



PARTY NOMINATIONS AND ELECTION RULES

2023 EDITION

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PART I: PRELIMINARIES

PREAMBLE

These are the Election and Nomination Rules of the Vibrant Democratic Party. They are made pursuant to the Party's Constitution 2023, the Constitution of Kenya 2010, the Political Parties Act 2011, the Elections Act 2017, and all other applicable provisions of the law.

These Rules may be cited as the Vibrant Democratic Party Nomination Rules, 2023 (hereinafter referred to as "the Rules").

The Rules are intended to apply to the elections of Party office-bearers and nomination of candidates to contest in National General Elections.

INTERPRETATIONS

In these Rules, unless the context otherwise requires: -

"Agent" means a person duly accredited by a candidate as his agent

"Candidate" means a person contesting for an elective position

"Constituency" means one of the constituencies into which Kenya is divided under Article 89 of the Constitution of Kenya 2010

"Constituency Returning Officer" means a person elected by the National Elections Board to preside over Party elections and nominations within the Constituency

"Constitution" means the Constitution of the Vibrant Democratic Party

"Counties" means the counties into which Kenya is divided under Article 6(1) of the Constitution of Kenya 2010

"County Returning Officer" means a person elected by the Party Elections Board to preside over Party elections and nominations within the County

"Delegate" means in the nomination of the Party presidential candidate, the members of the special National Delegates Convention for that purpose

"Majority" means the greatest number of votes in any voting conducted under these Rules.

"National Delegates Convention" means the National Delegates Convention as defined in the Party Constitution

"Nomination" means the election of a person qualified under these Rules to contest for election at a General or By-Election on the Party ticket

"Party" means the Vibrant Democratic Party

"Party List" means a Party list prepared by a political Party and submitted to the Independent Electoral and Boundaries Commission (IEBC) pursuant to and in accordance with Article 90 of the Constitution of Kenya 2010

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

“IDRM” means the Party Internal Disputes Resolution Mechanism as established under the Party Constitution

“Ward” means the electoral unit for Members of the County Assembly within the meaning of Article 177(1) of the Constitution of Kenya 2010

“Youth” means a person aged between 18 and 35 years

ACRONYMS

AGM: Annual General Meeting

CEC: County Executive Committee of the Party

CMC: Constituency Management Committee of the Party

NDC: National Delegates Convention

NGC: National Governing Council

NEC: National Executive Committee

Party: Vibrant Democratic Party

NEB: National Elections Board

KRA: Kenya Revenue Authority

DCI: Directorate of Criminal Investigations

HELB: Higher Educations Loans Board

SIGs: Special Interest Groups

PART II: PARTY ELECTIONS BOARD

RULE 1: Appointment of National Elections Board – The Party shall establish a National Elections Board (NEB) comprising experienced, respected members of the Party and who are knowledgeable in electoral matters, and whose mandate shall be organizing, supervising, planning and coordinating all Party elections and nominations of candidates for various elective positions, and to conduct voter education and training of agents;

- (a) The Board shall consist of not less than three (3) and not more than nine (9) members including a Chairperson and a Deputy Chairperson; and who shall be appointed by the Party Leader on the recommendation of the NEC;
- (b) The Executive Director who shall be an *ex-official* member.
- (c) The Members of the NEB shall be:
 - (i) persons of high moral integrity, professional competence and experience in management of public affairs;
 - (ii) fully paid up members of the Party but shall not hold any other office in the Party;
 - (iii) citizens of Kenya who are not less than eighteen years of age;
 - (iv) constituted such that not more than two-thirds are of either gender
- (b) The Board shall hold office for a period of five (5) years and shall be eligible for re-appointment provided no member of the NEB shall serve for more than two terms;
- (c) During its first meeting, members of NEB shall elect one of their members who shall be of the opposite gender to the Chairperson to be a deputy chairperson and another to be a Secretary to the Board.
- (d) One member of the Board shall be a person representing special interest groups
- (e) The Chairperson of the NEB shall be a person qualified to hold the office of a Judge of the High Court of Kenya.
- (f) The National Organizing Secretary and the Secretary for Legal Affairs shall be *ex-officio* members of NEB;
- (g) The Board shall appoint a Director and Deputy Director of Elections with the approval of the NEC.
- (h) PROVIDED that a member of the NEB may lose his or her position if deemed unfit to hold office on the following grounds:
 - (i) Is convicted of an electoral offence under the laws of Kenya or other criminal offence and imprisoned for a term of not less than six months;
 - (ii) Is adjudged bankrupt or mentally incapacitated;
 - (iii) Violates the Party Constitution, this Rules or the Party Code of Conduct;
 - (iv) Is found to have undermined the integrity of the Party's electoral process and after a fair hearing by the NEC fails to show cause why he or she should not be removed from office.

