top Up Formula	86
Schedule III: FORM 1-APPLICATION FOR NOMINATION	87
Schedule IV: FORM 2-Declaration Certifying Disability	89
Schedule V: FORM 3-Compliance in Party Nomination of Party List	90
Schedule VI: FORM 4-Compliance in Party Primary	91
Schedule V: PFRD Party Code of Conduct.....	92
Schedule VI: PPFRD Party Nominations Pledge of Commitment.....	95
PART V: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE RULES AND PROCEDURES.....	97
General Introduction	97
Definitions.....	97
Acronyms	98





Purpose of these Rules	98
Application	98
Procedure for Filing	98
Guiding Principles	99
Conduct of Proceedings	99
Miscellaneous Provisions.....	99
Finances.....	100
Operational Expenses	100
Implementation plan (Timelines).....	100
Arbitration	100
PART VI: SCHEDULES FOR ELECTION AND DISPUTE RESOLUTION COMMITTEE	101
Schedule A: Acknowledgement Form	101
Schedule B: Disputes Procedure	102
Schedule C: Filing Fees Schedule.....	103
Form 1: Dispute	104
Form 2: Acknowledgement of Receipt of Dispute	105
Form 3: Transmission of Dispute	106
Form 4: Hearing Notice.....	107
Form 5: Ruling Template	108
Form 6: PFRD Party Electoral and Nomination Dispute Resolution Committee	109





Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki



PART I: PREAMBLE, CITATION, ELECTORAL ORGANS OF THE PARTY

Rule 1.0 : Preamble

Peoples Forum For Rebuilding Democracy (PFRD) makes the following Elections and Nomination Rules, Pursuant to Article 6.0, Article 7.0 and Article 10.0 of the PFRD Party constitution, Constitution of Kenya 2010 and the Political Parties Act.

Rule 2.0: Citation and Interpretation

Rule 2.1: Citation

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

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

Rule 2.2: interpretations

“Agent” means a person duly accredited by a candidate or the Party as his agent.

“Branch Electoral College” means Electoral College at the Constituency for the purpose of electing Branch Executive Committees.

“Candidate” means a person duly cleared by the Party in accordance with these Rules to vie for nomination for any elective or selective position.

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

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

“County Electoral College” means Electoral College at the County for the purpose of electing the County Conference Committee.



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

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

“National Delegates Register” means a list of Party members eligible to attend the National Delegates Convention as per Article 7.2.2 of the Party’s Constitution. **“National Delegates Electoral College”** means Electoral College convened at an ordinary meeting of National Delegates for purposes of electing national officials or nomination of Party’s Presidential candidate.

“The NGC” means the National Governing Council of the Party established under Article of 7.4.1 of the Party Constitution.

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

“The NEC” means the National Executive Committee of the Party established under Article 7.5 of the Party Constitution.

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

“Nomination Certificate” means a document certifying that a person has been nominated by the Party to vie for an elective post or selective position in a general or by-elections or in any other election or selection process requiring the nomination of a person by the Party.

“Party” means the PEOPLES PARTY FOR REBUILDING DEMOCRACY (PFRD)

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

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

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

pg. 11





“Returning Officer” means a person appointed or designated under these Rules to conduct nominations in his / her respective electoral area and includes a Deputy Returning Officer.

“Regional Electoral College” means Electoral College at the Region for the purpose of electing the Regional Conference Committee.

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

“Special Interest” means marginalized persons or Minorities.

“Sub Branch Electoral College” means Electoral College at the Constituency level for the purpose of electing Sub-Branch Executive Committee.

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

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

“Ward Electoral College” means Electoral College at the Ward level for the purpose of electing Ward Steering Committees.

“Youth” mean persons between the ages of 18 years to 35 years.

Rule 3.0 : PFRD Electoral and Nominations Organs

Rule 3.1: National Delegates Conference (NDC)

In so far as these Rules are concerned, the duties of the National Delegates Conference shall be to nominate from among the eligible members of the party the Party Leader who shall, where the Party fields a Candidate for the Office of President of the Republic of Kenya , be the Party’s de facto Presidential candidate in accordance with the PFRD Constitution.





Rule 3.2: National Governing Council (NGC) and Supreme Council (SC) of the Party

In so far as these Rules are concerned, the duties of the PFRD National Governing Council/or Supreme Council shall be to approve Elections and Nomination Rules or amendments thereto prepared and presented by the National Executive Committee (NEC) for approval .

Rule 3.3: National Executive Committee (NEC)

In so far as these Rules are concerned, the duties of the National Executive Committee shall include;

- i. To make Elections and Nomination Rules or any amendments thereto and lay them before the National Governing Council for approval.
- ii. To nominate and present a Party List to the IEBC in accordance with the provisions of the Law. To liaise with the Party National Election Board in order to ensure the coordination of elections of Party Officials at all levels and Party nominations for Presidential, Parliamentary and Civic elections.
- iii. To enforce the sanctions/ penalties for elections and nominations malpractices
- iv. To recommend to the Party Leader grant of direct nomination or honors
- v. To nominate and present a Party List to the IEBC in accordance with the provisions of the Law.

Rule 3.4: National Elections Board

I. Establishment

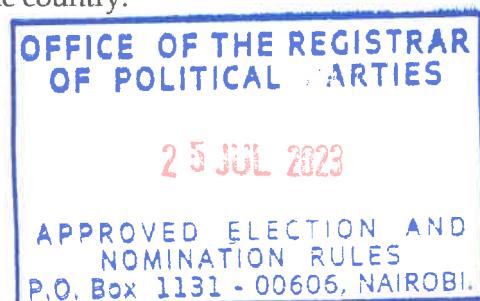
There established a National Elections Board (NEB) by the National Executive Committee upon a resolution made by two-thirds of members and will comprise seven respected and knowledgeable members of the of high integrity who do not hold any elective Party position and at least one-third shall be of either gender. There shall also be at least one member appointed to represent special interest groups.

II. Core Functions and Devolution of NEB

National Elections Board mandate is to plan, organize, direct and coordinate the PFRD internal party elections and the Presidential, Gubernatorial, Parliamentary and County Assembly candidate's nominations throughout the Republic of Kenya, in readiness for the General Elections, or by-elections.

The National Election board will establish county election board with approval of NEC. This will aid in conducting election at the grassroot levels throughout the country.

pg. 13





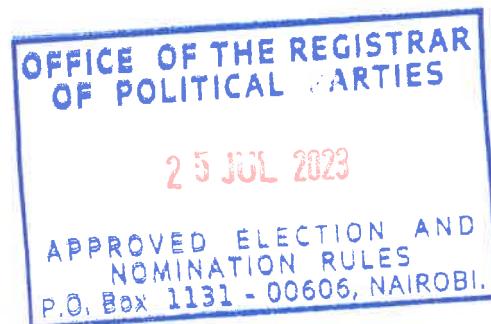
III. Procedure of Appointments NEB

- i. The National Elections Board will be appointed by the National Executive Committee and will comprise 7 respected and knowledgeable persons of high integrity who do not hold any elective party position. The Board Members shall be persons who are Kenyan Citizens over the age of eighteen (18) years.
- ii. At the first meeting of the National Elections Board convened by the National Executive Committee the Board members shall elect a chairperson. The chair person shall thereafter appoint secretary who will liaise with the NEC secretariat for logistical support.
- iii. The National Secretariat shall provide secretarial services to the Board.
- iv. The National Executive Committee shall also appoint a dispute resolution committee as outlined in part V of this elections and nominations , comprising of Five (5) members based on gender balance to handle all disputes arising out of the Party's Presidential, Gubernatorial, Parliamentary and County assembly elections. Its decisions shall be final.

IV. Duties of the National Elections Board

The duties of the National Elections Board shall be;

- i. To ensure a free and fair electoral process.
- ii. To implement and oversee the operations of the PFRD Elections and Nominations Rules in Liaison with the National Executive Committee in accordance with the National Constitution, legislations governing political parties and elections, the Party Constitution, Nomination and Elections Rules and other by-laws of the party
- iii. Plan, organize, co-ordinate and supervise Party elections and Nominations for Presidential, Parliamentary, Gubernatorial and County Assembly Candidates.
- iv. To design all relevant forms required for the election and nomination process.
- v. Determine eligibility of candidates for elections as party officials and delegates at branch and sub-branch level and eligibility as candidates for County and Parliamentary seats.
- vi. Ensure gender parity and conformity with the party constitution in the party nominations.
- vii. To determine eligibility, vet and approve all candidates aspiring for Party elections or nomination in accordance with provisions of the Constitution of the Republic of Kenya,





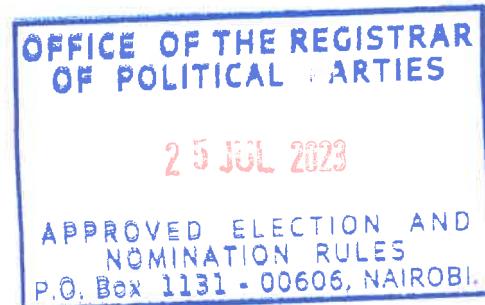
applicable electoral Laws, Party Constitution, Party Nomination and Election Rules and the Party Code of Conduct,

- viii. To appoint County Coordinators, Returning Officers Deputy Returning Officers, Presiding Officers Deputy Presiding officers, Polling Clerks and Counting Clerks and Security Officers.
- ix. To accredit independent elections observers.
- x. To present to the PFRD National Executive Committee the names of the elected party officials and successful applicants for nomination as Presidential, Parliamentary, Gubernatorial and County Assembly candidates.
- xi. In discharging its functions the Board shall not be under the direction of any person and shall act in accordance with the national constitution, election act, the party constitution, these Nominations Rules and any rules of procedure that may be promulgated in accordance with the party constitution.
- xii. In assisting the Board to discharge its mandate, the National Executive Council shall develop guidelines for:-
 - Free, fair and transparent elections
 - Qualifications for appointment of the Election Board including the integrity test
 - Formulate a clear code of conduct to guide the affair of the board
 - The Board, once appointed and sworn in shall according to Party Constitution put in place structures to ensure effective national, county/ branch and sub branch nominations and elections.
 - To monitor /identify elections and nominations malpractices as per the laid down procedures
 - To recommend to the National Executive Committee (NEC) to consider and recommend to the Party Leader the grant of automatic nomination to a candidate for the furtherance of interests of the party for the considerations provided for under these rules.

V. Qualifications of members of the National Election Board.

A person is qualified to be appointed as a member to the National Election Board if that person –

- i. Is a member of the party;



- ii. Is eligible to vote at an election;
- iii. Has not been convicted of an election offence; and
- iv. Satisfies the requirements of chapter six of the Constitution of Kenya, 2010

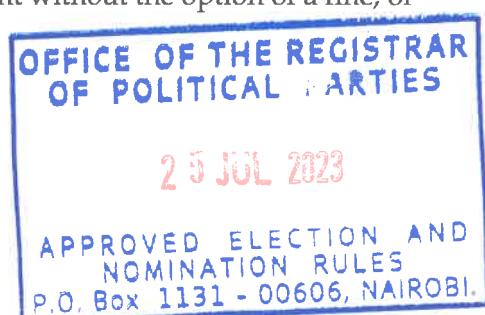
VI. Rights of Members of the National Elections Board

- i. Right to vote at any election if they meet prerequisite criteria and in line with Kenyan laws, rights of members of PFRD as outlined in the party constitution and international covenant on civil and political rights.
- ii. Right to work, gainful employment, and discharge their duties, serve their party and communities and pay. This is in line with the right to work for gainful employment which is a fundamental human right recognized in the Universal Declaration of Human Rights and so is the right to choose how to be governed.
- iii. Right to access to voting locations and discharge their duties
- iv. Protection from any harm in the discharge of their duties
- v. Provision of all the necessary support, materials and training to discharge their duties smoothly.
- vi. Support to ensure adherence to enabling laws, regulations and procedures that bar corruption or interference, enforceable sanctions, appropriate facilitation and more importantly proper, adequate training and sensitization about their obligations and responsibilities in ensuring proper administration of their mandate.

VII. Removal of a member from the National Election Board

A person may be removed as a member of the National Election Board if that person –

- i. Resigns from the party;
- ii. Defects from the party;
- iii. Violates the party's constitution, nomination rules or the party nomination code of conduct;
- iv. Has declared interest in a particular nomination;
- v. Is physically or mentally incapacitated;
- vi. Is convicted of an election offence or a criminal offence which carries a sentence of more than six months of imprisonment without the option of a fine; or



vii. Has been found by a court to have violated the provisions of chapter six of the constitution of Kenya

VIII. Quorum and conduct of meetings

- i. NEB shall meet once a month unless in the case of Special NEB meeting
- ii. The all the resolutions of the NEB shall be supported by two thirds of the members
- iii. In the case of special NEB will be sought from the NEC or the supreme council

IX. Term of Office and Remuneration

Member of NEB shall hold office for a five (5)-year term and can apply to NEC for renewal once, upon satisfactory performance and with approval of NGC and/or SC

NEC will determine the fees and other remuneration of the NEB as guided by existing laws and available resources.

National Secretariat will provide other logistical support to the NEB as they conduct the elections.

Rule 3.5: County Election Board (CEB)

I. Establishment

There shall be established a County Election Board to conduct elections on behalf of the NEB in each county where the Party is offering candidates for elections. NEB, with approval of NEC, will appoint members of the CEB and position them at the branch offices to conduct elections as per the guidelines herein and the constitution of the party.

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

The County Election Board shall be under the supervision and the general direction of NEB and shall perform all such tasks and duties as assigned and delegated to them including conducting elections at the lower levels and identifying malpractices.

The NEB, with approval of NEC, shall be responsible for the recruitment and deployment of all County Election Board personnel.

The County Election Board shall be composed of the following members:

- a) Chairperson.
- b) Secretary and

pg. 17





c) Three ordinary members

The NEB may remove any member of the County Elections Board on the similar grounds as provided in these rules for the removal of a member of the NEB.

II. Qualifications of members of the County Election Board.

A person is qualified to be appointed as a member to the County Election Board if that person—

- i. Is a member of the party;
- ii. Is eligible to vote at an election;
- iii. Has not been convicted of an election offence; and
- iv. Satisfies the requirements of chapter six of the Constitution of Kenya, 2010

III. Removal of a member from the County Election Board

A person may be removed as a member of the County Election Board if that person —

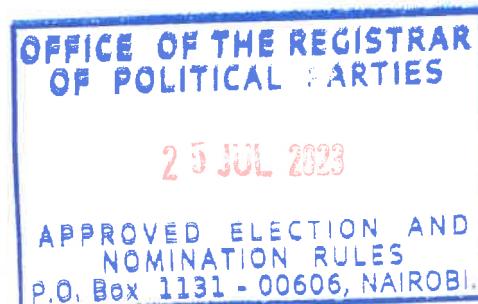
- i. Resigns from the party;
- ii. Defects from the party;
- iii. Violates the party's constitution, nomination rules or the party nomination code of conduct;
- iv. Has declared interest in a particular nomination;
- v. Is physically or mentally incapacitated;
- vi. Is convicted of an election offence or a criminal offence which carries a sentence of more than six months of imprisonment without the option of a fine; or
- vii. Has been found by a court to have violated the provisions of chapter six of the constitution of Kenya

IV. Quorum and conduct of meetings

- i. CEB shall meet once a month unless in the case of Special CEB meeting
- ii. The all the resolutions of the CEB shall be supported by two thirds of the members
- iii. In the case of special CEB will be sought from the NEB

V. Remuneration

- i. Remuneration of the CEB will be determined by NEC guided by existing laws and available resources.
- ii. Branch Executive Committee (BEC) and Branch Offices will provide other logistical support and guidance to the CEB to conduct the smooth elections at the grassroot.





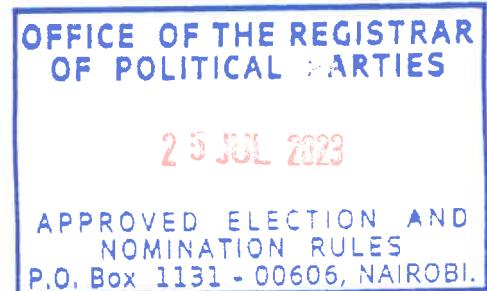
Party To Be! Change We Want!

PART II: RULES GOVERNING PARTY ELECTIONS

Rule 4.0: Rules Governing PFRD Party Elections Process

Rule 4.1: Elections for Party Officials and Terms of Office

- I. The party will conduct both National and Branch Election to fill vacant positions as issued by NEB and approved by the Supreme Council and National Delegate Conference.
- II. All the officials elected to party positions will hold officer for a period not exceeding 5 years and qualify to stand for election for one extra term for the same position.
- III. NEC will develop the terms of references and remunerations thereof from time to time.
- IV. Party elections shall be conducted for the following organs of the Party-
 - i. National Officials
 - ii. Regional Coordinating Committee
 - iii. County Coordinating Committee
 - iv. Branch Executive Committee
 - v. Sub-Branch Executive Committee
 - vi. Polling Station Steering Committee
 - vii. Women League
 - viii. Branch Executive Committee
 - ix. Sub Branch Executive Committee
 - x. Polling Station Steering Committee
 - xi. Youth League
 - xii. Branch Executive Committee
 - xiii. Sub Branch Executive Committee
 - xiv. Polling Station Steering Committee





Rule 4.2: Notice of Elections

There shall be a notice of not less than 21 days issued by the National Elections Board for all election of branch and national offices. The notice shall be published in such media as may be specified by the National Executive Committee. Such media may include electronic media such as radio, Email, Whatsapp, and at least one daily newspaper with high national circulation and/or party website.

In the event of an election occasioned by the death, resignation or disqualification of the sitting President, Governor, Member of Parliament or County Representative, the notice shall be made within (7) days after the announcement of election date by IEBC. This provision shall be applicable in nomination of candidates for elective positions and shall not apply in election of party office bearers.

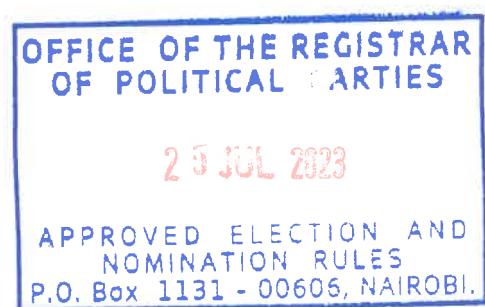
The Notice shall state;

- i. The date and venue of the exercise;
- ii. The persons eligible to participate in the exercise;
- iii. The party official who shall be responsible for the exercise;
- iv. The duration of the exercise;
- v. Where any aggrieved party may file any grievances regarding the exercise;
- vi. The party official who shall hear and determine any appeal in relation to the exercise;
- vii. The fees, if any, that should be paid;
- viii. The date by which eligible persons must perform any act in relation to the exercise; and
- ix. Any other relevant detail pertaining to the exercise.

Rule 4.3: Party Electoral Colleges

Party elections shall be conducted by Electoral Colleges as follows:

- i. National Electoral College
- ii. Regional Electoral College
- iii. County Electoral College
- iv. Branch Electoral College
- v. Sub Branch Electoral College

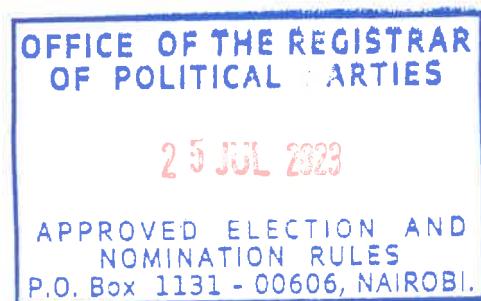




In the Polling Station, Party elections shall be by registered party members.

Rule 4.4: Election Criteria and Procedures

- I. Written applications and recommendations accompanied by duly filled forms shall be made to the Board within the specified time for consideration.
- II. Closed primaries (only duly registered members) shall be used in the election of County Representatives, and Members of Parliament.
- III. The Special National Delegates Conference or under extra-ordinary circumstances the Supreme Council, shall nominate the party leader.
- IV. The County Forum shall nominate candidate for the seat of County Governor.
- V. Elections shall be by secret ballot.
- VI. Scheduled forms shall be used for record keeping and election returns
- VII. The Board shall within Seven (7) days of receipt of the recommendations/applications display list of the applicants for public inspection.
- VIII. On the date appointed for election and nomination of party candidates, notice and venues whereof shall be published not less than three (3) weeks before hand.
- IX. Each member of the party shall have one vote for every candidate and shall use current membership card and National Identification Card to cast the secret ballot.
- X. The Returning Officers and the Presiding Officers shall ensure that candidates and Party members have subscribed to the Electoral Code of Conduct before an election.
- XI. Every candidate for election shall have the right to appoint two agents at the election and the counting of the votes.
- XII. The votes shall be counted at the polling station where they are cast in the presence of the candidate/agent. Provided that in the event of the candidate and/or the candidate's agent refusing or failing to be present at the counting at the time required, the Presiding Officer may take note of such absence/failure/refusal and proceed with the counting as if such candidate were present.
- XIII. The candidate with the highest number of votes cast in his/her favour shall be declared the winner of the election at that polling station and the Presiding Officer and all the candidates/ counting agents present will confirm the result by endorsing and signing the tally of votes cast.





XIV. The Returning Officer shall convey the endorsed and confirm the result vide FORM 4 of the Schedule to the chairperson of the Nominations and Election Board who shall tally and total all the returns in respect of each election and nomination.

XV. The chairperson of the Board assisted by the members of the Board, shall tally and total the votes on the returns made by the Presiding Officers and all the candidates present or their agents shall certify the totals to be correct and sign the same.

XVI. If any candidate and/or agent refuses/fails to certify the totals as correct the Board shall make note of such refusal and record the grounds for refusal and certify and sign the results.

XVII. The person with the highest number of votes tallied shall be the winner of the nomination and the Board shall declare such a person the party candidate for that particular election.

XVIII. If satisfied that the nomination has been conducted in accordance with these rules and the party constitution, the Board shall endorse and confirm the nomination of the candidate and such person(s) selected by the party and shall certify such nomination to the Independent Electoral and Boundaries Commission (IEBC) as provided for at Section 31(3) & (4) of the Elections Act, 2011.

XIX. The returning officer shall confirm unopposed candidates as duly nominated candidates and issue them with clearance certificate at the completion of nomination process.

XX. The Board shall issue a copy of the declaration and the certificate aforesaid to the National Executive Council as provided for in the constitution.

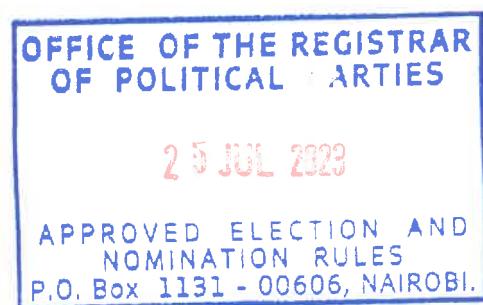
Rule 4.5: Party elections shall begin with :

- i. Civic and political education to sensitize members on significance of leadership and party elections and provisions of electoral code of conduct
- ii. Membership recruitment drive and updating of Membership registers
- iii. Establishment of the Nominations and Elections Board
- iv. Publication of the notice and program in the print and electronic media

Rule 4.6: Eligibility criteria for candidates:

No one shall participate in party elections as voter and candidate unless that person:

pg. 22



- i. Is a fully registered member
- ii. Is a registered citizen of Kenya with a National Identification Card
- iii. Has signed the Electoral Code of conduct
- iv. Meets the requirements of Article Ten and Chapter Six of the Constitution of Kenya

Rule 4.7: Qualifications

A candidate seeking to be elected an office bearer shall be required to be:

- i. A member of the PFRD party;
- ii. Committed to the ideals and core values of the Party;
- iii. A fully paid up member. In the case of those seeking for national office and Branch Chairpersons they shall be life members,
- iv. Demonstrate having participated in party activities; provided that the National Executive Committee shall at its discretion have the power to waive this requirement if it deems it fit in the interest of the Party,
- v. To be present during the meeting at which the election is carried out, provided that the National Executive Committee shall at its discretion waive this requirement where a person seeking election has indicated in writing under his or her hand that he or she is willing to serve in such office if elected.
- vi. Complete and return within the time stipulated by the NEB Party election the form prescribed in Schedule II to these rules and Party Code of Conduct.
- vii. Be a delegate by virtue of having been elected from the Grassroots.
- viii. Be an automatic delegate by virtue of having been elected as a Member of Parliament or Governors.
- ix. Be present during the meeting at which the election is conducted.

Rule 4.8: Conduct of Nomination and Elections of Office Bearers

- i. There shall be nomination forms 2A, 2B and 2C for county, parliamentary and presidential elections respectively, which shall be completed by a member seeking nomination for any vacant post within the party at the National and County level.



- ii. The National Elections Board upon receipt of the nomination form shall certify that the applicant does or does not qualify for nomination. The National Elections Board shall inform the applicant of its determination in writing and compile a list of successful applicants. The National Elections Board shall certify and present a copy of the list of successful applicants to the Delegates at which the elections are to be held.
- iii. Nominations and Elections for the National offices shall be conducted by the National Elections Board or by any person appointed by the National Elections Board.

Rule 4.9: Elections of National Office Bearers

The National officials shall be elected by the National Delegates Conference (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.

At a National Delegates Convention convened for the purposes of holding elections for National office bearers, the

I. Returning Officer eligibility

Only Returning Officer appointed by the National Elections Board and approved by the NGC and/or Supreme council shall conduct the exercise

II. Eligibility of Delegates

The NEB shall ensure that only the delegates whose names appear in the National Delegates Register, with valid membership cards and present at the Convention, virtually or physically, shall be eligible to vote for the National officials.

III. Quorum

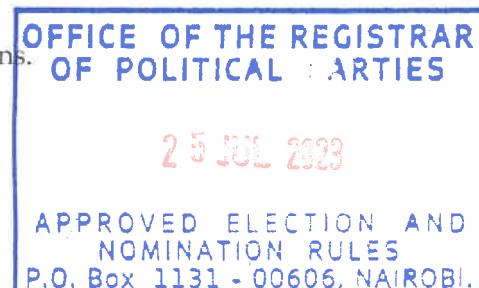
The NEB shall ensure that there is a quorum, as provided for in Article 7.0 of PFRD constitution, before the commencement of business of elections.

IV. Media

Accredit media representatives wishing to cover the elections.

V. Venue

pg. 24





Ensure that the venue for the elections is laid out in accordance with the method of elections to be used and that all materials required for elections are available.

Ensure that there is law and order at the venue to ensure atmosphere conducive for the holding of free and fair elections devoid of violence, bribery or other forms of inducements, undue influence or pressure.

VI. Candidates

Confirm that all the candidates presenting themselves for elections have been duly nominated by the National Elections Board and afford each candidate an opportunity to introduce him or herself to the delegates.

Post the list of candidates' vis-à-vis the positions they are vying for at the election venue and bring the same to the attention of the delegates.

VII. Mode of Voting

Elections at the National Delegates Convention shall be by secret ballot or any other method approved by the delegates in session.

VIII. Assumption of Office

Persons elected to national offices shall upon declaration of results of election assume office with immediate effect.

IX. Custody of Election Materials

The NEB shall immediately after the announcement of the results surrender all election documents and materials to the National Secretariat for safe custody for a period of 30 days.

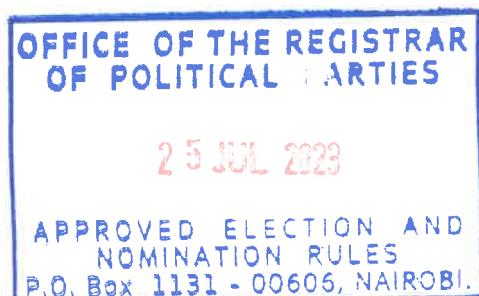
Rule 4.10: Qualification, documentation and Disqualification from Participating in Election of National Party Offices

I. Qualification for participating in election of national party offices

A person seeking election for national party offices shall fulfill the following requirements:

- i. Be a registered voter,
- ii. Has attained post-secondary school qualification recognized in Kenya,
- iii. Be a fully paid up members with Party life member (Exempt for SIGs),

pg. 25

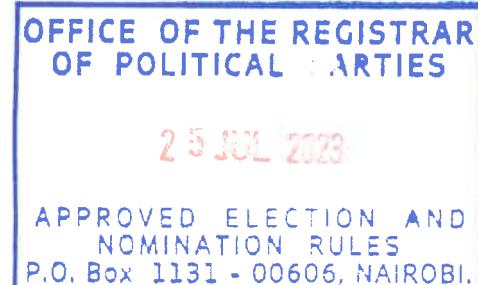


- iv. Is proficient in both English and Kiswahili languages,
- v. Have been an active member of the party six months prior to seeking election, provided that the National Governing Council/or Supreme Council may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit,
- vi. Meet the minimum requirements set out by the Independent Electoral and Boundaries Commission and the constitution of Kenya 2010 in regard to ethics and integrity.

II. Documentation and fees for election to National Party Offices

Candidates in respect of National Party Offices elections shall be required to provide the following:

- i. Duly completed National party offices Election form in duplicate.
- ii. Copy of national identity card or Passport,
- iii. A copy of Elector's card,
- iv. A copy of PFRD's Life Membership Certificate,
- v. Duly executed Code of Conduct Form.



III. Disqualification

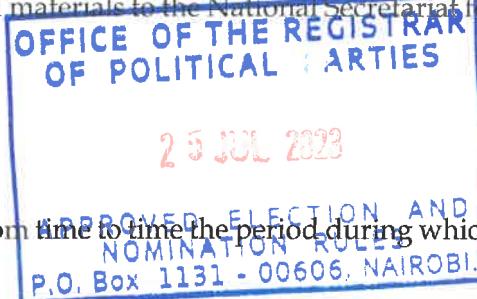
Any delegate may be disqualified by the National Elections Board from taking part in party election on ground of proven misconduct with regard to elections including:

- i. Engaging in bribery.
- ii. Making public utterances and machinations that may arouse racial, ethnic, religious or gender animosities amongst the party members.
- iii. Pledging or showing allegiance to another political party.
- iv. Promoting political violence and intimidation
- v. Disregarding party policy decisions including the election and nomination rules
- vi. Engaging in any conduct with respect to elections, which would invite disciplinary proceedings under the Constitution of the Party.

Rule 4.11: Voting Procedures During Elections For National Office Bearers

- i. Elections shall be by secret ballot or any other method acceptable to delegates present.

- ii. Elections shall be conducted by the Returning Officer with the assistance of other election officials, both duly appointed by the National Elections Board.
- iii. Persons elected to national offices shall assume office as soon as they are declared elected.
- iv. The National Elections Board shall immediately after the announcement of the results surrender all election documents and materials to the National Secretariat for safe custody for a period of 30 days .



Rule 4.12: Conduct of the Campaigns

The National Elections Board shall determine from time to time the period during which candidates shall be permitted to campaign.

No campaign shall be permitted on polling day or outside the stipulated time.

Rule 4.13: Disputes and Appeal

- I. The National Executive Council and the Board shall, upon the establishment of the Nominations and Elections Board, establish an Election Dispute Resolution Committee (hereinafter referred to as the "EDRC") which shall finally determine all and any matters and disputes between party members and/or party members pertaining to party elections and nominations.
- II. The Panel shall be an ad hoc body to deal with disputes arising out of the election and nomination process in a particular election and shall stand dissolved upon conclusion of the nomination process.
- III. Any candidate dissatisfied with the outcome of party elections at the branch level shall have the right of appeal to the Appeals Panel within 3 days of the announcement of the results.
- IV. The appeal shall be in writing and duly signed by the appellant and accompanied by a non-refundable fee of Ksh. 20,000 (Kes 10, 000 for SIGs) which amount shall be payable to the Successive Party on appeal.
- V. The requisite panel shall hear and determine the appeal within 7 days of receipt of the appeal.
- VI. The decision of the Panel shall be final.



Rule 5.3: Constituency Election Panel

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

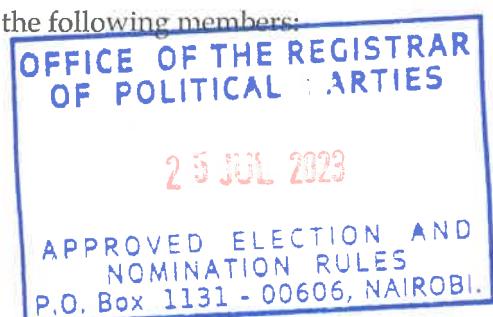
The Constituency Election Panel shall be composed of five (5) members of the Party ordinarily resident in the constituency who shall be distinguished persons of good moral standing in society and of high integrity and they shall not be seeking any elective post or nomination.

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

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

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

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



Rule 5.4: Returning Officers

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

I. Duties of Returning Officers

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

- i. Carrying out briefings or trainings for election officers on the proper conduct of the Party elections in accordance with the Party's Constitution and Elections and Nomination Rules,
- ii. Ensuring that requisite logistics are in place at the elections venue for a free and fair elections, including-
 - Availing sufficient and relevant voting materials and equipment, and
 - Ensuring that there exists adequate security during elections,
- iii. Supervising other election officers to ensure level play field,



Rule 5.0: PFRD Election Officers

Rule 5.1: Qualification of Election Officials

No person shall be appointed as an Election Official unless he/she is

- a) A current member of the party.
- b) of good standing and integrity
- c) Ordinarily resident in the constituency.
- d) Not an elected official of the Branch Executive Committee
- e) Undertakes to abide by the rules and regulations set by the National Elections Board.



Rule 5.2: Recruitment, training and remuneration of election officers

- I. The NEB will recruit, train and deploy elections officers to all levels and regions in the country
- II. Recruitment of the staff should take into account special groups and officers conversant with each electoral area.
- III. The officers will be recruited among the registered members of the party and following the best HR guidelines of the party.
- IV. Training will be conducted using the guidelines developed by NEB and by approved training of trainers (ToT) to ensure uniformity and completeness of the training.
- V. The election officers are largely temporary staff of the party and NEB will develop the payment scale for different cadres of election officers consultation with NEC based on the best practices, Kenyan laws and other consideration from region to region.
- VI. The following elections officials will be recruited and deployed to conduct PFRD elections and nomination:
 - i. Constituency Election Panel,
 - ii. Returning Officers,
 - iii. Presiding Officers,
 - iv. Polling Clerks,
 - v. Security Personnel.



- iv. Announcing election results promptly and accurately,
- v. Compiling and submitting results of the elections to the NEB, and
- vi. Undertaking any other responsibility or duty that might lawfully be assigned to them by the NEB.

II. Role of County Returning Officer

County Returning Officer shall:

- a. Be in charge of County elections and nominations, and
- b. Receive and tally elections results in respect of Governor, Member of Senate and County Women Representative.
- c. Maintain and preserve all election materials and returns and deliver the same to the NEB at the conclusion of the nominations, Party elections or primaries where applicable.

III. Role of Constituency Returning Officer

Constituency Returning Officer shall:

- a. Be in charge of elections and nominations within the Constituency,
- b. Supervise polling and tallying of votes within the Constituency, and
- c. Announce result of elections after tallying within the Constituency.

Rule 5.5: 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.

I. Role of Presiding Officers

Presiding Officers shall:

- i. Under general direction of respective Returning Officers be in charge of election and nomination exercise within Polling Stations,
- ii. Where applicable, supervise polling and tallying of votes within Polling Stations,
- iii. Co-ordinate and direct Polling and Counting Clerks within Polling Station;
- iv. Submit election results to the respective Returning Officer.





- v. Ensure that there is ample security and an environment conducive for voting during elections within and the immediate surroundings of Polling Stations,
- vi. Ensure that voting process is free and fair; free from all forms of violence, intimidation, bribery, discrimination, manipulation or coercion,
- vii. Protect the rights of all voters including Special Interest groups and the illiterate, and
- viii. Carry all tasks and duties as may be lawfully assigned to them by respective Returning Officers and the NEB.

Rule 5.6: Polling and Counting Clerks

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

Rule 5.7: Security

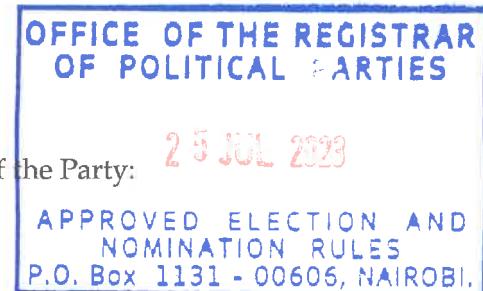
The Board shall designate a security firm to provide security at all venues of the all elections, including Special Delegates Conventions conducted, in addition to requisitioning a number of police officers to help maintain Law and Order at the venues/stations.

The security personnel will be responsible for securing the election officials, election materials and any other duties assigned to them by the NEB officers at all levels

Rule 6.0: Party Elections at the Branch Level

Rule 6.1: Branch Organization

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



I. Mainstream

- i. Regional Conference Committee-RCCs,
- ii. County Coordinating Committees-CCC,
- iii. Branch Executive Committees-BEC,
- iv. Sub-Branch Executive Committees-SBEC,



v. Polling Station Steering Committees-PSSC,

II. PFRD Women League

- i. PFRD Women League Branch Executive Committees,
- ii. PFRD Women League Sub-Branch Executive Committees,
- iii. PFRD Women League Polling Station Steering Committees,

III. PFRD Youth League

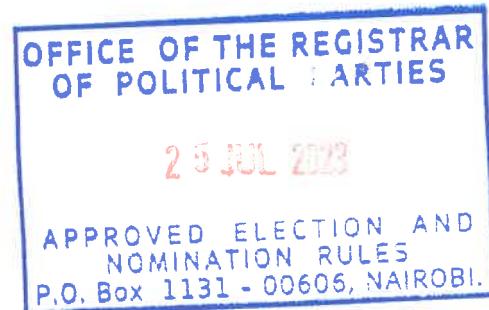
- i. PFRD Youth League Branch Executive Committees,
- ii. PFRD Youth League Sub-Branch Executive Committees,
- iii. PFRD Youth League Polling Station Steering Committees

Rule 6.2: Composition and Election of Polling Station Steering Committee

I. Composition

Each Polling Station 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. Polling Station Secretary for Women Affairs who shall be the person elected as the Women Patriots' Polling Station Leader,
- x. Polling Station Secretary for Youth affairs who shall be the person elected as the Youth League' Polling Station Leader,
- xi. Polling Station Persons with Disability Representative
- xii. Polling Station Special Interest Groups Representative





xiii. Eight Committee Members-Provided that one-third of those officials shall be of either gender.

II. Polling Station Elections

On the date designated for the Polling Station Steering Committee elections, all members shall assemble at the Polling Stations and vote by secret ballot or any other method approved by the delegates in session.

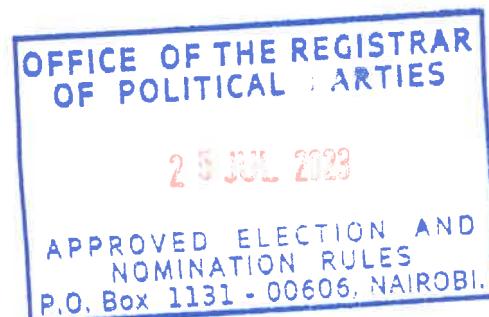
The Presiding Officer shall tally and announce the result thereof and thereafter submit to the Constituency Returning Officer.

Rule 6. 3: Composition and Election of Sub Branch Executive Committees

I. Composition

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 Women League Sub Branch Leader,
- x. Secretary for Youth affairs who shall be the person elected as the Youth League Sub Branch Leader, Persons with Disability Representative
- xi. Special Interest Groups Representative
- xii. Eight (8) Committee Members
- xiii. Provided that one-third of those officials shall be of either gender.



II. Sub Branch Elections



Delegates elected at the Polling Station Steering Committees shall form the Ward Electoral College for the purpose of electing the Ward Management Committee.

On the date designated for the Sub Branch Steering Committee elections delegates shall assemble at Polling Stations within the Ward as shall be designated and published by the NEB at least fourteen days before the elections and thereat vote by secret ballot.

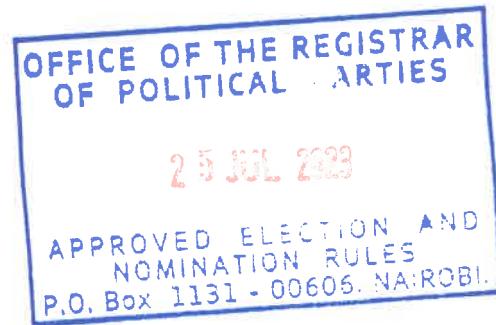
The Presiding Officer shall tally and announce the results thereof and submit to the Constituency Returning Officer.

Rule 6.4: Composition and Elections of Branch Executive Committee

I. Composition

The Branch Executive 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,
- x. Secretary for Youth Affairs,
- xi. Persons with Disability Representative
- xii. Special Interest Groups Representative
- xiii. Eight (8) Committee Members



provided that one third of members of Branch Executive Committee shall be of either gender.