RULE 2: Functions of National Elections Board –The National Elections Board shall carry out the following functions:

- a. Lead, co-ordinate and conduct Party Elections and the Nomination of Party Candidates for General Elections and By-Elections;

- b. Implement elections and nominations rules in accordance with the Constitution of Kenya, the electoral laws, this Constitution and Party Regulations;
- c. Issue notices to Members of the Party of date, venue and time within which applications for nomination for all elective seats shall be conducted and the timeline of return of the applications;
- d. Prescribe forms and documents required for purposes of Party and General elections and nominations;
- e. Take all necessary measures to ensure Party elections and nominations are transparent, peaceful, free and fair;
- f. To identify, designate and secure venues that will serve as polling stations for purposes of elections of Party office bearers and nomination of Party candidates for the General and By-Elections;
- g. Issue an interim certificate to a candidate duly elected or nominated upon being announced the winner;
- h. Issue the final list of the duly elected or nominated members to the NEC;
- i. Appoint and post returning officers, presiding officers and such other elections and nominations officers as shall be necessary for the better carrying out of its mandate; and
- j. Through the office of the Director of Elections, present to the NEC a list of all candidates contesting for Party positions for all elective seats provided that the NEC may raise an objection on reasonable grounds regarding the suitability of any candidate.

PART III – ELIGIBILITY FOR NOMINATIONS AND ELECTIONS

RULE 3: General Qualifications for Nomination as a Party Candidate - Any paid up and registered Party member shall have the right to offer himself or herself for nomination as Party candidate but must:

- (a) Be a citizen of Kenya and holder of a National Identity Card or Passport and is registered as a voter in a constituency in the Republic of Kenya;
- (b) Be a registered member of the Party;
- (c) Be qualified to stand for an elective position which he/she seeks under the relevant provisions of the laws of Kenya and the Party Constitution.
- (d) Meet the ethics and integrity requirements under Chapter 6 of the Constitution of Kenya 2010
- (e) Have signed the Party Pledge and Code of Conduct
- (f) Have paid the prescribed Party nomination fee
- (g) Have a clearance certificate from the Kenya Revenue Authority, Higher Education Loans Board and the Ethics and Anti-Corruption Commission

RULE 4: Elective offices for which a member may seek the Party nomination - Any paid up and registered Party member, shall have the right to offer themselves to be nominated as a Party candidate for President, Senator, Governor, Member of National Assembly, County Woman Representative, and Member of County Assembly, subject to meeting the general qualifications under Rule 3

RULE 5: Disqualification from nomination as a Party candidate – A person shall be disqualified from seeking nomination as a Party candidate if he or she:

- (a) Is a State officer or acting in such capacity;
- (b) Is serving a sentence of imprisonment exceeding six months imposed by a court of law;
- (c) Is of unsound mind;
- (d) Is in violation of Chapter 6 of the Constitution of Kenya or any other law governing integrity;
- (e) Is bankrupt under the Laws of Kenya;
- (f) Has not paid the prescribed nomination fee;
- (g) Has failed to produce the required documentation
- (h) Is a Party Official

PART IV –NOMINATION OF PARTY CANDIDATES

RULE 6: Vacancies in elective positions - The National Elections Board, shall following a resolution by the National Executive Committee, advertise and receive applications for nominations for the positions of President, Members of the Senate, Governors, Members of the National Assembly, Member of the County Assembly and County Woman Representative.

RULE 7: Vetting of candidates - The National Elections Board shall subject to approval by the National Executive Committee (NEC) conduct the 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 2011, the Party Constitution and Party Elections and Nominations Rules.

RULE 8: Applications for nomination – Pursuant to Rule 6, and subject to the National elections calendar published by the IEBC, the National Elections Board shall cause to be published, a notice inviting and requiring interested persons to apply for nomination as Party candidates in either General or By-elections provided that the Party shall be at liberty to undertake direct nomination and proceed to issue a certificate in respect of certain candidates upon the NEC, in consultation with the Party Leader, take into account their popularity and ability to enhance the Party's ability to capture the seat.

RULE 9: Publication of Successful Nominees and Signing of Certificates – The National Elections Board shall with the approval of NEC, publish the final list of the successful applicants for nomination as Party candidates provided that:

- (a) Where two or more aspirants show interest in a particular seat, the National Elections Board may adopt consensus among the aspirants to support one of them, or if unable to do so;
- (b) The Party shall proceed to conduct a free and fair nomination exercise.
- (c) The nomination certificate for Party candidates for various elective posts in the General and By-Elections shall be signed by the Chairperson of the National Elections Board, Secretary-General and Party Leader.