II. Election of Branch Executive Committee



The members of each Sub Branch Executive Committee shall form the Branch Electoral College and, on a date, set for elections shall elect the Branch Executive Committee by secret ballot or any other method approved by the delegates in session.

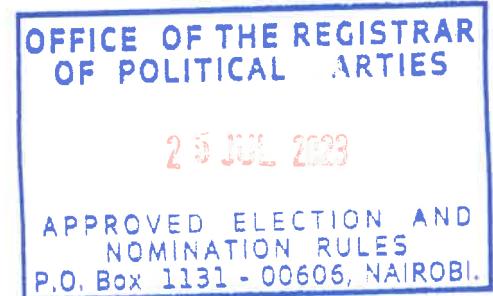
The County Returning Officer shall tally and announce the results and submit to the NEB.

Rule 6.5: County Coordinating Committee

I. Composition

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 Organizing Secretary
- v. The County Coordinating Treasurer
- vi. The County PFRD Women League Representative
- vii. The County PFRD Youth League Representative
- viii. The County Special Interest Representative



II. Election of County Coordinating Committee

The members of each Branch Delegates Conference shall form the County Electoral

College and on a date set for elections shall elect the County Coordinating Committee by secret ballot.

The County Returning Officer shall tally and announce the results and submit to the NEB

Rule 6.6: Composition and Election of Regional Conference Committee

I. Composition

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

- i. The Regional Coordinating Chairman
- 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 PFRD Women League Representative
- vii. The Regional PFRD Youth League Representative
- viii. The Regional Special Interest Representative

II. Election of Regional Conference Committee

The members of each County Delegates Conference shall form the Regional Electoral College and on a date set for elections shall elect the Regional Conference Committee by secret ballot.

A County Returning Officer, selected by NEB, shall tally and announce the results and submit to the NEB

Rule 6.7: Organization and Election of PFRD Women League

I. Organization

There shall be established a PFRD Women League.

The organization of the League shall begin at Polling Station level ascending to the Sub Branch, Branch and National levels. The League shall be organized by the PFRD Women League Chairperson at each level of the League.

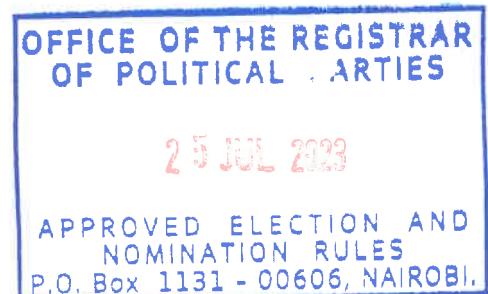
All PFRD Women League Members of the Party at Polling Station shall assemble at the Polling Stations and vote by secret ballot or any other method accepted by the delegates in session to elect a Management Committee.

II. Composition and Elections of the PFRD Women League Officials

The Elections shall be conducted by electoral colleges at the Sub Branch, Branch and National levels, except in the Polling Station, where league elections which shall be conducted by universal suffrage.

All PFRD Women Members of the Party at Polling Station shall assemble and shall elect a Management Committee comprising:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,

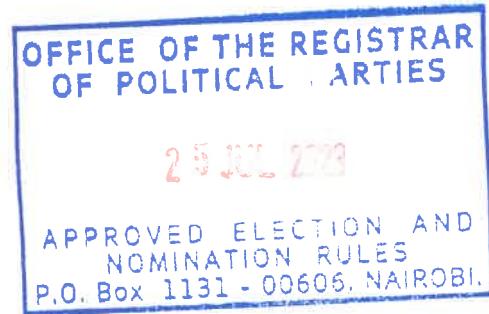




- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary,
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members

Delegates of the Polling Station shall form the ---- Women Sub Branch Electoral College and shall elect the ---- Women Sub Branch Steering Committee comprising:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary,
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members



Delegates of the Sub Branch shall form the PFRD Women Branch Electoral College and shall elect the PFRD Women Branch Executive Committee comprising:

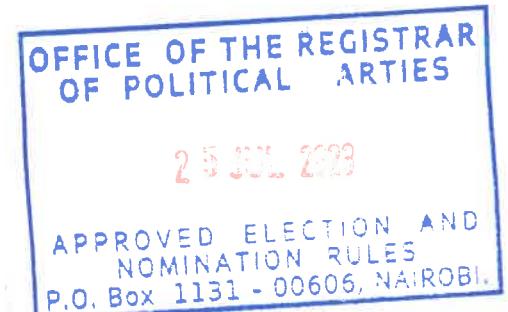
- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,

- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Member

III. Election of PFRD Women League National Officials

The members of each PFRD Women League Branch Executive Committee comprising of the following officials shall form the National PFRD Women League Electoral College:

- i. Chairperson
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members



The PFRD Women League National Electoral College, on a date set for elections, shall vote by secret ballot and elect the PFRD Women League National Officials comprising of the following National Officials:

- i. Chairperson
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members



The League shall carry out the following functions at all levels of organization:

- i. To handle all issues peculiar to women,
- ii. Strengthen and empower women in the mainstream Party management, and
- iii. To deal with and address all matters that will enhance the cause of women.

Rule 6.8: Organization and Election of PFRD Youth League

I. Organization

There shall be established a PFRD Youth League.

The organization of the League shall begin at the Polling Station level ascending to Sub Branch, Branch and National Levels. The League shall be organized by the PFRD Youth League Secretary at each level.

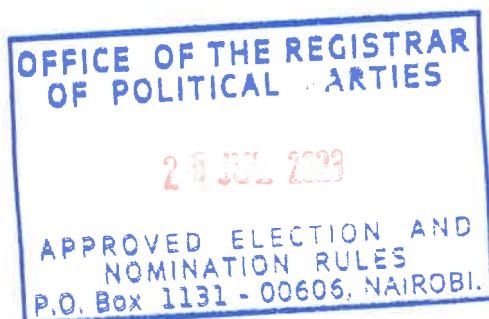
All PFRD Youth League Members of the Party at Polling Station shall assemble at the Polling Stations and vote by secret ballot or any other method accepted by the delegates in session to elect a Management Committee.

II. Composition and Elections of The PFRD Youth League Officials

The Elections shall be conducted by electoral colleges at the Sub Branch, Branch and National levels, except in the Polling Station where league elections shall be conducted by universal suffrage.

All PFRD Youth League Members of the Party at Polling Station shall assemble and shall elect a Management Committee comprising:

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



- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members

Delegates at the Polling Station shall form the PFRD Youth League Sub Branch Electoral College to elect the PFRD Youth League Sub Branch Committee composed of:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Member

Sub Branch delegates shall form the PFRD Youth League Branch Electoral College to elect the PFRD Youth League Branch Executive Committee composing of:

- i. Chairperson,
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Member

III. Election of PFRD Youth League National Officials

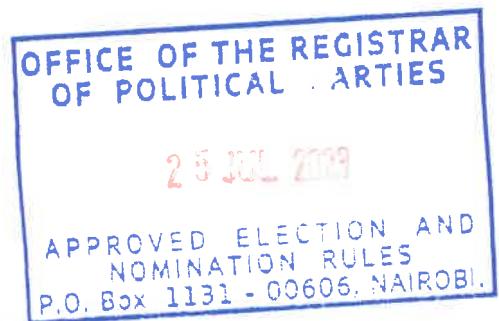
The members of each PFRD Youth League Branch Executive Committee comprising of the following officials shall form the National PFRD Youth League Electoral College:



- i. Chairperson
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members

The PFRD Youth League National Electoral College, on a date set for elections, shall vote by secret ballot and elect the PFRD Youth League National Officials comprising of the following National Officials:

- i. Chairperson
- ii. Deputy Chairperson,
- iii. Secretary,
- iv. Deputy Secretary,
- v. Treasurer,
- vi. Deputy Treasurer,
- vii. Organizing Secretary,
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Ten (10) Committee Members



The League shall carry out the following functions at all levels of organization:

- i. To handle all issues peculiar to the youth,
- ii. Strengthen and empower youths in the mainstream Party management, and
- iii. To deal with and address all matters that will enhance the cause of the Youth



PART III : RULES ON THE NOMINATION OF PARTY CANDIDATES

Rules 7.0: Nomination of Party Candidates

Rule 7.1: Categories of Elections Covered

These rules govern nomination of Party candidates in respect to nomination of President, Member of the Senate, Governors, Members of the National Assembly, County Woman Representative and Members of the County Assembly and.

Rule 7.2: Announcement of Vacant Positions (Procedure for Issuing Notice for Vacant Positions)

Upon a resolution by the National Executive Committee, the National Elections Board shall advertise and receive applications for President, Members of the Senate, Governors, Members of the National Assembly, Members of the County Assembly, and County Woman Representative. The advertisement shall contain such details as the Board shall deem necessary and within 21 days of confirmation by NEC.

All interested persons shall submit their duly filled nomination forms to the PFRD Branch Office in respect of County candidates, and for the Presidential and Parliamentary to the Party's National Secretariat for onward transmission to the National Elections Board in respect of Parliamentary Candidates, attaching all required documents.

The National Elections Board shall present to the PFRD National Executive Committee the names of the Presidential, Parliamentary, Gubernatorial and County Assembly candidates who have applied



Rule 7.3: Identification, Vetting of Candidates and procedure for encouraging SIGs

I. Identification and Vetting of candidates

The NEB shall establish candidates vetting committees, subject to approval of the NEC and which shall be constituted at least six (6) months to the nominations and which shall be responsible for vetting of candidates in accordance with the Constitution of the Republic of Kenya, The Political Parties Act, 2011, The Elections Act, 2011, The County Government Act, 2012, the Party Constitution and Party Election and Nomination Rules.

Notices for Identification and vetting shall be given 7 days prior to the entire process kicking off.

The identification and vetting of candidates will be conducted for a period not exceeding 30 days. The Identification process will take a maximum of 14 days of the 30 days where candidates' documentations shall be received and reviewed. Vetting process will take the remaining 16 days as each and every candidate will be given a chance to present his papers and/or documentations.

In vetting a candidate the NEB shall take into account the following:

- i. The contribution of the candidate to the Party activities and ideology.
- ii. Demonstrated loyalty to the party, its leadership and organs.
- iii. Ability to represent the area for which the candidates seeks nomination.
- iv. Ability to articulate and propagate Party policies and ideology.
- v. The Candidate shall conform to Chapter 6 of the Constitution of Kenya, 2010

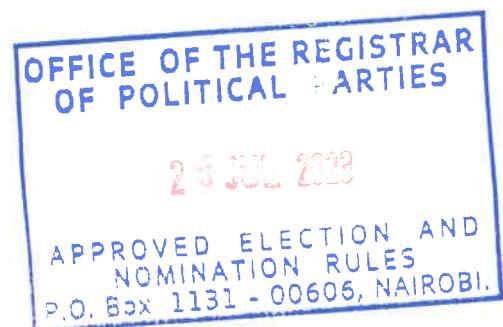
The Vetting of candidates for National officials and Presidential party nominee shall be conducted at a venue and time determined in accordance with the Party's electoral calendar.

The National Elections Board shall publish a list of all qualified applicants within 48hours of the end of the vetting process.

The National Elections Board shall compile and submit a list of all qualified applicants to the National Secretariat for onward transmission to the National Executive Committee within 48hrs of the end of the vetting process.

Copies of the lists of the names shall be sent to all offices of the Returning Officers and shall be open for inspection by all interested parties in the Party nominations, for a period of not less than three days.

pg. 43





Any person who considers that his/her name has been wrongly or unfairly omitted from that list, shall have the right to appeal to the Appeals Board within a period of 3 days after the expiry of the inspection period, provided that this deadline may be extended in exceptional circumstances, which shall be specifically documented (particularly for SIGs).

On the day and at the time specified by the National Elections Board for vetting, all candidates/ proxies shall present themselves before their respective Returning Officers, with the following documents:-

- A National Identity Card
- Party Membership Card
- Voters Card
- Nomination fees receipt
- current passport- size colour photographs with their full names printed and signed
- at the back.

Any candidate who fails to present herself/ himself or his/ her proxy on the day, time and place specified in accordance with the rules shall be disqualified from nomination.

Where there is only one successful applicant or the applicant is unopposed such applicant shall be declared the party's candidate. If there is more than one candidate, the National Elections Board will prepare and announce the list of all approved nominees and organize party nominations as appropriate.

The party through the National Executive Committee may decide to give direct nomination to a candidate.

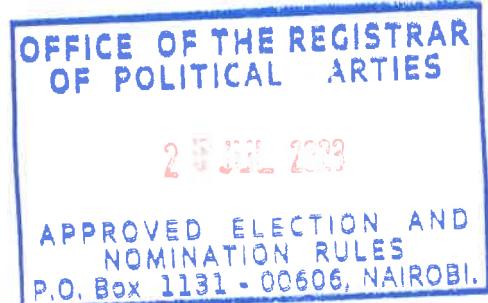
The party through the National Executive Committee may decide to conduct nominations through the national delegates for nomination.

The National Executive Committee may decide that the Party primaries be conducted by registered paid up members.

II. Procedure for Encouraging SIGs

To encourage the special interest groups participate the following measure will be adopted during the nominations:

pg. 44





- i. All SIGs will have subsided Elections and nomination fees
- ii. Training of SIGs groups through established party structures- Youth league and women league
- iii. Provide support during registration for PWD, Youths and Women
- iv. Proposing direct nominations for special interest groups to participate
- v. Extending the nominations period on a case by case for SIGs (as outlines in Rule 7.3 above)

Rule 7.4: Qualifications and Application for Nomination

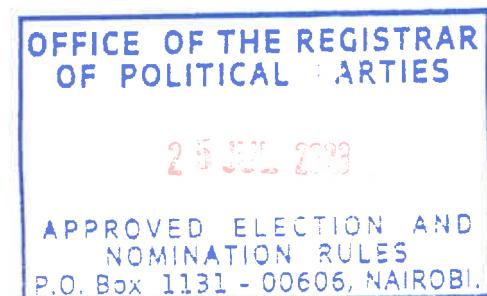
- I. An aspiring candidate shall submit to the National Election Board, a duly filled application in the Form set out in Schedule III herein together with –
 - i. A signed commitment to the political party's constitution, policies and principles;
 - ii. A self-declaration form as prescribed under the leadership and integrity act, 2012;
 - iii. Copies of the person's national identity card or valid passport;
 - iv. Copies of the candidate's academic qualifications from the relevant institutions;
 - v. Evidence of registration as a member of the party; and
 - vi. A receipt or other evidence of payment of nomination fees.
- II. Where an aspiring candidate intends to be nominated on the ground that the candidate is a person with disability, the candidate shall, in addition to the requirements specified under Rule 7.4 (I) above, submit an application in the Form set out in Schedule IV herein which shall be certified by the National Council for Persons with Disabilities.
- III. A person who wishes to be nominated to represent the youth shall be a person who has attained the age of eighteen years but has not attained the age of thirty-five years and such person shall provide documentary proof of his or her age.

Rule 7.5: Nominations for Member of the County Assembly.

I. Requirements for Nomination of MCA

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

- i. Be 18 years of age and above
- ii. Be a Kenyan with a national Identity Card;

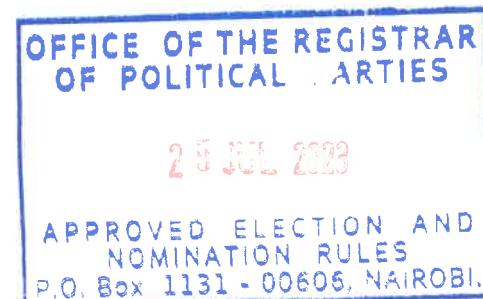


- iii. Be registered as a voter in the Ward or County for which he/she seeks election,
- iv. Be a life member of the Party,
- v. Satisfy any educational, moral and ethical requirements prescribed by the Constitution of Kenya and the Elections Act, 2011. This including possession of post-secondary school qualification recognized in Kenya,
- vi. Demonstrate active participation in Party programs six months prior to seeking nomination, provided National Executive Committee may for good cause, which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit,
- vii. Meet the minimum requirements for County Assembly Candidates as may be set out by the National Elections Board of the party and Independent Electoral and Boundaries Commission (IEBC).

II. Documentation and for nomination of MCA

An applicant for nomination for MCA shall furnish the following documents:

- i. Duly completed Nomination Form at Schedule III herein in duplicate
- ii. Copy of national identity card or Passport,
- iii. Evidence of active participation in Party activities six months prior to the application,
- iv. Non-refundable fee of 50,000/= paid to PFRD by a Bankers Cheque or deposited in the Party account and Ksh. 15,000/- for Special Interest groups,
- v. A copy of post-secondary school qualification recognized in Kenya,
- vi. A copy of Elector's card,
- vii. A copy of PFRD Membership Card,
- viii. Duly executed Code of Conduct Form.
- ix. Meet all other requirements under the Elections Act and Regulations made by the Commission.
- x. Twenty- (20) signatures of PFRD members who are registered voters from each of the polling stations
- xi. A Curriculum Vitae illustrating amongst other qualifications, minimum educational qualifications outlined in (v) above.





- xii. Duly completed, signed and witnessed Code of Conduct Form;
- xiii. Duly completed, signed and witnessed Pledge of Commitment Form;
- xiv. Certificate of good conduct from the Kenya Police and Independent Ethics and anti-corruption commission.
- xv. Clearance from Ethics and anti-corruption commission.
- xvi. Clearance from Higher Education Loans Board.

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

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

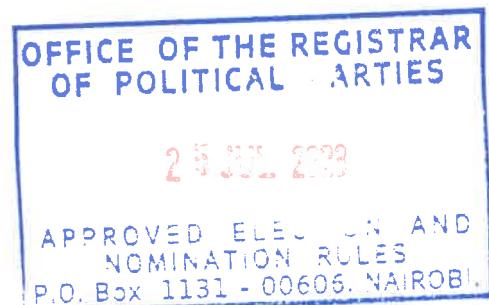
- i. Is a State Officer or other Public Officer other than a Member of County Assembly,
- ii. Has at any time within the five years immediately before the date of election held office as a member of the Independent Electoral Boundaries Commission or any Election Commission,
- iii. Is of unsound mind,
- iv. Is an undischarged bankrupt,
- v. Is serving a sentence of imprisonment of at least six months, or
- vi. Has been found, in accordance with any law, to have misused or abused a State Office or Public Office or to have contravened any provision of Chapter Six of the Constitution of Kenya

Rule 7.6: Nominations for the Governor

I. Requirement for nomination for election as Governor

A person seeking nomination for elections as Governor shall fulfill the following requirements:

- i. Be registered as a voter in the County for which he/she seeks election,
- ii. Be a life member of the Party,
- iii. Be in possession of a degree certificate obtained from a university recognized in Kenya,





- iv. Demonstrate active participation in Party programs six months prior to seeking nomination, provided that the National Executive Committee may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit,
- v. Meet the minimum requirements for County Assembly Candidates as may be set out by the Independent Electoral and Boundaries Commission.

II. Documentation and fees for nomination for election as Governor

An applicant for nomination shall furnish the following documents:

- i. Duly completed Nomination Form at Schedule III herein. The nomination Form should be in the prescribed form to be presented to the National Elections Board, duly completed in triplicate and signed by a proposer and seconder both of whom must be members of PFRD and registered voters in the electoral area
- ii. Copy of national identity card or Passport,
- iii. A copy of Elector's card,
- iv. A copy of PFRD's Life Membership Certificate
- v. Non- refundable fee of 500,000/= paid to PFRD by a Bankers Cheque or deposited in the Party's account (Kes 300,000 for SIGs)
- vi. A copy of the degree certificate obtained from a university recognized in Kenya,
- vii. Duly executed Code of Conduct Form.
- viii. Meet all other requirements under the Elections Act and Regulations made by the Commission.
- ix. Twenty- (50) signatures of PFRD members who are registered voters from the ward
- x. A Curriculum Vitae illustrating amongst other qualifications, minimum educational qualifications outlined in (vi) above.
- xi. A copy of his or her PFRD Membership Card.
- xii. Duly completed, signed and witnessed Code of Conduct Form;
- xiii. Duly completed, signed and witnessed Pledge of Commitment Form;

III. Disqualification from nomination as a candidate for election as a Governor



A person is disqualified from being nominated as a candidate for election as a Governor if the person:-

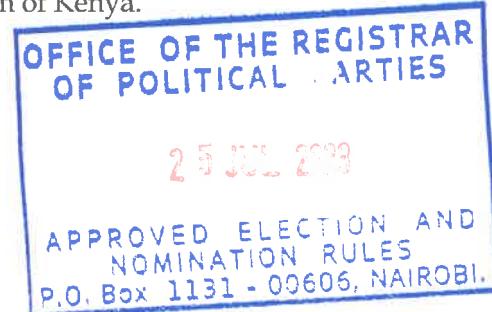
- i. Is a State Officer or other Public Officer other than a Member of County Assembly,
- ii. Has at any time within the five years immediately before the date of election held office as a member of the Independent Electoral Boundaries Commission or any Election Commission,
- iii. Is of unsound mind,
- iv. Is an undischarged bankrupt,
- v. Is serving a sentence of imprisonment of at least six months, or
- vi. Has been found, in accordance with any law, to have misused or abused a State Office or Public Office or to have contravened any provision of Chapter Six of the Constitution of Kenya

Rule 7.7: Nominations for a Member of Parliament

I. Requirement for Nomination of a Member of Parliament

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

- i. Be a Kenyan citizen with a national identity card passport;
- ii. Be at least 18 years of age.
- iii. Be a registered voter in the Constituency he/she seeks election,
- iv. Satisfies any educational, moral and ethical requirements prescribed by the Constitution of Kenya and the Elections Act, 2011. I.e Has attained post-secondary school qualification recognized in Kenya,
- v. Be a Party life member,
- vi. Is proficient in both English and Kiswahili languages,
- vii. Demonstrate active participation in Party programs six months prior to seeking nomination, provided that the National Executive Committee may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit,
- viii. Meet the minimum requirements for Parliamentary Candidates as may be set out by the Independent Electoral and Boundaries Commission of Kenya.





ix. That he is not a person disqualified under Section 24 (2) of the Elections Act, 2011

II. Documentation and fees for Nomination for a Member of Parliament

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

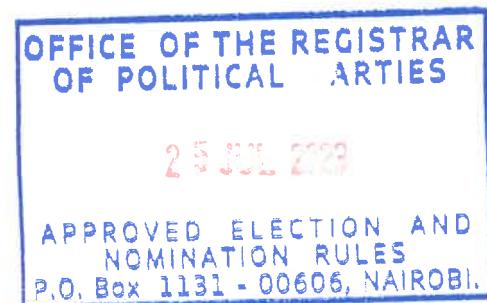
following:

- i. Duly completed nomination form, at Schedule III herein, in the prescribed form presented to the Board, in triplicate and signed by proposer and seconder from PFRD members who are registered voters from his/ her Constituency;
- ii. Copy of national identity card or Passport,
- iii. A copy of Elector's card,
- iv. A copy of a PFRD Life Membership Certificate
- v. Non- Refundable nomination fee paid to PFRD by Bankers Cheque or deposited in the Party's Account of:
- vi. Member of the Senate: Kshs.250,000/= (special groups KES 100,000)
- vii. Members of the National Assembly: Kshs. 100,000/= (special group KES 75,000)
- viii. Meet all other requirements under the Elections Act and Regulations made by the Commission.
- ix. Fifty (50) signatures of PFRD members who are registered voters within each ward in the Constituency;
- x. Evidence of active PFRD membership prior to the application or National Executive Committee exemption certificate and a copy of PFRD Life Membership Certificate;
- xi. A detailed Curriculum Vitae indicating amongst other qualifications:-
 - Educational qualifications
 - Work Experience
 - Relevant interests and competencies
- xii. Duly completed, signed and witnessed Code of Conduct Form
- xiii. Duly completed, signed and witnessed Pledge of Commitment Form;

III. Disqualification from nomination as a candidate for election as a Member of Parliament

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

pg. 50



- i. Is a State Officer or other Public Officer other than a Member of Parliament,
- ii. Has, at any time within the five years immediately preceding the date of the election, held office as a member of the Independent Electoral Boundaries Commission,
- iii. Is of unsound mind,
- iv. Is an undischarged bankrupt,
- v. Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate,
- vi. Has not been a citizen of Kenya for at least the ten years immediately preceding the date of the election, or
- vii. Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- viii. Is found to have planned, sponsored or participated in any violent activity intended to disrupt elections.

Rule 7.8: Nominations for County Woman Representative

I. Requirement for Nomination of County Woman Representative

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

- vii. Be a registered voter in the County for which she seeks election,
- viii. Has attained post-secondary school qualification recognized in Kenya,
- ix. Be a Party life member,
- x. Is proficient in both English and Kiswahili languages,
- xi. Have been an active member of the party six months prior to seeking nomination, provided that the National Executive Committee may for good cause which shall be specifically documented, exempt an applicant from this requirement, subject to any conditions it may deem fit,
- xii. Meet the minimum requirements for Parliamentary Candidates as may be set out by the Independent Electoral and Boundaries Commission of Kenya.

II. Documentation and fees for nomination of county woman representative

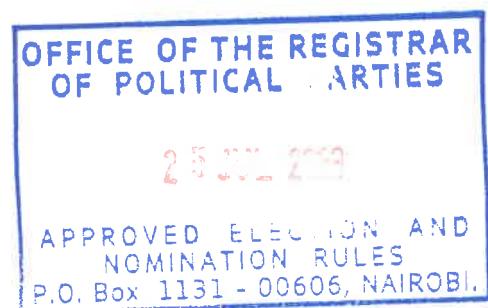
Candidates in respect of County Woman Representative nominations shall be required to provide the following:

- vi. Duly completed Nomination Form at Schedule III herein in duplicate.
- vii. Copy of national identity card or Passport,
- viii. A copy of Elector's card,
- ix. A copy of PFRD's Life Membership Certificate,
- x. Non-refundable fee of 100,000/= paid by a Bankers Cheque or deposited in the Party's account (Kes 75,000 for special groups)
- xi. Duly executed Code of Conduct Form.
- xii. Meet all other requirements under the Elections Act and Regulations made by the Commission.

III. Disqualification from nomination as a candidate for election as County Woman Representative

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

- i. Is a State Officer or other Public Officer other than a Member of Parliament,
- ii. Has, at any time within the five years immediately preceding the date of the election, held office as a member of the Independent Electoral Boundaries Commission,
- iii. Is of unsound mind,
- iv. Is an undischarged bankrupt,
- v. Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate,
- vi. Has not been a citizen of Kenya for at least the ten years immediately preceding the date of the election, or
- vii. Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- viii. Is found to have planned, sponsored or participated in any violent activity intended to disrupt elections.





Rule 7.9: Nomination of a Presidential Candidate

There shall be an election to nominate the Party's Presidential candidate even though the National Delegates Conference may by resolution for the reasons and circumstances provided for by these rules adopt a non-competitive nomination method or direct nomination of the Presidential candidate as provided in the Constitution of the Party.

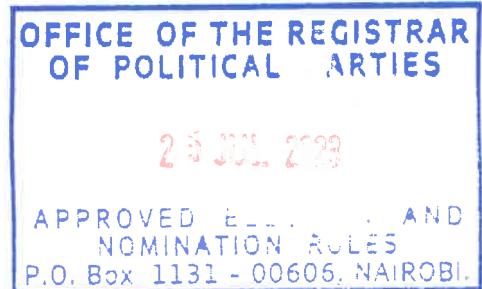
I. Requirements and procedure for Nomination of a Presidential Candidate

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

- i. Is qualified to be elected as a President under the Constitution of Kenya and the Elections Act, 2011
- ii. Be a Kenyan citizen with a National Identity Card or passport,
- iii. Be 35 years of age and above,
- iv. Be a registered voter,
- v. Be a life member of the Party,
- vi. Is a holder of a degree from a university recognized in Kenya.
- vii. Be of high moral standing and integrity,
- viii. Meet the minimum requirements for Presidential Candidates as set out by the Independent Electoral and Boundaries Commission of Kenya, or
- ix. Is qualified to stand for election as a Member of Parliament.
- x. Is nominated by not fewer than two thousand voters from 24 counties

The members of the National Delegates Convention for the nomination of a presidential candidate are as provided in Article 7.1 of the PFRD constitution and shall comprise of;

- All members of the National Executive Committee
- All members of the Party Parliamentary Group
- All Members of the Council of Governors & the Deputy Governors
- All Chairpersons of the Branch Executive Committees
- All Members of the County Coordinating Committees
- Minority OR Majority leaders in each County Assembly
- All National Officials of the PFRD Youth League





- All National Officials of the PFRD Women League
- Two persons of disability drawn from each county.
- One marginalized person drawn from each county
- One person nominated by BEC where the Member of National Assembly is an elected member of the Party.
- One LADY nominated by the BEC, where the County Women Representative is an elected member of the party.
- One person nominated by the BEC, where the Senator is an elected member of the Party.
- One person nominated by the BEC, where the Governor is an elected member of the party.
- Members of the Party's Standing Committees specially nominated by the NEC to attend the Conference as delegates.
- At least one member from each registered Overseas Branch specially nominated by the NEC to attend the Conference as delegates.
- Top up Delegates from branches to be determined by NEC, through the formula set out in schedule iii herein.
- The maximum number of Delegates present at any NDC shall not exceed 3000 Delegates.

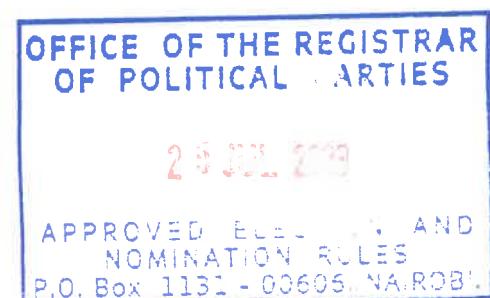
These members shall convert into a National Electoral College for the purpose of nominating the Presidential Candidate

The date of the National Delegates Convention shall be announced by the National Executive Committee.

Voting shall be by secret ballot and the winner shall be determined by a simple majority.

On the date determined for polling, eligible voters shall be identified by availing the following documents:

- i. PFRD membership card,
- ii. National Identity card or Passport, and
- iii. Voters' card.





iv. National Electoral College Voters Register.

The NEB shall use the Voters Register as complied from the list of delegates to the National Delegates Convention

Each Presidential Candidate shall be entitled to appoint Agents as shall be determined by the NEB

The Returning Officer shall tally and announce the results and submit to the NEB

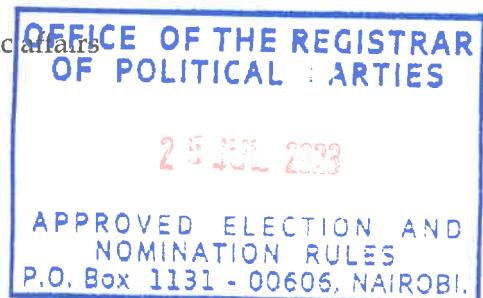
The NEB shall present the results of the Presidential nominations to the National Delegates Convention.

In the event that only one candidate presents him/herself for nomination, the NEB shall present the said candidate to the National Delegates Convention for endorsement.

II. Documentation and Fees for Nomination of a Presidential Candidate

Candidates in respect of Presidential nomination shall be required to provide the following:-

- i. Duly completed Nomination Form at Schedule III herein. A Nomination form should be in the prescribed form presented to the Board duly completed in triplicate and signed by a Proposer and Seconder from the PFRD Party Members who are registered voters.
- ii. Copy of national identity card or Passport,
- iii. A copy of Elector's card,
- iv. A copy of PFRD's Life Membership Certificate
- v. Non-refundable fee of 1,000,000/= paid to PFRD by a Bankers Cheque or deposited in the Party's account (KES 500,000 for special groups)
- vi. A copy of the degree certificate obtained from a university recognized in Kenya,
- vii. Meet all other requirements under the Elections Act and Regulations made by the Commission.
- viii. Is nominated by not fewer than 1000 party members and voters from each of a majority of the Counties.
- ix. A detailed Curriculum Vitae indicating amongst other qualifications:-
 - Education qualifications
 - Proven leadership abilities
 - Experience in management of public affairs



- x. Duly completed, signed and witnessed Code of Conduct Form;
- xi. Duly completed, signed and witnessed Pledge of Commitment Form;

The candidates seeking nominations as the Party's Presidential Candidates shall apply to the National Elections Board through the Secretary General and the validity of their nomination shall be signified by a Certificate issued to this effect.

Provided that any Candidate who has previously complied with these requirements on a previous occasion in respect of any Party to which the members of the PFRD belonged and who has become a member of the PFRD shall be deemed to have complied with these provisions.

There shall be a special National Delegates Convention whose membership shall be as follows:-

- The National Office bearers of the Party.
- Twenty Delegates each from each of the twenty Constituencies. For the avoidance of doubt, all Party Members of the National Assembly, all members of the National Governing Council and all Members of the Branch Executive Committee shall be accommodated within the twenty delegates from their respective Constituencies.

The date of the special National Delegates Convention shall be announced by the National Executive Council.

In Constitution of the twenty delegates from each Constituency, care shall be taken to ensure, to the greatest extent possible, gender equity.

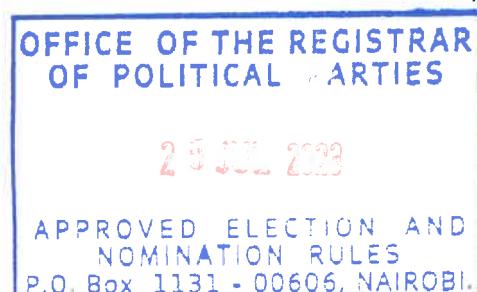
On the date designated for the Special Delegate Convention, the Delegates:-

- Shall arrive at the venue as early as 6 am and register at the entrance to the Convention.
- Shall receive identification tags numbered according to their respective Constituencies and Regions and shall be seated accordingly in the areas earmarked for their Regions.
- Each delegate shall produce an acceptable form of identification identifying the persons as the one whose name appears on the Register of Delegates.

III. Disqualification from nomination as a candidate for election as a presidential candidate

A person is disqualified from being nominated as a presidential candidate if the person:

- i. Is a State Officer or other Public Officer other than a Member of Parliament,



- ii. Has, at any time within the five years immediately preceding the date of the election, held office as a member of the Independent Electoral Boundaries Commission,
- iii. Is of unsound mind,
- iv. Is an undischarged bankrupt,
- v. Is subject to a sentence of imprisonment of at least six months as at the date of nomination as a candidate,
- vi. Has not been a citizen of Kenya for at least the ten years immediately preceding the date of the election, or
- vii. Is found, in accordance with any Law to have misused or abused a state office or public office or in any way to have contravened the provisions of Chapter Six of the Constitution of Kenya.
- viii. Is found to have planned, sponsored or participated in any violent activity intended to disrupt elections.

IV. Election Officials

The Board shall appoint and accredit 8 Returning officers, who shall represent each Major region of Kenya, 2 Presiding officers and four (4) polling clerks per Region. The clerks shall double up as the counting clerks.

In addition to the above each Presidential Candidate shall be entitled to designate an agent per Region.

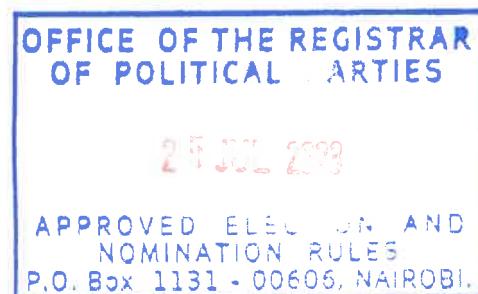
V. Security

The Board shall designate a security firm to provide security at the venue of the Special Delegates Convention in addition to requisitioning a number of police officers to help maintain Law and Order at the venue.

Before Commencement of the voting process, the Chairperson of the Board shall declare to the delegates the names of duly nominated Candidates for nomination as the Party's Presidential Candidate.

In the event that there is only one Candidate duly nominated, or other Candidates elect not to contest, the person so nominated shall be declared unopposed without need, to undertake the processes described below.

pg. 57





VI. Voting Procedure

The Delegates to the Convention shall choose what procedure to adopt from the following two options:-

- (i) Secret Ballot
- (ii) Show of hands.

If the 1st procedure (secret ballot) is the order of voting, the Delegates shall be directed to vote in accordance with the Counties and as shall be directed by the National Elections Board through the Returning and/or Presiding officers.

Once all the delegates have cast their votes, the Presiding officer shall oversee/supervise the counting of votes by the Polling/Counting Clerks before the same are presented to the Returning officers for confirmation and signature.

The Returning officer having satisfied himself/herself that the Votes have been properly counted, and that they tally with the Vote Register, shall submit the certified results to the Board.

The Board on receipt of the results from the Returning officer shall Seal the Results whilst awaiting the full results from all the Counties.

On Receipt and Sealing of the full results from the Counties the Board shall tally the results.

On completion of tallies, the Board shall prepare a Report showing the number of Votes cast, the number of votes each Aspirant has secured and declaring the Candidate with the highest number of votes as the Winner.

Provided that in the interest of harmony and unity, the Board shall not publicly announce the respective tallies per Region.

The Chairperson of the Board shall declare as winner the Candidate who shall have garnered the highest number of votes as duly nominated.

Where the method of choosing a candidate is determined to be by Show of Hands, the National Election Board shall direct the delegates to express their preference by show of hands.

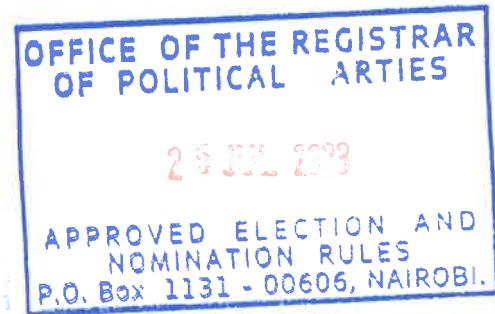
The Candidate with the highest number of votes shall be declared the winner.

Nothing in these Rules shall prohibit the National Elections Board from doing or omitting to do any such act that the Board may consider necessary so to do or not to do, to facilitate a free, fair and democratic Election.

Any person dissatisfied with the process or results of the Elections shall refer the issue to Arbitration in terms of the Party Constitution.

Rule 8.0: Procedure and Nomination of Party List Members

- I. The National Executive Committee shall nominate candidates for election under Article 97 (1) (a) and (b) of the Constitution of Kenya 2010, and submit a Party List to the Independent Electoral Boundaries Commission in accordance with Article 97 (1) (c) of the Constitution of Kenya.
- II. The National Executive Committee shall nominate candidates for election under Article 98 (1) (a) of the Constitution of Kenya 2010 and submit to the Independent Electoral and Boundaries Commission a Party List in accordance with Article 98 (1) (b) and (c) of the Constitution of Kenya
- III. The National Executive Committee shall nominate candidates for election under Article 197 (1) of the Constitution of Kenya 2010 and submit to the Independent Electoral Boundaries Commission a Party List in accordance with Article 177 (1) (b) and (c) of the Constitution of Kenya 2010. The party list referred to above shall be submitted in order of priority.
- IV. The NEC shall nominate and present a list of members, duly signed by the Chairman of the NEC, to the Commission in the category of Party List members in accordance with Section 34 of the Elections Act.
- V. The Chairman of the NEC shall be responsible for certifying in the Form set out at Schedule v herein, that the nomination of the candidates in the party list has been conducted in accordance the Constitution of Kenya, the Elections Act and these rules and procedures.
- VI. The qualifications and disqualifications prescribed for Members of Parliament and County Assembly shall apply to the Party List.
- VII. The party list shall contain the names of all the persons who would stand elected if the party were to be entitled to all the seats available under Articles 97(1)(c), 98(1)(b),(c), (d) and 177(1) (b) and (c) of the Constitution of Kenya and shall alternate between male and female candidates.
- VIII. The party list shall ensure fair representation and shall take into consideration the principles of Article 81(b) and Article 100 of the Constitution of Kenya.





- IX. Nomination of members to the Party list shall be by application as prescribed and publicized by NEC in all branches 21 days before the stipulated timelines by the IEBC.
- X. NEB shall, with support from the Branch Executive Councils and NEC receive applications, shortlist, interview/vet and recommend nominees to the Party list for Members of County Assembly and the National Assembly to NEC for approval, prioritization, and presentation to IEBC within prescribed timelines.
- XI. In addition to meeting eligibility criteria set out in these rules; Party list candidates must meet the following criteria:
 - i. Exemplary service to the Party.
 - ii. Demonstrable commitment towards achieving the aims and objectives of the Party.
 - iii. Minimum membership period of 1 year.
- XII. Qualifications and disqualification prescribed for applicants for Party tickets for Member of Parliament, Senator, Woman Member of Parliament and Member of County Assembly shall apply for nominees for the Party list.
- XIII. Nomination as a Member of parliament will attract a fee of Kes. 50,000/- (SIGs will pay Kes. 30,000)
- XIV. Nomination as Member of County Assembly will attract a fee of Kes. 10,000/- (SIGs will pay Kes. 5,000)

Rule 9.0: Procedure for conducting Primaries for Party Parliamentary, Gubernatorial and County Assembly candidates

Rule 9.1: Requirements and qualification of elections officials

I. Requirements

The election officials will be as stipulated in Rule 5.0 of this PFRD election and nomination rules and the NEB guidelines.

Party Primaries for the nomination of member of the County Assembly, Governor, Member of the Senate, Member of the National Assembly and County Woman Representative shall be by way of universal suffrage of all registered Party members at the Polling Station or by Sub Branch Electoral College.

The Sub Branch Electoral College shall comprise all the members of the Sub Branch Steering Committee, PFRD Women League Steering Committee and PFRD Youth League Steering Committee who shall convert into a Sub Branch Electoral College to nominate a member of the County Assembly, Governor, Member of the Senate, Member of The National Assembly, And County Woman Representative:

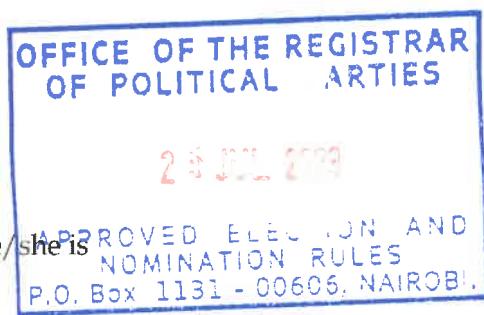
Where more than one candidate qualifies for nomination, there shall be a primary election to nominate the Party's candidate.

Only members of PFRD are eligible to participate in the Primaries for Party Parliamentary, Gubernatorial and County Assembly nominations.

On the date determined for polling, eligible voters shall be identified by availing the following documents:

- PFRD membership card
- National Identity card
- Voters card

II. Qualification of Election Officials

No person shall be appointed as an Election Official unless he/she is 
25 JUL 2009
APPROVED ELECTION AND
NOMINATION RULES
P.O. Box 1131 - 00606, NAIROBI.

- i. A current member of the party.
- ii. of good standing and integrity
- iii. Ordinarily resident in the constituency.
- iv. Not an elected official of the Branch Executive Committee
- v. Undertakes to abide by the rules and regulations set by the National Elections Board.

Rule 9.2: Preparation for Voting Process

I. Venue/ Polling Station

The Polling station(s) where the nomination shall take place shall be determined by the Branch Elections Panels and the candidates in consultation with the National Elections Board.

II. Membership Register

All paid up PFRD members shall be entitled to vote during the nomination.



No person shall vote in a constituency other than in respect of which he/ she is registered as a voter.

III. Inspection of Ballot Boxes

Just before the commencement of the poll, the Presiding Officer shall show all those persons lawfully present in the polling station, and shall allow the candidates and/ or their agents to ascertain that all the boxes are empty.

IV. Inspection of Ballot Papers

The Presiding Officer shall allow those candidates or their agents who are present at the polling station before polling commences to inspect the ballot papers provided for use at that polling station and note the serial numbers thereon.

V. Communication with voters at the polling station

No party member other than an election official or security officer on duty shall except with the authority of the presiding Officer conduct any communication for the purpose of voting whatsoever, with a voter who is in the immediate precincts of the polling station. This regulation shall not apply to a companion of a blind or incapacitated voter from communicating with the voter.

VI. Contents of ballot Papers

Every ballot paper for use at any election shall:

Contain the names and photographs (optional) of the persons entitled to have them imprinted thereon.

Be capable of being folded up.

Have a serial number printed on the front.

pg. 62





Rule 9.3: Voting Procedure

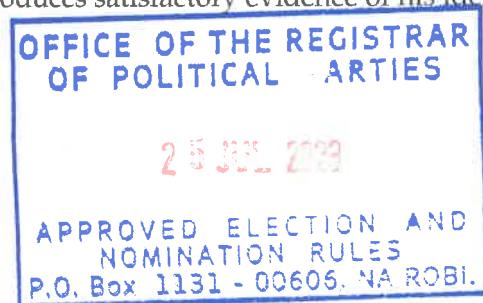
Where there are more than one candidate who have presented their papers before the returning officer, voting shall be by secret ballot so as to determine the candidate for General Election. Where there is only one candidate there shall be no voting.

I. Casting of Vote

- i. Only eligible PFRD members shall be allowed to cast their votes in their respective stations.
- ii. Voting shall be by secret ballot.
- iii. The NEB shall designate such number of polling stations as might be convenient to voters to access voting centres and publish them twenty-one days to the polling date.
- iv. Presiding Officers shall count and tally votes cast at each Polling Station and forward them to the Constituency Returning Officer who shall make the final tally before announcing result of the elections in respect of the Member of County Assembly Representatives and Member of National Assembly.
- v. The Constituency Returning Officer shall submit forthwith the vote tally to the County Returning Officer who shall make the final tally with respect to nominations for Members of Senate, Governor and County Women Representatives before making public the result of Party nomination for County elections.
- vi. Announcement of results and issuance of nomination certificates:

II. Evidence of Identity of Voters

- i. A Presiding Officer shall require a person applying for a ballot paper to produce her/his Identity Card issued under the Registration of Persons Act, as well as valid PFRD membership card.
- ii. Provided that the National Elections Board may in his discretion allow any person who has not produced a Party Membership Card to vote if such person is registered as a voter in the Ward or Sub-location in which the polling station is situated.
- iii. Where some other person has already been issued with a ballot paper in the name of the voter and the person so applying produces satisfactory evidence of his identity as that voter, or



- iv. The Presiding Officer is satisfied that the person duly applied for registration as a voter and was qualified for registration but,
 - Her/his name was omitted from the registration of voters of PFRD register by mistake or,
 - That person does not produce to the Presiding Officer his/her identity when requested under paragraph (1) of this rule, but produces a written declaration, in a form acceptable to the Presiding Officer, as to her/his identity, the presiding Officer shall allow that person to vote, but shall record a statement of the particulars of the case.

III. Postponement of Polling

- i. The Presiding Officer may in consultation with the Returning Officer, postpone or adjourn voting process at his/her polling station, where they are interrupted by riot, natural catastrophe or other cause. He shall then start or re-start at the earliest practicable moment. The discretionary powers of presiding officer shall include power in circumstances of transferring the voting process to another polling station in the same constituency. Where he/she does so:-
 - He shall advertise the fact in such a manner as he/she thinks sufficient to bring to the notice of voters and
 - The polling area for the polling station from which the voting process is transferred shall, for all purposes of this regulation, be deemed to be part of the polling area of the polling area of the polling station to which proceedings are transferred.
- ii. A Presiding Officer may in consultation with the Returning Officer extend the hours of polling has been interrupted under this regulation, and shall, where polling in that polling station has started late, extend the hours of polling by the amount of time which was lost in so starting late.
- iii. On the adjournment of the poll in a polling station, to another day, or on the close of the poll at one station with a view to transferring a ballot box to another station, and at any other time, a ballot papers, the presiding Officer shall close up the aperture

used for the insertion of ballot papers in to the box and place his seal on it in such a manner as to prevent the insertion of ballot papers without the seal.

IV. Votes Marked by Presiding Officer

A Presiding Officer on application at the polling station shall allow:-

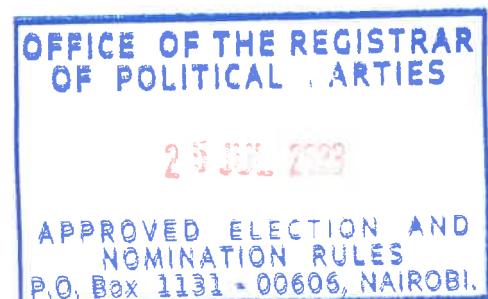
- i. A voter who is incapacitated to be assisted by either his/her own agent or a person appointed by the Presiding Officer.
- ii. With the assent of the voter, a vote to be cast on behalf of a voter who declares orally that she/he is unable to read or otherwise requests the assistance of the Presiding Officer.
- iii. In both instances above, the Presiding Officer shall by means of a distinct mark, "VA" (Voter Assisted), placed opposite the name of the elector on the voters register, indicate that the vote was so cast and the reason therefore, and the Presiding Officer shall allow one representative of each candidate to witness the marking of the vote under the regulation.

V. Spoilt Ballot Papers

A voter who has inadvertently dealt with her/his ballot paper in such a manner that it cannot conveniently be used as a ballot paper, may on delivering it to the Presiding Officer and proving to the satisfaction of such officer the fact of the inadvertence, obtain another ballot paper and the spoilt ballot paper shall be immediately cancelled and the counterfoil thereof marked cancelled accordingly.

VI. Sealing of Ballot Boxes

- i. After the completion of voting, the Presiding Officer shall seal the ballot box or boxes presented for counting, in the view of all the candidates or their agents.
- ii. where Presiding Officer affixes her/his seal on a ballot box or on the aperture thereof, under this regulation she/he shall permit any candidate or agent of a candidate, who so wishes, to affix her/his seal on the box or aperture.
- iii. After the ballot box has been sealed the seal shall not be broken or the aperture opened until broken and opened in the presence of those persons who were lawfully present in the polling stations.





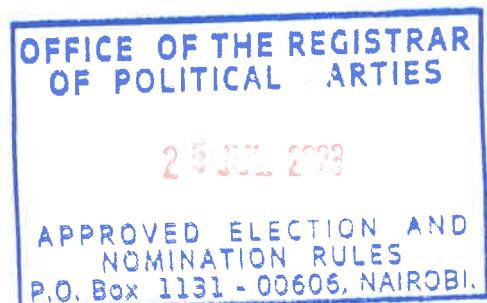
VII. Procedure on Close of poll

- i. Immediately after the close of the poll at her/his polling station the Presiding Officer shall make a written statement of:-
 - The number of ballot papers issued to him/her
 - The number of ballot papers other than spoilt ballot papers used.
 - The number of spoilt papers
 - The number of ballot papers remaining unused.
- ii. Immediately after the completion of the statement under the above paragraph, the presiding Officer in the presence of those candidates or their agents as are then present with him, shall make into separate packets:-
 - The spoilt papers, if any
 - The marked copy of the register
 - The counterfoils of the used ballot papers
- iii. The packets containing the aforesaid statement, any statement/s and marked copies of registers and each of the ballot boxes in use at the polling station shall be sealed in such a manner as to prevent the introduction of any matter into the packets or boxes or the opening thereof, and the Presiding Officer shall allow any candidate or agent who may so desire to affix her/his seal and padlock on the packet or box and keep the keys.
- iv. After complying with the foregoing provision of the regulation, the Presiding Officer shall, as soon as practicable, deliver the ballot boxes with the keys, if any, attached, and the sealed packets to the Returning Officer who shall take charge thereof, and the Presiding Officer shall permit candidates or their agents to accompany the ballot boxes and sealed packets in the course of delivery to the Returning Officer.

Rule 9.4: Counting of Votes and Declaration of Results

I. Preparation for the counting of votes

The presiding officer shall in the presence of the candidates or their agents as shall be present-





- i. Open each ballot box and empty its contents onto the counting table or any other facility provided for the purpose and with the assistance of the polling clerk, proceed to count the votes polled by each candidate; and
- ii. Record the total number of votes cast in favour of each candidate.

Each ballot paper shall be counted as follows:

- i. The presiding officer shall in respect of every ballot paper announce the candidate in whose favour the vote was cast;
- ii. Display to the candidates or their agents the ballot paper sufficiently for them to ascertain the vote.
- iii. Put the ballot paper at the place on the counting table or other facility provided for this purpose, set for the candidate in whose favour it was cast 43.3 A candidate or his agent shall have a right to -
 - Dispute the inclusion in the count of a ballot paper; or
 - Object to the rejection of a ballot paper hereupon the Presiding Officer may decide to uphold or reject the complaint.

The Presiding Officer, candidates or their agents shall then sign a declaration stating

- i. The name of the polling station
- ii. The total number of registered voters at the polling station
- iii. The total number of valid votes

The Presiding Officer shall

- i. Immediately announce the results of the voting at that polling station before communicating them to the Returning Officer
- ii. Request each of the candidates and in the absence of a candidate, such of his agents then present to append his signature or write down reasons for the refusal to sign the declaration of results of the count of votes at the polling station
- iii. Provide each candidate or agent with copy of the declaration of results

- iv. Affix a copy of the declaration at the public entrance to the polling station or at any other convenient place accessible to the public.

Where any candidate or agent refuses to sign the declaration of results, the candidate shall

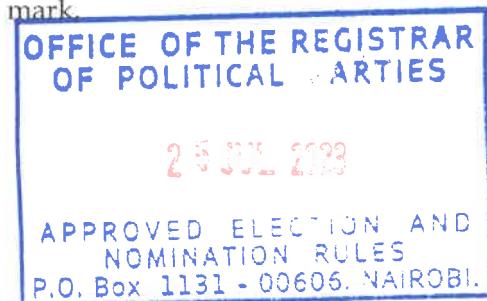
- i. Record reasons for so declining
- ii. If the candidate or agent refuses to record the reasons, the presiding officer shall record the fact of that refusal.
- iii. Where a candidate or agent is absent, the presiding officer shall record the absence
- iv. Refusal to sign the declaration of results or absence at the counting of votes cast shall not of itself invalidate the results announced.

II. Attendance at counting

- i. The Returning Officer shall make arrangements for the counting in the presence of the candidates and their counting agents if they so desire, of the votes cast in an election.
- ii. No agent of a candidate shall be deemed to be a counting agent unless; at least thirty-six hours before the close of the poll in that election, the name and address of the agent and she/his appointment as such by the candidate has been transmitted to the Returning Officer.
- iii. The Returning Officers shall not allow a person whose name, address and authorization have not been transmitted to attend to the counting of the votes notwithstanding that the appointment of the person is otherwise in order.
- iv. The Returning Officer shall take such steps as she/he deems reasonable to give to the candidates and their counting agents, notice of the time and place at which she/he will begin to count the votes.
- v. Notwithstanding the foregoing provisions of this regulation a Returning Officer shall not be obliged to admit more than two counting agents of any one candidate to the counting of votes.

III. Rejected Ballot Papers

- i. At the counting of votes at an election, any ballot paper
 - Which does not bear the official mark.





- On which votes are given for more than one candidate or
- On which anything is written or so marked as to be uncertain for whom the vote has been cast shall subject to paragraph (ii) below, be void and shall not be counted.

ii. A ballot paper on which a vote is marked:

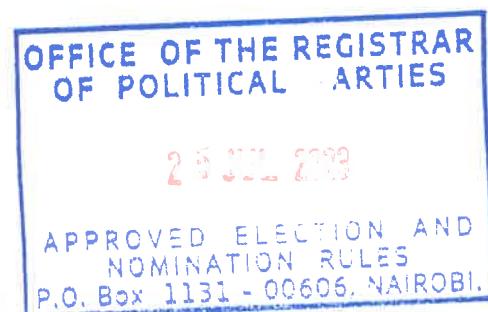
- Elsewhere than in the proper place or
- By more than one mark shall not by reason thereof be void if an intention that the vote shall be for one or other of the candidates as the case maybe clearly appear, and the manner in which the paper is marked does not of itself identify the voter and it is not shown that the voter can be identified thereby.
- In a joint election the fact that a ballot paper has been placed in the wrong box shall not by itself make the ballot paper void and the Presiding Officer shall cause that ballot paper to be counted together with others in the election to which it relates.

iii. A Returning Officer shall, so far as practicable proceed continuously with the counting of votes, allowing time only for refreshment.

iv. A Returning Officer shall not commence to count votes unless she/he is of the opinion that she/he can conveniently complete the count or any recount, without break. Once the ballot box is opened, the counting must be finished before the breaking. But having commenced the count, she/he may if she/he considers it desirable and after consultation with such candidates and their counting agents present, exclude the hours between seven o'clock in the evening and nine o'clock in the following morning.

v. During any time excluded under paragraph (v), the Returning Officer shall place the ballot papers and documents relating to the election under her/his own seal of those of the candidates and their counting agents as may consider to affix their seals, and shall otherwise take all due and proper precautions for security.

IV. Recount





- i. Candidates or counting agents, if lawfully present when the counting or any recount of votes is completed may require the Returning Officer to have the votes recounted, or the Returning Officer may, on his own initiative have the votes recounted or again recounted but shall be in sole discretion of the Returning Officer whether or not to order a second or subsequent recount.
- ii. No steps shall be taken on the completion of a count or recount of votes until the candidates and the counting agents present at the completion have been given a reasonable opportunity to exercise the rights given by this regulation.
- iii. After the counting of votes is finally concluded, the Returning officer shall draw up a statement showing the number of rejected ballot papers under such of the following heads of rejection as may be applicable.
 - Want of official mark
 - Voting for more than one candidate
 - Writing or marking by which the voter might be identified
 - And any candidate or counting agent shall, if she/he so desires be allowed to copy that statement.

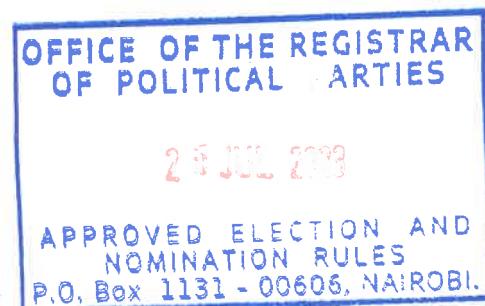
V. Sealing of Ballot Papers

Upon the completion of a count (including any recount), the Returning Officer shall seal up in separate packets:-

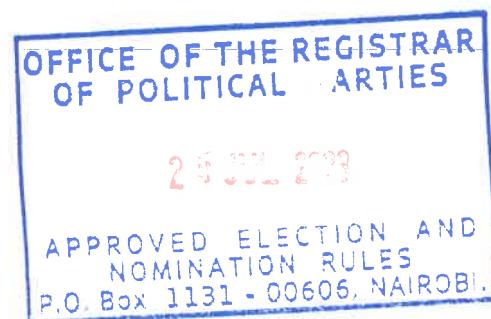
- i. The counted ballot papers
- ii. The rejected ballot papers together with the statement relating thereto.

VI. Announcements of Results

- i. Each Returning Officer shall tabulate and collate certified results received from Presiding Officers at the Polling stations level and promptly announce the results in the presence of all the candidates and/or their agents.
- ii. When the counting, including any recount of votes at a nomination is completed, the Returning Officer shall announce the results to the persons then present naming candidates, and publicly announcing the number of votes cast for each of the candidates.



- iii. He shall thereafter declare the candidates receiving the highest number of votes as duly nominated to proceed to the Parliamentary or County elections.
- iv. The announcements of the national results shall be made within 48 hours of the nominations.
- v. The Returning Officer shall thereafter issue a certificate of return showing the total number of votes garnered by each candidate in every polling station and which shall be signed by either the candidate or their agents and a certified copy of which shall be immediately forwarded to the County Elections Board which shall in turn certify the same and transmit it to the NEB.
- vi. Where only one aspiring candidate applies to be nominated in an elective position, no party primary shall be conducted and the respective Election Board shall declare in writing that the said aspiring candidate as the party nominee.
- vii. Where a dispute been duly filed at either the County Elections Appeal Tribunal or the National Appeal Tribunal within the prescribed timelines, the relevant Elections Board shall withhold the certificate of return until such time as they are furnished with the verdict of the Tribunal and which in any case shall not be more than fourteen (14) days of the date of the dispute, save for by-elections which shall be concluded within the shortest time possible.
- viii. Upon receipt of the certified copy of the certificate of return from the County Elections Appeal Board and where no appeal has been lodged at the National Elections Appeals Tribunal, the NEB shall proceed to process and issue the nomination certificate to the declared winner within seven (7) days of the primaries or determination of a dispute.
- ix. The Chairman of the NEC shall be responsible for signing the Nomination Certificates and certifying to the Commission, through the Form provided under Schedule vi herein, that the Party has complied with the Party's Nomination Rules and procedures in the conduct of the primaries.
- x. The NEB shall accordingly enter the name of the winner on the Party list and the same shall not be removed except by a decision of the Independent Electoral and Boundaries Commission Complaints and Dispute Resolution Committee or an order the High Court.





xi. The Chairman of the NEC shall be responsible for certifying and submitting the list of nominees to the Commission.

VII. Signing and Issuance of Nomination certificates

Subject of these Rules, the signing and issuance of Nomination certificates shall be in the following manner:

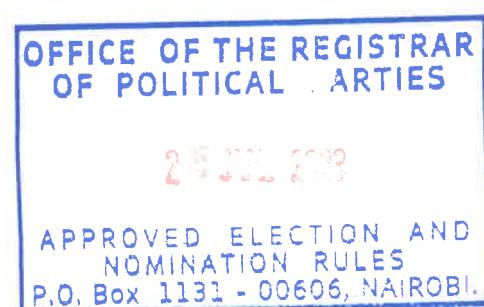
- i. The N.E.B shall compile a list of all successful candidates;
- ii. The N.E.B shall issue a certificate of compliance in respect of each successful candidate signed by two members of the Board one whom shall be the Chairman.
- iii. Upon receipt of a compliance certificate from the National elections board as stated in (i) above the authorized Party signatories shall in accordance with Elections Act, 2011 (as amended) issue a Nomination Certificate in respect of the successful candidate.

VIII. Retention and Public Inspection of Documents

- i. All documents relating to an election after the election results have been declared may be destroyed after three months.
- ii. Documents retained under this regulation other than ballot papers and their counterfoils shall be made available for inspection by any member of the public, upon a request made by him, at such time and subject to conditions as may be decided by the Returning Officer.
- iii. For the purpose of an inspection under paragraph (ii) above, the Returning Officer shall unseal the documents concerned in the presence of a witness, who shall not be the person making inspection. The Returning Officer shall seal the documents in the presence of the witness after inspection is completed.
- iv. A Returning Officer shall on request issue copies or extracts from, any document open to the public inspection under this regulation on payment of such fees as may be sanctioned by the Party.

IX. Petitioning the Nomination Results

pg. 72





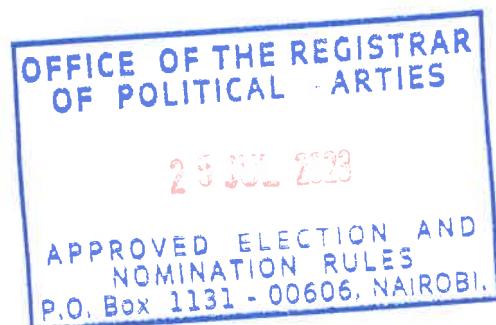
- i. Any dissatisfied candidate other than a candidate to the Presidential Elections may appeal to the Appeals Board within 48 hours and the irregularity should be reported immediately after the event to object the outcome of the whole exercise.
- ii. He/she should have concrete evidence to support his/her allegations such as:
 - Witness
 - Persons arrested in regard to the offence
 - Vote counting irregularities, e.g. duplications, irregularities etc.
 - Photo taken when the actual offences were being committed e.g. in the case of bribery of voters, the photograph should show money being exchanged in hands.
- iii. The petitioner should also capture well the grounds of objection as cited in the Election Offences Act as:
 - Election offences (relating to votes register and electors cards)
 - Offences perpetrated by election officers
 - Corrupt practices e.g. bribery or influence of voters
 - Illegal practices e.g. engaging in witchcraft to influence voters
 - Election malpractices e.g. campaign within the area of polling station, use of promotion materials around the polling areas, violence

Rule 9.5: Automatic Nomination of Candidates

I. Body responsible and considerations

The Party may upon recommendation of the National Executive Committee (NEC) adopt a non-competitive nomination method or direct nomination in any election and grant automatic nomination to a candidate upon the following considerations;

- i. the candidate's popularity considered against the general membership of the party in the relevant electoral area
- ii. The candidate's probability of success in the party's bid to capture the relevant seat.
- iii. The candidate's standing in the society.
- iv. The candidate's demonstrated loyalty to the party



- v. The candidate's demonstrated contribution to the programs and general operations and interests of the party.
- vi. The need to avert subversion and manipulation of party nominations through avert and undemocratic actions of the party's political rivals in the relevant electoral area.

At the lower level, Branch Executive Committee will be responsible for identifying candidates for non-competitive nomination and forward the recommendation to NEC for consideration and approval.

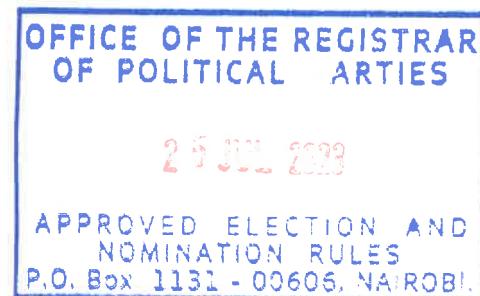


II. Procedure

The recommendation from NEC will be forwarded to NEB for implementation. The candidate must however make application and meet all other criteria for respective position.

Rule 10.0: Electoral and Nomination Malpractices

- I. NEB and CEB will identify Electoral malpractice including illegal/irresponsible acts performed by the electoral body, political parties, candidates or the electorate which are capable of influencing the smooth conduct of elections and nominations. Electoral and nomination malpractices can lead to the destruction of the party and lead to, Wrong people in power, Political violence, Loss of confidence and trust and Destruction of political participation
- II. Some of the forms of the electoral malpractices to be identified include:
 - i. Fake ballot papers and manipulation of votes
 - ii. Falsification of figures and results:
 - iii. Artificial scarcity of electoral materials
 - iv. Under-age voting
 - v. Thuggery and intimidation of political opponents
 - vi. Financial inducement and other corrupt practices
 - vii. Fake manifestoes
 - viii. Mix up in voters' register
 - ix. Partisanship of the electoral body
- III. NEB and CEB shall be responsible for identification of malpractices and addressing issues around the conduct of election and nominations to prevent and solve/or mitigate electoral malpractices committed by candidates. Including ensuring
 - i. Civic education for all stakeholders
 - ii. Independence of the electoral commission
 - iii. Serious punishment for election riggers
 - iv. Establishment of a constitutional court
 - v. God fatherism should be banned or outlawed



- vi. Use of open-secret ballot system
- vii. Keeping good register of voters

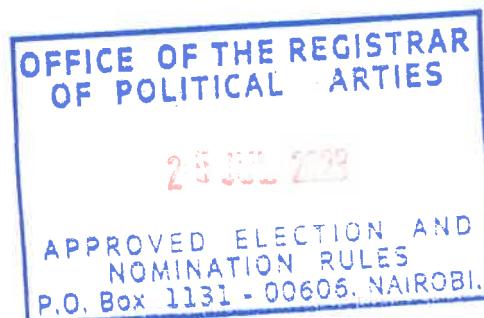
IV. NEB and CEB shall be responsible for identification of malpractices and addressing issues around the conduct of election and nominations to prevent and solve/or mitigate electoral malpractices committed by party members and stakeholders. Including:

- i. Making, in any record, return or other document which they are required to keep or make under such written law, an entry which they know or have reasonable cause to believe to be false, or do not believe to be true
- ii. Permitting any person whom they know or have reasonable cause to believe to be able to read or write to vote in the manner provided for persons unable to read or write
- iii. Permitting any person whom they know or have reasonable cause to believe not to be visually impaired or a person with disability to vote in the manner provided for persons who are visually impaired or persons with disability, as the case may be;
- iv. Wilfully preventing any person from voting at the polling station at which they know or have reasonable cause to believe such person is entitled to vote;
- v. Wilfully rejecting or refusing to count any ballot paper which they know or have reasonable cause to believe is validly cast for any candidate in accordance with the provisions of such written law;
- vi. Wilfully counting any ballot paper as being cast for any candidate which they know or have reasonable cause to believe was not validly cast for that candidate;
- vii. Interfering with a voter in the casting of his vote in secret;
- viii. Except in the case of a member, officer or person authorised to do so, purporting to make a formal declaration or formal announcement of an election result;
- ix. Without reasonable cause does or omits to do anything in breach of his official duty; colludes with any political party or candidate for purposes of giving an undue advantage to the political party or candidate;
- x. Wilfully contravening the law to give undue advantage to a candidate or a political party on partisan, ethnic, religious, gender or any other unlawful considerations; or
- xi. Failing to prevent or report to the Commission or any other relevant authority, the commission of an electoral offence committed under this Act,

Commits an offence and is liable to face disciplinary action of the party including and not limited to penalty, suspension and expulsion from the party.

V. NEB and CEB shall recommend to NEC any action in regard to identified malpractices including cancellation, repeat and/or nullification of an election or nomination.

VI. NEC shall enforce the sanctions/penalties recommended by NEB and CEB to ensure conformity with PFRD election and nomination rules, PFRD party constitution, Constitution of Kenya 2010 and the Political Parties Act, 2011.

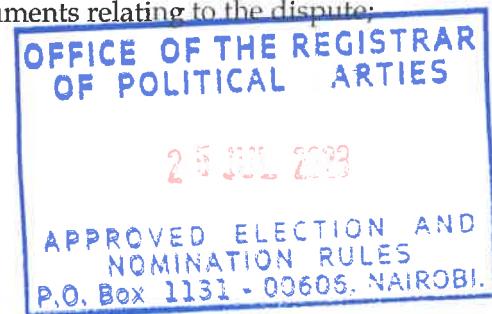




Rule 11.0: Disputes Resolution and Appeal Tribunals

Rule 11.1: County Appeals Tribunal

- I. There shall be established a County Appeals Tribunal in every County each composed of five members of the Party who shall be distinguished persons of good moral standing in society and of high integrity.
- II. The County Appeal Tribunal shall perform its functions in an independent manner free from interference from any other member / party official / organ.
- III. Members of the County Appeals Tribunal shall be appointed by the NEB, and approved by the NEC at least 30 days before the commencement of the nomination exercise or Party elections. The Tribunal shall be guided by the Rules of procedure which shall be formulated the NEB.
- IV. The NEB shall, at the time of appointment, designate one member of the Tribunal as the Presiding Chairperson
- V. The Quorum of the County Appeals Tribunal shall be a minimum panel of three who shall determine appeals arising from Polling Station, Sub Branch, Branch party elections, and appeals arising from nominations in respect of County Ward representatives.
- VI. No member of the Tribunal shall during his/her tenure of office be a Party official or an aspirant in any Party election or nomination.
- VII. Any candidate aggrieved by the outcome of Party elections in the Branch, Sub-Branch, or Polling Station shall have the right of appeal to the County Appeals Tribunal within 3 days of the announcement of results.
- VIII. The county appeal tribunal appeal shall be lodged within three (3) days of announcement of the results and shall be in writing, duly signed by the appellant and accompanied by a non-refundable fee of Kshs 20,000/= payable to the Party (and KES 10,000 for SIGs).
- IX. The County Appeals Tribunal shall consider and determine the appeal in accordance with the Constitution of Kenya, applicable Law, Party Constitution and Election and Nomination Rules within seven (7) days of receipt of the appeal.
- X. The decision of the County Appeal Tribunal shall be made;
 - a. After hearing all parties;
 - b. After taking into account all the relevant documents relating to the dispute;





- c. By applying the rules of natural justice;
- d. Where the mechanism involves a panel, a panel comprising of an odd number of members where the decision is by majority of the members of the panel

XI. Provided that the County Appeal Board may, in its discretion but for good reasons to be recorded, consider the written appeal and make its decision or make directives without the need to hear the appellant in person.

XII. The Appeals Tribunal shall, in suitable cases, have powers to summon the Returning Officer responsible, Party witnesses with relevant evidence and after due consideration dismiss the appeal, order re-count or re-tallying of votes or otherwise nullify the result of the elections and order a repeat thereof.

Rule 11.2: National Appeals Tribunal

- I. There shall be established a National Appeals Tribunals composed of five members of the Party who shall be distinguished persons of good moral standing in society and of high integrity.
- II. The National Appeal Tribunal shall perform its functions in an independent manner free from interference from any other member / party official / organ.
- III. Members of the National Appeals Tribunal shall be appointed by the NEB and shall designate one member of the Tribunal as the Chairperson.
- IV. The National Appeals Tribunal shall determine appeals arising from elections of National officials, Nominations in respect of the Party List and nominations in respect of Presidential elections, Governors, Senators, Members of the National Assembly, and County Women Representatives.
- V. No member of the Tribunal shall, during his/her tenure of office, be a Party official or an aspirant in any Party election or nomination.
- VI. The appeals to the National Appeals Tribunal shall be in writing duly signed by the appellant and shall be lodged within 3 days of the announcement of results appealed from.
- VII. An appellant to National Appeals tribunal shall, on appeal, pay a non-refundable fee of Ksh. 20,000/= (KES 10,000 for SIGs) to the Party.
- VIII. The National Appeals Tribunal may, in its discretion but for reasons to be recorded, consider the appeal and make its decision or make directives without the need to hear the appellant in person.

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

X. The National Appeals Tribunal shall consider and determine the appeal in accordance with the Constitution of Kenya, any applicable Law, Party Constitution and Election and Nomination Rules within seven (7 days) of receipt of the appeal.

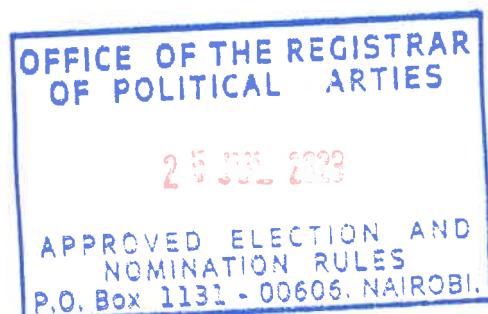
XI. The decisions of the National and County Appeal Tribunals shall be made –

- After hearing all parties;
- After taking into account all the relevant documents relating to the dispute;
- By applying the rules of natural justice;
- In writing.

XII. The parties have room to appeal the decision of the National Appeals Tribunal can only be challenged at the EDRC if the parties are not satisfied.

Article 11.3: Electoral and Nomination Dispute Resolution Committee (EDRC)

- There is hereby established the Election Dispute Resolution Committee (EDRC) whose mandate is to receive, hear and finally determine disputes resulting from appeals tribunals (National and County appeal tribunals).
- The EDRC will be appointed by the National Executive Committee and will comprise nine (9) respected and knowledgeable persons of high integrity who do not hold any elective party position. The membership of the committee shall ensure that at least one third of the membership is of either gender.
- Notwithstanding any other provisions of this Constitution, the quorum of the committee shall be one third of its membership.
- The members of the Dispute Resolution Committee shall hold office for a period of five years.
- NEC should ensure that the committee members represent regional diversity;
- An appellant to EDRC shall pay a non-refundable fee of Ksh. 20,000/= (KES 10,000 for SIGs) to the Party.
- The committee shall make its own rules of procedure for conducting its hearings. The rules and regulations shall become effective upon approval by the NEC.
- The National Secretariat shall provide secretarial services to the EDRC and NEB.
- The decisions of the committee shall be final.

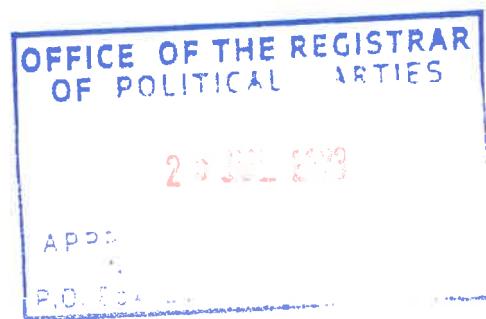




Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki

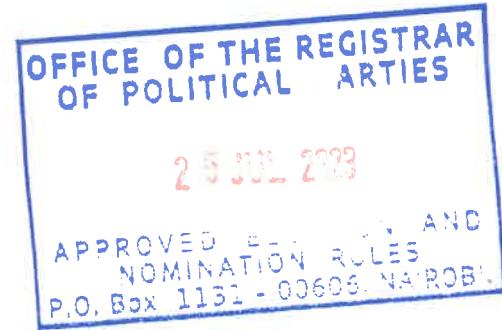
Rule 12.0: PLEDGE OF COMMITMENT

All applicants for nomination as party candidates shall sign a Code of Conduct and Pledge of Commitment to make monthly contributions towards the financing of Party operations and a pledge to the party manifesto which Pledge shall be witnessed by a Commissioner of Oaths or Magistrate. The amounts to be pledged by Party candidates shall be set out and reviewed from time to time by the NEC. The amounts pledged shall be recoverable by the Party as a civil debt.





Party To Be! Change We Want!



PART IV: GENERAL

Rule 12.0: Polling Station

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

Rule 13.0: Party Register

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

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

- i. National Identity card or Passport
- ii. Voters' card or Party membership Card

Rule 14.0: Voting Procedure

Voting under these rules shall be by way of Secret ballot or any other method of voting acceptable to the delegates. Where an office is contested by more than one candidate, the vote shall be decided by a simple majority. Where only one candidate is nominated to an office at the close of the nominations, that candidate shall be declared duly elected to the office for which he/she was nominated. Nominations of all candidates shall be in the prescribed form.

Rule 15.0: Grounds for Disqualification

- I. A member shall be disqualified to be a candidate for any nomination if:



- i. Without authority he makes, prepares, prints or is in possession of a document or paper purporting to be a register of Party members,
- ii. knowingly makes any false statement on, or in connection with any application to be registered in any register of Party members; or

II. A candidate who corruptly, for the purpose of influencing a voter to vote or refrain from voting for a particular candidate –

- a. before or during an election –
 - i. undertakes or promises to reward a voter to refrain from voting;
 - ii. gives, causes to be given to a voter or pays, undertakes or promises to pay wholly or in part to or for any voter, expenses for giving or providing any food, drinks refreshment or provision of any money, ticket or other means or device to enable the procurement of any food, drink or refreshment or provision to or for any person for the purpose of corruptly influencing that person or any other person to vote or refrain from voting for a particular candidate at the election or being about to vote or refrain from voting, for a particular candidate, at the election; or
- b. After an election, gives, provides or pays any expense wholly or in part to or for any particular voter or any other voter for having voted or refrained from voting as aforesaid, shall be disqualified as a candidate for nomination on the Party's ticket.
- c. A Party member shall be disqualified to vote at an election for the nomination of any candidate if he induces, influences or procures any other person to vote in an election knowing that the person is not entitled to vote in that election.

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

IV. Any Party member shall be disqualified from voting in an election for the nomination of any candidate if he directly or indirectly in person or through another person on his behalf uses or threatens to use any force, violence including sexual violence, restraint, or material, physical or

spiritual injury, threatens to inflict injury, damage, harm or loss harmful cultural practices, damage or loss, or any fraudulent device, trick or deception for the purpose of or on account of –

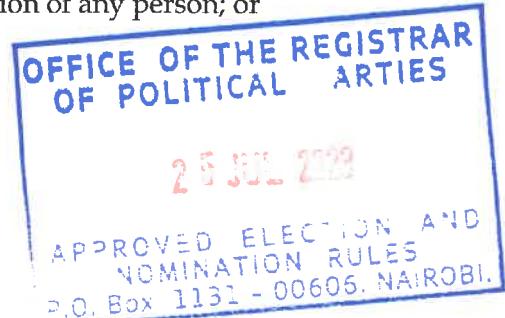
- a. inducing or compelling a person to vote or not to vote for a particular candidate at an election for nomination;
- b. Impeding or preventing the free exercise of the franchise of a voter;
- c. Inducing or compelling a person to refrain from becoming a candidate or to withdraw if he has become a candidate; or
- d. Impeding or preventing a person from being nominated as a candidate or from being registered as a voter.

V. A Party member shall be disqualified to vote at an election for the nomination of any candidate if he directly or indirectly by duress or intimidation –

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

VI. A candidate shall be disqualified from elections or nomination on account of bribery if he –

- a. Directly or indirectly, lends or agrees to lend, or offers, promises or promises to procure or to endeavor to procure any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter or to or for any other person in order to induce any voter –
 - i. To vote or refrain from voting for a particular candidate;
 - ii. To attend or participate in or refrain from attending or participating in any meeting of a candidate, march, demonstration or in some other manner lending support to or for a candidate;
 - iii. Corruptly does any such act on account of such voter having voted for or refrained from voting;
 - iv. In any manner unlawfully influences the result of an election or nomination;
- b. Directly or indirectly, makes any gift, loan, offer, promise, procurement, or agreement to any election official or voter to –
 - i. Procure the election or nomination of any person; or





- ii. Procure the vote of any voter at any election or nomination;
- c. Advances, pays or causes to be paid any money to, or to the use of any other person with the intent that such money or any part thereof shall be used in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part used in bribery at any election or nomination;

Rule 16.0: Campaign

- I. The NEB shall give a period of not less than fourteen days to all respective candidates to campaign for the various positions vied for.
- II. No campaigns shall be permitted on the polling day.

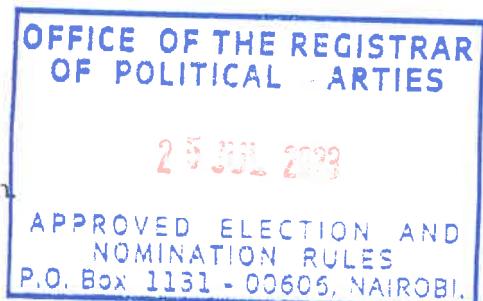
Rule 17.0: Hours of Polling

The polling stations shall open at 6:00am and close at 5:00pm.

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

The NEB may at any election, accredit

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



Rule 18.0: Nomination Certificate

The NEB shall compile, certify and present the list of all successful candidates to The NEC.

Upon receipt of a certified list of the candidates, the chairman of the NEC shall issue Nomination Certificates to the successful candidates and shall sign and forward to the Commission the Party List in accordance with Sec. 35 of the Elections Act, 2011.

Rule 19.0: Retention and Public Inspection of Documents

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



Rule 20.0: Access To Information

- I. Every registered member of a political party has the right to access any information held by that political party relating to;
 - i. The party's nomination rules and procedures of the political party;
 - ii. The members of the party's election board;
 - iii. The criteria relied on by the party to nominate the party list members;
 - iv. The register of members of the party; and
 - v. The party's constitution or similar document.
- II. Upon submission of these Rules by the Party to the Commission pursuant to Section 27 of the Elections Act, the Party shall, within a reasonable period;
 - i. make these Rules available and accessible to the members of the party with due considerations given to members with disabilities;
 - ii. place a copy of these Rules at the party's head office and branch offices;
 - iii. Post them on any available party website;





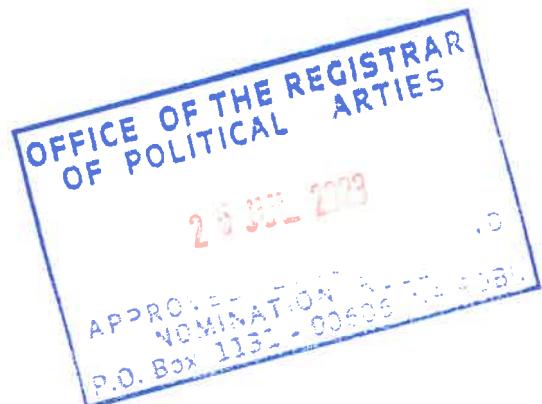
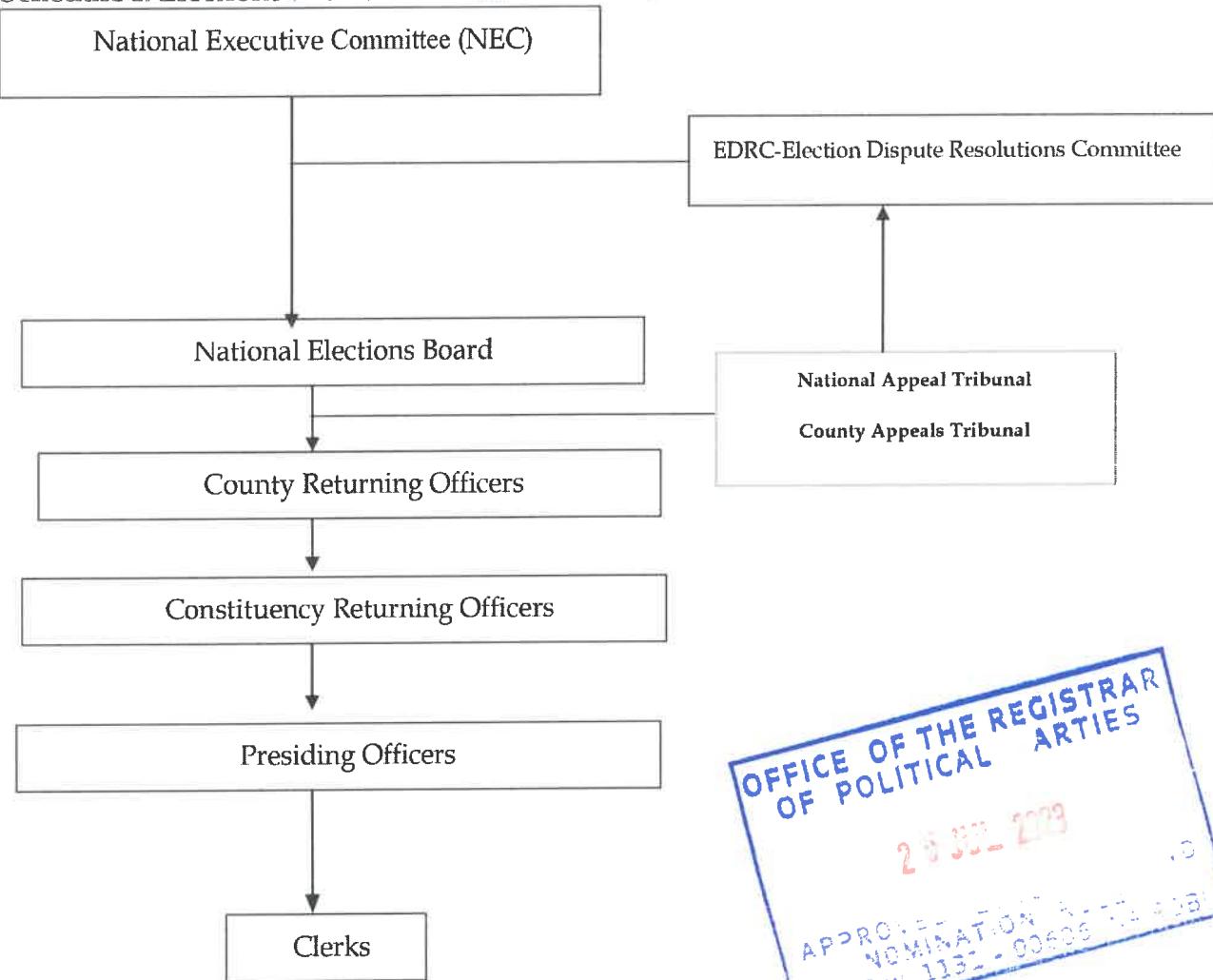
Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki



Party To Be! Change We Want!

PART V: SCHEDULES FOR ELECTIONS AND NOMINATIONS RULES

Schedule I: Elections and Nomination Structures





Schedule II: Delegates Top Up Formula

Total number of Registered Party Members Nationally

Total Number of Constituencies in the Republic of Kenya

= Target Number

Registered Party Members

Determined by the number of registered members as per Party records

Target Number

This is the minimum number of members a branch must have to qualify for one (1) delegate.

Number of Registered Party Members in Good Standing @ the Branch

Target Number

= Qualifying Delegates per branch

Qualifying Delegates

This is the number of delegates that qualify from each branch.

Qualifying Delegates X Multiplier

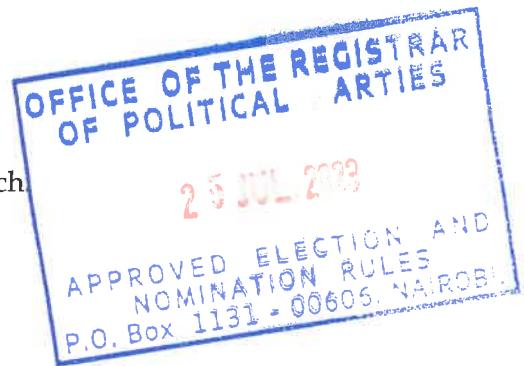
= Actual Top Up Delegates per branch

Multiplier

A number that is determined by the NEC to be applied uniformly in the determination of the actual delegates in each branch.

Actual Delegates per Branch

The number Top Up delegates that can represent each branch and fully participate in the Party's NDC as per this formula.





Party To Be! Change We Want!

Schedule III: FORM 1-APPLICATION FOR NOMINATION

(r. 15 (1))

APPLICATION FOR NOMINATION BY A POLITICAL PARTY



APPLICATION FOR (name of party)

NOMINATION FOR (name of position / party list)

	Particulars of Aspiring Candidate
Name in Full	
Occupation	
National Identity Card or Passport No.	
Sex	
Date of Birth	
Physical address	
Postal address	
County	
Constituency	
Ward	
Voters Card Number	

pg. 87





Party membership number	
Telephone contacts	

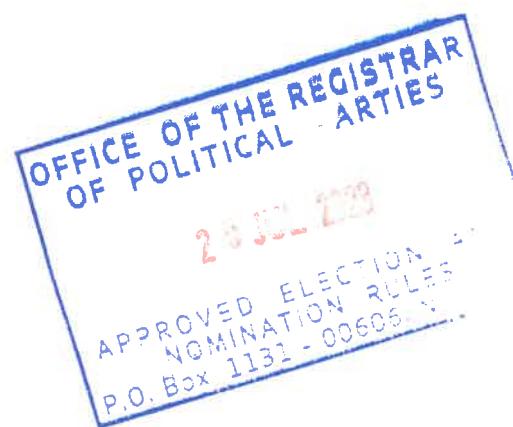
If the application is for party nomination on a party list

Name of party list	
Ethnic Community of the aspiring candidate (only for national lists)	
Category of Special Interest Group	
Women	
Youth	
Person with Disability (type of disability)	
Ethnic minority	
Marginalized community	
Represent workers (only for 12 members list for National Assembly)	

And I the aforementioned do hereby apply to the party nominee for (position/party list) and hereby certify that I am in all respects qualified for nomination as such candidate.

Signature of Aspiring Candidate.....

Dated the





Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki



Party To Be! Change We Want!

Schedule IV: FORM 2-Declaration Certifying Disability

(r.15(2))

DECLARATION CERTIFYING DISABILITY

I of (name of institution) do certify that (name of the aspiring candidate seeking nomination representing person with disability) holding ID/Passport number is a person living with disability, more specifically (type of disability) for the last (no of years/months).

I make this declaration conscientiously as I sign this form.

Declared at this day of 20

Signature of Deponent—

Name

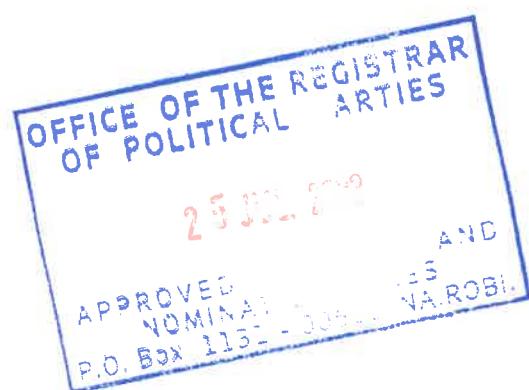
Profession.....

Work station.....

ID / Passport No.

Phone number.....

Signature





Party To Be! Change We Want!

Schedule V: FORM 3-Compliance in Party Nomination of Party List

(r. 21 (1)

STATUTORY DECLARATION OF COMPLIANCE IN PARTY

NOMINATION OF PARTY LIST

I / we, the authorized person(s), do solemnly and sincerely certify that in the nomination process in which party candidates was nominated on (name of party list)

The party nomination process was conducted in accordance with all relevant party laws, rules and regulations related to party nominations.

And I / we make this declaration conscientiously believing in values and principles guiding us in our political party.

Declared atthis.....day of 20

Signature of Deponent(s) -

1. Name

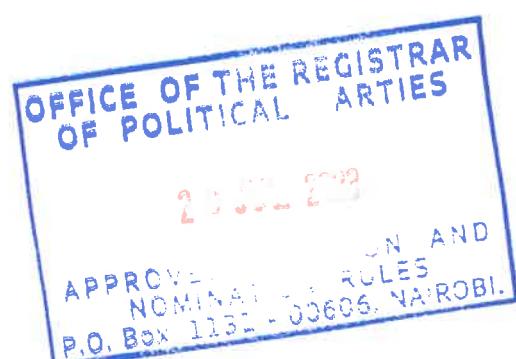
ID / Passport No.

Signature

2. Name

ID / Passport No.

Signature





*Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki*



Party To Be! Change We Want!

Schedule VI: FORM 4-Compliance in Party Primary

(r. 18 (2))

STATUTORY DECLARATION OF COMPLIANCE IN PARTY PRIMARY

I / we, the authorized person(s), do solemnly and sincerely certify that in the party primary process in which (name of nominee) ID/Passport number was declared the winner and the party nominee for (position) the party primary was conducted in accordance with all relevant party laws, rules and regulations related to party nominations.

And I / we make this declaration conscientiously believing in values and principles guiding us in our political party.

Declared at this day of 20

Signature of Declarant(s) –

1. Name

ID / Passport No.

Signature

2. Name

ID / Passport No.

Signature



Party To Be! Change We Want!

Schedule V: PFRD Party Code of Conduct

1. This document is adopted and decreed as the Code of Conduct of PFRD Party, hereinafter referred to us “the Party” and it shall be binding equally, in word and deed to all members of the Party.
2. This Code of Conduct shall regulate the behaviour and conduct of members of the Party, office holders of the Party, aspiring Party candidates and their supporters in order to promote democracy, good governance as well as ethical, just and progressive political engagement and leadership.
3. This Code of Conduct is decreed pursuant to Section 10.1 of the PFRD Party Constitution, the Political Parties Act, 2011 and shall be an aid to the implementation of Article 8.4 of the Party Constitution.
4. Enforcement of this Code of Conduct shall be undertaken in accordance with Article 8.4 of the Party Constitution.
5. A member, official, applicant for nomination, candidate, supporter, volunteer and employee of the Party shall:
 - a. Be loyal to our country Kenya and the Party;
 - b. Respect, uphold and defend the Constitution of Kenya and a national culture of constitutionalism and the rule of law;
 - c. Respect, uphold and promote leadership and integrity standards as prescribed in Chapter 6 of the Constitution of Kenya;
 - d. Respect, uphold and defend the Constitution of the Party and all its approved policies, positions, rules and regulations and abide by the Party motto: “Chama Chetu, Maendeleo Ya Haki” and support the Party Programme of Action; values and principles and undertake to work for their realization;

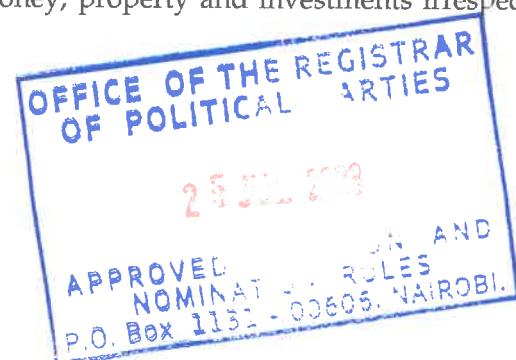




- e. Bear true allegiance to the Party and project a positive image of the Party, its policies and programmes;
- f. Carry out Party assignments efficiently, meticulously, punctually and in a transparent and accountable manner;
- g. Strive to study, understand and propagate the Programme of Action, Constitution and policies of the Party;
- h. Act in a transparent and accountable manner—at all times to fellow members and party organs even when it is uncomfortable to do so, in the greater interest of Party growth development and realisation of its Programme of Action;
- i. Accommodate plurality of ideas within the Party and externally, and observe principles and practices of open, good and accountable governance
- j. Engage in self-criticism and constructive criticism of other members, the Party and its leadership; and
- k. Promote the spirit of mutual respect, tolerance, friendship and comradeship with one another

6. A member, official, applicant for nomination, candidate, supporter, volunteer and employee of the Party shall:

- a. Respect the equality in dignity and human rights of all Kenyan citizens, visitors and residents irrespective of ethnic, racial or linguistic origins; gender, sex, age, faith or difference in ability;
- b. Respect and promote gender equity, equality and justice;
- c. Respect, uphold and promote human rights and fundamental freedoms for all Kenyans, visitors and residents of Kenya;
- d. Respect the right of all persons to participate in the political processes within that party and externally through electoral competition;
- e. Actively fight corruption in any and all of its forms and manifestations and uphold in word and deed a policy of zero tolerance to corruption; and
- f. At all times defend and protect public property and through appropriate platforms expose any misuse of public office, money, property and investments irrespective of who is involved in the acts of misuse





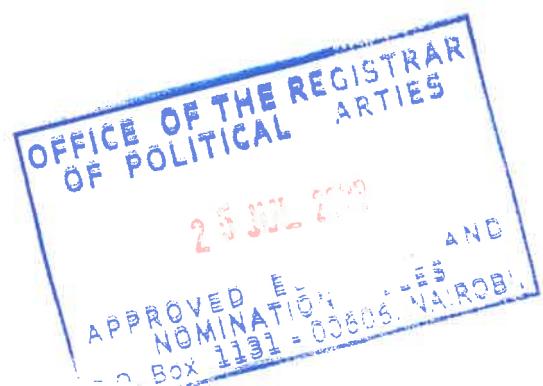
7. A member, official, applicant for nomination, candidate, supporter and employee of the Party shall not:
 - a. Engage in any and all forms of corruption, bribery, influence peddling and malfeasance;
 - b) Accept or use money obtained from corruption and other forms of illegal activity;
 - b. Engage in or encourage violence in the conduct of the Party and national political processes or ally themselves with perpetrators of all forms of political violence;
 - c. Engage in or encourage any kind of intimidation of any person, including challengers within the Party's political processes and externally with other political parties;
 - d. Obstruct, disrupt, break up or in any way interfere with a meeting, rally or demonstration of another political party or its leadership;
 - e. Falsely accuse or bear false witness against fellow members, the Party and other persons, parties or agencies;
 - f. Reveal confidential information of the Party without proper authorization by Party organs, even after they leave the Party and they shall not speak with non-members about the internal affairs of the Party other than the Party's intended image, strategy and issues which its organs have agreed can be discussed or disseminated;
 - g. Engage in conduct at personal, social or public levels that is likely to embarrass the Party or bring to disgrace and compromise the image, ideology and objectives of the Party; and
8. Members of the Party organs shall, whilst serving in those organs, be bound to the principles of democratic centralism (internal democracy) with collective discipline and responsibility.

Signed

by:.....

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

.....
Commissioner of Oath





Party To Be! Change We Want!

Schedule VI: PPFRD Party Nominations Pledge of Commitment

I..... of ID/Passport No.....

and..... (Address)

in the Republic of Kenya, applying to be nominated as the PFRD Party candidate for election as (mark with X where applicable)

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

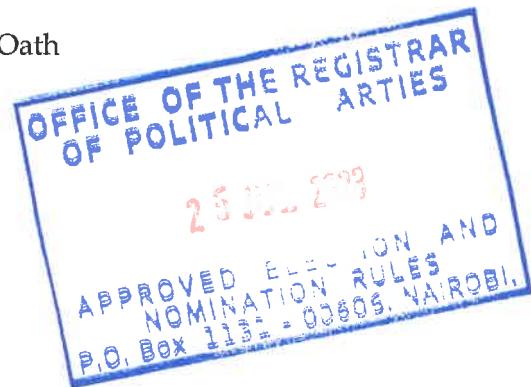
Do hereby solemnly swear and pledge as follows:

1. That I swear to respect, defend, and safeguard the Constitution of Kenya and the PFRD Party Constitution and all its policies.
2. That I shall be loyal to my country Kenya and the Party.
3. That I shall abide by the Party's motto of "party to be! Change we want!" /"Chama Chetu, Maendeleo ya Haki" and support the Party manifesto, programmes, values and principles and undertake to work for their realization.
4. That I shall abide by and promote all prescriptions by the Party on the conduct of free, fair, open and peaceful nominations and elections and that I will always act in fairness, respect and honour of fellow candidates and at no time will I conceive, promote or condone election malpractices; and shall comply fully with the Party's disciplinary process should I be found to have engaged in such malpractice

5. That I shall always stand for and defend the respect, promotion, protection and fulfilment of human rights and freedoms for all Kenyans.
6. That I shall accommodate criticism and plurality of ideas and observe principles and practices of open, good and accountable governance.
7. That I shall support free and fair elections within the Party and in all electoral areas and processes in Kenya.
8. That I shall openly oppose and never practice or condone tribalism, nepotism and I shall ensure that allocation of resources and services are done fairly and equitably, and jobs on merit, through open and auditable processes.
9. That I shall actively support and practice zero tolerance to corruption.
10. That I shall be transparent in all my business practices and transactions and never allow my personal interest to prevail over the public interest.
11. That I shall always defend and protect public property and that I shall at all times, through appropriate platforms, expose any misuse of public office, money, property and investments irrespective of who is involved in acts of misuse;
12. That I shall not practice or condone any forms and acts of discrimination, racism, sexism, xenophobia, prejudice, hatred, bigotry against any individual or group in Kenya and wherever I go;
13. That I swear this pledge on the understanding that I may be disqualified, or required to resign from leadership, or have my Party membership revoked if I violate this pledge of commitment.

Signed by:.....
at.....On this.....day of.....20.....

Commissioner of Oath





Party To Be! Change We Want!

PART V: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE RULES AND PROCEDURES

General Introduction

There is hereby established committee referred to as the Dispute Resolution Committee whose mandate is to receive, hear and determine disputes resulting from internal party elections or nominations.

Definitions

Unless the context otherwise requires, in these rules and procedures, the following definitions shall apply:

Chairperson: means the Committee member appointed by the National Executive Committee to preside over the Committee pursuant to and in accordance with **Article 32** of the Constitution

Applicant: means an Aspirant filing a dispute;

Aspirant: means a person interested and registered as a member of the PFRD party seeking to contest for nomination of a particular election position as defined in the Constitution of Kenya, 2010

Dispute: means a formal objection and expression of dissatisfaction lodged in writing in accordance with the Party disputes procedure in Schedule B

Constitution: means the constitution of the PFRD party

Deputy Chairperson: means the Committee member elected by the members of the Committee to deputize the chairperson pursuant to and in accordance with **Article 32** of the Constitution;

National Executive Committee (NEC): means the party organ established in accordance with **Article 8** of the constitution.

Party: means the PEOPLES FORUM FOR REBUILDING DEMOCRACY (PFRD) PARTY



Respondent: means a person responding to an application;

Rules & Procedures: means the provisions and stipulations contained herein for governing the conduct of the Committee's affairs and ratified by the NEC in accordance with **Article 8 and Article 32** of the Constitution

Ruling: means the written determination of a dispute signed and delivered by the Committee.

Acronyms

PFRD- Peoples Forum For Rebuilding Democracy

NEC: NATIONAL EXECUTIVE COUNCIL

EDRC: ELECTORAL & NOMINATION DISPUTE RESOLUTION COMMITTEE

NEB: NATIONAL ELECTION BOARD

Purpose of these Rules

These rules and procedures aim to ensure the values of the party as set out in the Constitution are adhered to in the discharge of this mandate. Consequently, the purpose of these rules and procedures are:

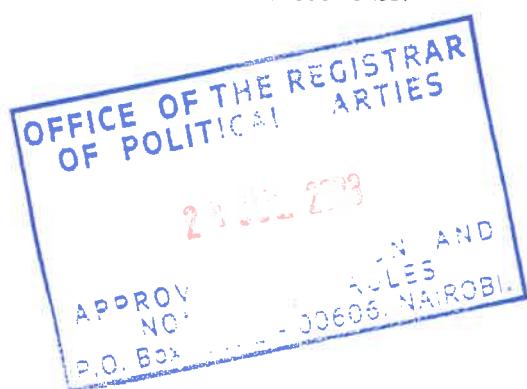
- a. To preserve the integrity and impartiality of the Committee;
- b. To provide guidance to the applicants as well as the Committee members in the conduct of matters before the Committee;
- c. To enhance speed and efficiency during hearings, deliberations and determinations;
- d. To ensure quality Committee decisions;
- e. To protect the rights of the party members;
- f. To protect the best interests of the party.

Application

These rules and procedures apply to the adjudication of all disputes before the ELECTORAL & NOMINATION DISPUTE RESOLUTION COMMITTEE and the application of these rules and procedures is subject to the authority of the Party Constitution.

Procedure for Filing

The proceedings shall be filed in accordance to the Rules found in Schedule B of these rules.





Guiding Principles

Committee Members shall:-

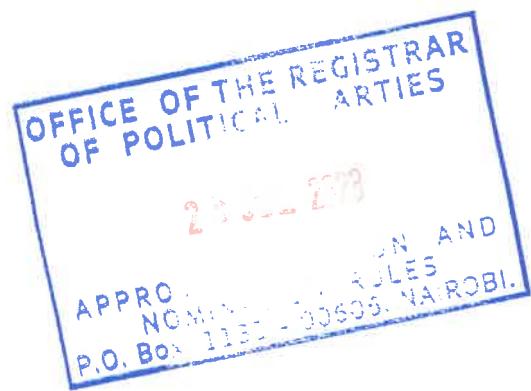
- a. Be bound by the rules of natural justice and procedural fairness
- b. Declare any conflicts of interest and shall avoid any and all bias.
- c. Not engage in any conduct or behaviour that may damage the reputation or integrity of the Committee.
- d. Conduct themselves with transparency and integrity at all times.
- e. Maintain confidentiality of issues dealt with at all times.

Conduct of Proceedings

- a. Hearings will be conducted at the Party Headquarters or any venue that the Secretariat shall approve by general notice and as stated in the disputes procedure in Schedule B.
- b. An Applicant or Respondent who receives a Hearing Notice shall be expected to be at the venue of the hearing in person accompanied by their advocate(s) if they so desire.
- c. Failure to heed to a Hearing Notice by either the party shall not preclude EDRC from proceeding to hear and dispense with a dispute.

Miscellaneous Provisions

- a. These rules and procedures will only come into force upon ratification by the NEC on the date hereinabove specified.
- b. The Committee shall upon consultation among members have the authority through the chairperson to amend these rules and procedures to better govern the workings and conduct of the Committee.
- c. Schedules to these rules and procedures form an integral part of these rules and procedures.





Finances

Operational Expenses

The PFRD shall meet all operational costs of the nomination process including printing, supervision and the provision of materials and allowances for nomination officials.

Implementation plan (Timelines)

The time-table for elections shall be decided by the National Executive Committee in a manner that is consistent with the Elections Act, 2012.

Arbitration

Any dispute concerning the nomination of a candidate for Presidential, gubernatorial, parliamentary or county assembly shall be referred for arbitration to an Appeals Board within twenty-four hours of the announcement of the results upon payment of a non-refundable fee of Ksh. 200,000/. The filing of the Appeal shall not operate as a stay of the decision of the Returning Officer.

The Arbitration Tribunal shall comprise three members appointed by NEC.





Party To Be! Change We Want!

PART VI: SCHEDULES FOR ELECTION AND DISOUTE RESOLUTION COMMITTEE



Party To Be! Change We Want!

Schedule A: Acknowledgement Form

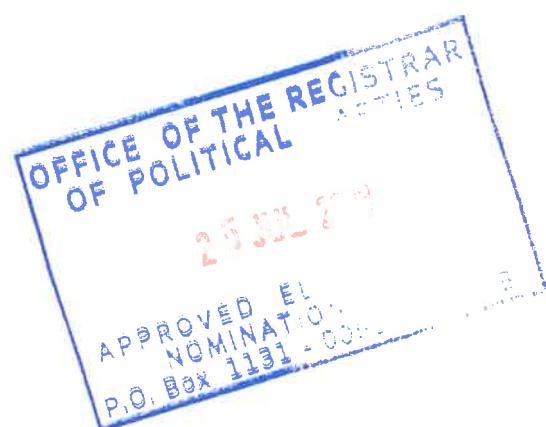
I(print name) having been appointed Chairperson of/ Deputy

Chairperson of/ a Member of/being co-opted as a member of/ the PFRD Party Electoral and Nomination Dispute Resolution Committee & Committee acknowledge that I have been provided with a copy of the PFRD Party Electoral and Nomination Dispute Resolution Committee & Committee rules and Procedures which I have read and understood and thus agree to abide and be bound by the same.

.....
(Date)

.....
(Signature)

pg. 101





Schedule B: Disputes Procedure

A. Form and contents of an Application

I. An application shall state:-

- i. the name, ID number, E-mail address and phone Number of the Applicant;
- ii. the name, phone number and/or e-mail address of the Respondent;
- iii. the date when the decision or action upon which the Application is based arose;
- iv. the decision, if any, complained against;
- v. the grounds on which the Application is presented; and
- vi. the name and address of the advocate for the Applicant, if any, which shall be the address for service.

II. An Application shall be:-

- i. supported by an affidavit by the Applicant containing the grounds on which relief is sought and setting out the facts relied on by the Applicant;
- ii. accompanied by copies of any supporting documents to be relied on at the hearing; and
- iii. signed by the Applicant or by a person duly authorized by the Applicant.

III.

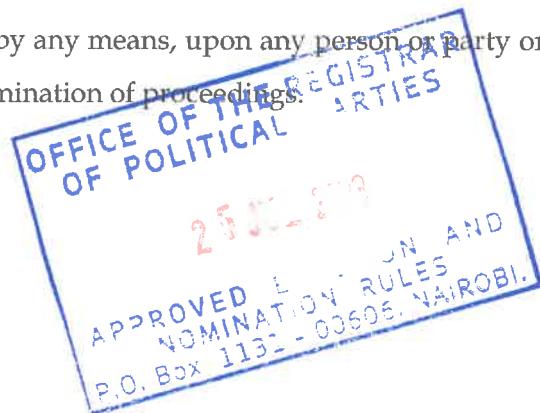
- i. The Application on first instance shall be filed on the PFRD Party online portal.
- ii. At least one hour to the hearing, there shall be as many copies of the Application filed as there are persons to be served, one file copy and three copies for the Committee.

IV. The Application shall conclude with a prayer, requesting the Committee to make the appropriate relief.

B. Service on the Respondent

- I. The Applicant shall serve the Application on the Respondent within One (1) hour of filing the Application with the Committee electronically or otherwise.
- II. The Committee may order service of an application by any means, upon any person or party organ as may be necessary for the just and expedient determination of proceedings.

C. Proof of service





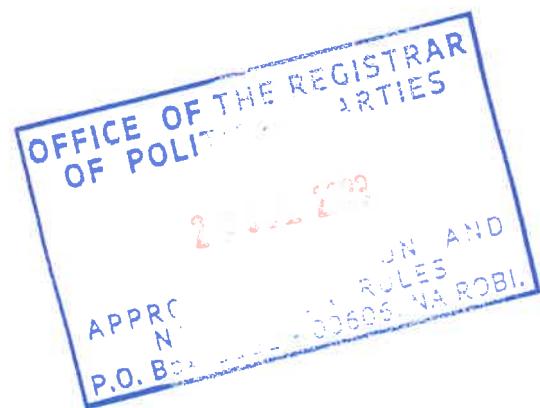
The person serving a document under these Regulations shall swear and annex or cause to be annexed to the original document an affidavit of service stating the time and manner in which the document was served.

D. Response by the Respondent

- i. Upon being served with an Application, the Respondent may oppose the Application by filing and serving a response within twelve (12) hours of being served with the Application.
- ii. The response to the Application, shall be by a Statement of Response set out in the First Schedule and shall be—
 - supported by an Affidavit and accompanied by copies of any supporting documents to be relied upon at the hearing; and
 - signed by the Respondent or by a person duly authorized by the respondent.
- iii. There shall be as many copies of the response filed as there are persons to be served, and three
- iv. copies for the Committee.
- v. A response shall respond to each claim made in the Application.
- vi. A Respondent who wishes to take part in the proceedings shall file a response upon service of the Application.

Schedule C: Filing Fees Schedule

1. Presidential Elections Ksh. 500,000/=;
2. Governors Disputes Ksh. 200,000/=;
3. Senators Disputes Ksh. 100,000/=;
4. National Assembly Disputes Ksh. 100,000/=;
5. Women Representative Disputes Ksh. 100,000/=;
6. Member of County Assembly Disputes Ksh. 20,000/=;





Party To Be! Change We Want!

Form 1: Dispute

(To be used to file a dispute alleging a violation of the Party Rules and Procedure in
Nominations)

To the Electoral Dispute Resolution Committee :

SECTION ONE

Please read and understand the Instructions BEFORE filling this Section:

Surname:..... Other names.....

Identity Card No./Kenyan Passport No

Date of birth:..... Gender.....

PFRD Membership No:.....

Mobile Number:.....

Contact Email.....

Position sought:.....

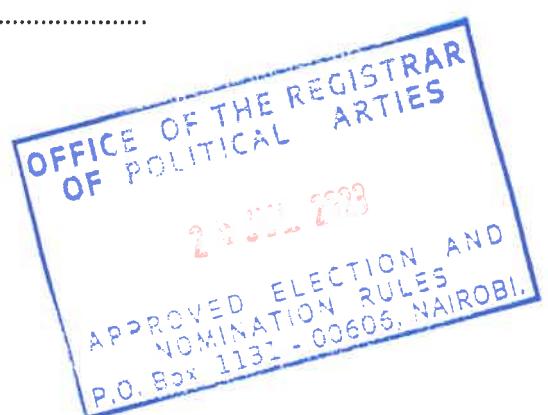
County:.....

Constituency:.....

Ward:.....

Polling Station:

Special interests: Women, PWD, Youth, None



*Party To Be! Change We Want!
Chama Chetu! Maendeleo Ya Haki*



Party To Be! Change We Want!

Form 2: Acknowledgement of Receipt of Dispute

TO (Name of Applicant and address)

Your application dated

Has been received by the Electoral and Nomination Dispute Resolution Committee on:

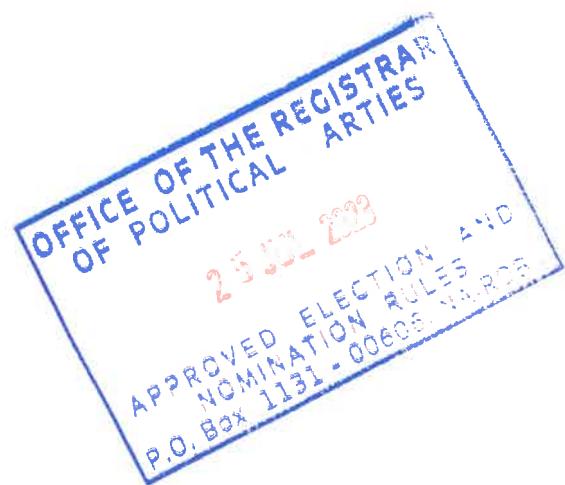
(State Date and time of receipt)

DATED this day of 20

Signature

.....

Authorized signature and stamp





Party To Be! Change We Want!

Form 3: Transmission of Dispute

TO (Name of Respondent and address)

TAKE NOTICE that a Dispute dated and attached herein, has been

filed against you and received by the Electoral and Nomination Dispute Resolution Committee & Committee,

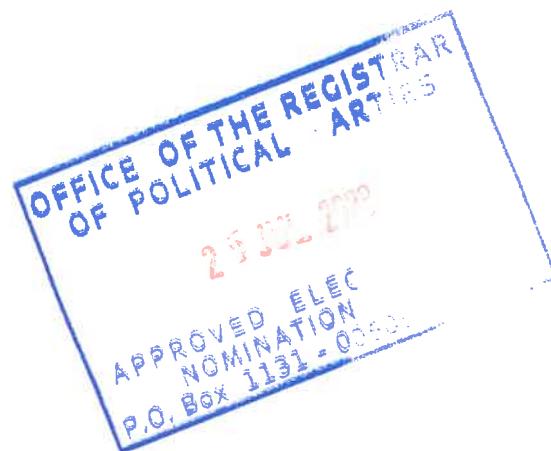
You shall be notified of a hearing date when you shall be accorded the opportunity to respond.

DATED this day of 20

Signature

.....

(AUTHORIZED SIGNATORY)



PFRD Party Electoral and Nomination & Dispute Resolution Committee (EDRC)

pg. 106



Party To Be! Change We Want!

Form 4: Hearing Notice

PFRD PARTY ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE

APPLICATION NO.....OF.....

AB APPLICANT

VERSUS

CD..... RESPONDENT

To: (NAME and ADDRESS)

HEARING NOTICE

TAKE NOTICE that the above matter is scheduled for hearing in

.....
on..... at (time)

TAKE FURTHER NOTICE that in default of your attendance the aforesaid hearing will proceed as the Electoral and Nomination Dispute Resolution Committee & Committee and shall deem fit.

DATED thisday of..... 20.....

Signature.....

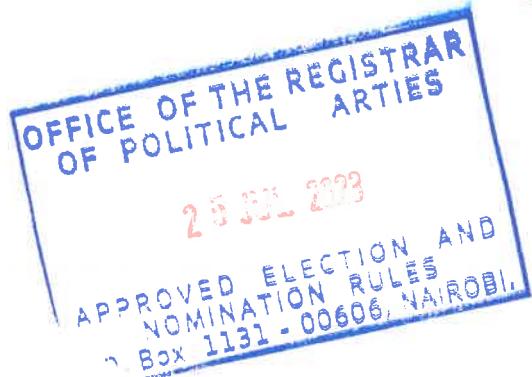
(AUTHORIZED SIGNATORY)

PFRD Party Electoral and Nomination Dispute Resolution Committee (EDRC)

NB: TO BE ISSUED TO APPLICANT AND RESPONDENT(S)



pg. 107





Party To Be! Change We Want!

Form 5: Ruling Template

PFRD PARTY ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE

APPLICATION NO.....OF.....

AB.....APPLICANT

VERSUS

CD.....RESPONDENT

RULING

- A. BRIEF FACTS
- B. SUMMARY OF ISSUES TO BE DETERMINED
- C. FINDINGS
- D. DISPOSITION
- E. ORDER/DECLARATION

Dated and delivered at Nairobi this..... day of 20.....

(MEMBER'S NAME and SIGNATURE)

Member, PFRD Party Electoral and Nomination Dispute Resolution Committee....

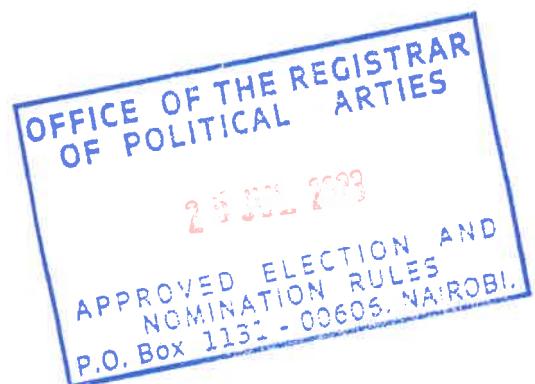
(MEMBER'S NAME and SIGNATURE)

Member, PFRD Party Electoral and Nomination Dispute Resolution Committee....

(MEMBER'S NAME and SIGNATURE)

Member, PFRD Party Electoral and Nomination Dispute Resolution Committee

pg. 108





Party To Be! Change We Want!

Form 6: PFRD Party Electoral and Nomination Dispute Resolution Committee

APPLICATION NO OF

A.B.....APPLICANT

VERSUS

C.D.....RESPONDENT

AFFIDAVIT OF SERVICE

I of P. O Box a process server, states as follows:

1. On theday of 20 at (indicate the time) I served (indicate the name of the party) at (indicate the name of the place) by tendering a copy of (Indicate document served) to him/her and requiring a signature on the original.

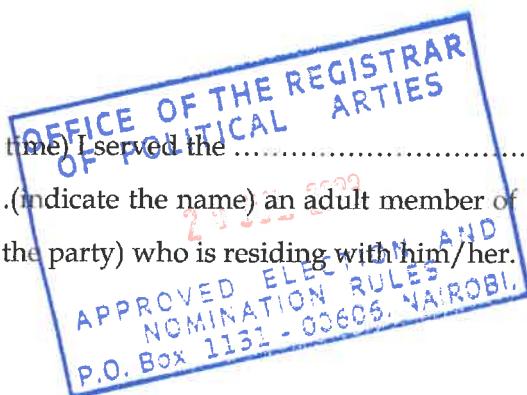
He/she signed refused to sign the document. (Please indicate as appropriate)

He/she was personally known to me was identified to me by (indicate the name) and

admitted that he/she was the (indicate the name of the party)

2. Not being able to find the..... (indicate the name of the party) on theday of

.....20 at(indicate the time) I served the (indicate the document served) on(indicate the name) an adult member of the family of the (Indicate the name of the party) who is residing with him/her.





3. Not being able to find the (indicate the name of the party) or any person on whom

service could be made, on the day of 20 at (indicate the time), I affixed a copy of the (indicate the document served) to the outer door of the premises in which the

..... resides/ carries on business at (indicate name of the premises)

4. Not being able to serve in the manner prescribed above, I served the (indicate the document served and the manner in which service was effected) on the day of

20 by (indicate name of addressee) and obtained the attached acknowledgement.

5. I declare that the information given above is true

Sworn by the said

This day of 20

Before me



Commissioner for Oaths/Magistrate