RULE 10: General Procedure for Conducting Nominations –

- (a) For Presidential Nominations, in respect of National Presidential Elections, by a special National Delegates Convention (NDC) at least Six (6) months to the Presidential Elections. For purposes of conducting the Party nominations for the presidential candidate, the Secretary-General shall cause to be prepared and published, a register for delegates for the NDC, which shall be separate from the Principal Party Register. Provided that a delegate at the NDC must be a registered member of the Party.
- (b) For Members of the Senate, Governor and County Woman Representative, by Party members listed in the Principal Party Register as members in that county, who shall be delegates for purposes of the nomination process, provided the nominations shall be conducted at least three (3) months to the General Elections, or as directed by the IEBC;
- (c) For members of the National Assembly, by Party members listed in the Principal Party Register as members in that constituency who shall be delegates for purposes of the nomination process, provided the nominations shall be conducted at least three (3) months to the General Elections, or as directed by the IEBC;
- (d) For members of the County Assembly by Party members listed in the Principal Party Register as members in that Ward, who shall be delegates for purposes of nomination process, provided the nominations shall be conducted at least three (3) months to the General Elections, or as directed by the IEBC;
- (e) Nominations for the above elective positions shall be held at a venue designated by the National Elections Board (NEB) and shall be conducted through secret ballot;
- (f) Candidates for Party nominations shall pay the nomination fee prescribed by the Party as follows:
 - (i) Presidential candidate Ksh 500,000
 - (ii) Candidate for Senate..... Ksh 200,000
 - (iii) Candidate for Governor Ksh 200,000
 - (iv) Candidate for National Assembly..... Ksh 50,000
 - (v) Candidate for Woman Representative..... Ksh 50,000
 - (vi) Candidate for County Assembly Ksh 20,000
- (g) Provided that the provisions of Rule 15 (g) (iv) shall apply for Special Interest Groups (SIGs).

RULE 11: Nomination of Presidential Candidate

- (a) The nomination of the Party Presidential Candidate shall be by the National Delegates Convention during a special meeting convened for that purpose as described in Article 12 (b) (iv) of the Party Constitution.
- (b) The Presidential Candidate must meet the following qualifications:
 - (i) Must be a Kenyan citizen by birth;
 - (ii) Must be a registered voter;
 - (iii) Is qualified to stand for election as a Member of Parliament;
 - (iv) Is a holder of a degree from a University recognized in Kenya;
 - (v) Must meet the moral and ethical requirements under the Leadership and Integrity Act;

- (vi) Meet the minimum requirements for Presidential Candidates stipulated by the Independent Electoral and Boundaries Commission (IEBC).
 - (vii) Be a Life Member of the Party
 - (viii) Nominated by not fewer than two thousand voters in total from a majority of the counties.
 - (ix) Subscribe to the ideals of the Party and sign the Party Code of Conduct
- (c) A candidate seeking nomination as a Presidential candidate shall submit the following documents:
- (i) Certified copy of the applicant's National Identity Card
 - (ii) Certified proof of the applicant's National Electors Card
 - (iii) Certificate of Good Conduct
 - (iv) Copy of the Vibrant Democratic Party Life Membership Certificate
 - (v) Clearance certificate from the Kenya Revenue Authority (KRA)
 - (vi) Clearance certificate from the Higher Education Loans Board (HELB)
 - (vii) Clearance certificate from the Ethics and Anti-Corruption Commission
 - (viii) Certified Nomination Forms by the County Executive Committee (CEC) to which the applicant belongs
 - (ix) Copy of degree certificate from a university recognized in Kenya
 - (x) Original receipt from the Party Headquarters as proof of payment of non-refundable nomination fee of Ksh. 500,000
 - (xi) Meet all other requirements of the Elections Act and regulations made by the IEBC
- (d) A candidate seeking nomination as a Presidential Candidate shall in addition to the reasons specified in Rule 5 be disqualified if he or she:
- (i) Is a State officer or acting in any State or public office other than President;
 - (ii) is subject to a sentence of imprisonment of at least six months, as at the date of registration as a candidate, or at the date of election;
 - (iii) has been found in accordance with any law to have misused or abused a state office or public office;
 - (iv) Fails to enlist the required number of supporters as required in the Constitution and the Elections Act;
 - (v) Fails to resign from public service on or before the prescribed period

RULE 12: Nomination of Members of Parliament at County Level

(a) Senate:

A person seeking nomination for election as a Member of Senate shall fulfill the following requirements:

- (i) Must have been a Kenyan citizen for at least 10 years before the election;
- (ii) Must be a registered voter in the County for which he/she seeks election;
- (iii) A Life Member of the Party,
- (iv) Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act;
- (v) Must not be a Public Officer or acting in any State of public office other than a Member of Parliament;
- (vi) Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out

- (vii) Meet the minimum requirements for candidates for Senate as set out by the Independent Electoral and Boundaries Commission (IEBC),
- (viii) Demonstrate loyalty to the Party and subscribe to ideology, policies and vision
- (ix) Sign the Party pledge and Code of Conduct

A candidate seeking nomination for Member of the Senate shall submit the following documents:

- (i) Certified copy of the applicant's National Identity Card
- (ii) Certified proof of the applicant's National Elector Card
- (iii) Copy of the Vibrant Democratic Party Life Membership Certificate
- (iv) Clearance certificate from the Kenya Revenue Authority (KRA)
- (v) Clearance certificate from the Higher Education Loans Board (HELB)
- (vi) Clearance certificate from the Ethics and Anti-Corruption Commission
- (vii) Certified Nomination Forms by the County Executive Committee (CEC) of the County which the applicant belongs
- (viii) Original receipt from the Party Headquarters as proof of payment of non-refundable nomination fee of 200,000 Kshs.
- (ix) Meet all other requirements of the Elections Act and regulations made by the IEBC

(b) Woman Representative:

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

- (i) Be a registered voter in the Constituency or County for which he/she seeks election,
- (ii) Is a Life Member of the Party
- (iii) Meet the minimum requirements for candidates for Women Representative as set out by the Independent Electoral and Boundaries Commission (IEBC),
- (iv) Is proficient in both English and Kiswahili languages,
- (v) Be 18 years and above
- (vi) Demonstrate loyalty to the Party and subscribe to ideology, policies and vision
- (vii) Sign the Party pledge and Code of Conduct
- (viii) Demonstrate commitment to the Party ideology and policies

A candidate seeking nomination for Woman Representative shall submit the following documents:

- (i) Certified copy of the applicant's National Identity Card
- (ii) Certified proof of the applicant's National Elector Card
- (iii) Copy of the Vibrant Democratic Party Life Membership Certificate
- (iv) Clearance certificate from the Kenya Revenue Authority (KRA)
- (v) Clearance certificate from the Higher Education Loans Board (HELB)
- (vi) Clearance certificate from the Ethics and Anti-Corruption Commission
- (vii) Certified Nomination Forms by the County Executive Committee (CEC) to which the applicant belongs
- (viii) Original receipt from the Party Headquarters as proof of payment of non-refundable subsidized nomination fee of 50,000 Kshs.
- (ix) Meet all other requirements of the Elections Act and regulations made by the IEBC

A person shall be disqualified for nomination as Member of Senate and County Woman Representative if he or she:

- (i) Is a State officer or other public officer, other than a Member of Parliament;
- (ii) has held office as a member of the Independent Electoral and Boundaries Commission in the immediate past five years
- (iii) has not been a citizen of Kenya for at least the ten years immediately before the date of election
- (iv) is a Member of County Assembly;
- (v) is of unsound mind
- (vi) is undischarged bankrupt
- (vii) is subject to a sentence of imprisonment of at least six months, as at the date of registration as a candidate, or at the date of election
- (viii) has been found in accordance with any law to have misused or abused a state office or public office

RULE 13: Nomination of Members of Parliament at Constituency Level

Member of National Assembly

(a) A person seeking nomination for election as a Member of the National Assembly shall fulfill the following requirements:

- (i) Must have been a Kenyan citizen for at least 10 years before the election;
- (ii) Is a Life Member of the Party;
- (iii) Must be a registered voter in the Constituency for which he/she seeks election;
- (iv) Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act;
- (v) Must not be a public officer or acting in any State of public office other than a Member of Parliament;
- (vi) Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out;
- (vii) Meet the minimum requirements for candidates for National Assembly as set out by the Independent Electoral and Boundaries Commission (IEBC);
- (viii) Demonstrate loyalty to the Party and subscribe to ideology, policies and vision;
- (ix) Sign the Party pledge and Code of Conduct

(b) A candidate seeking nomination for Member of the National Assembly and Senate shall submit the following documents:

- (i) Certified copy of the applicant's National Identity Card
- (ii) Certified proof of the applicant's National Elector Card
- (iii) Copy of the Vibrant Democratic Party Life Membership Certificate
- (iv) Clearance certificate from the Kenya Revenue Authority (KRA)
- (v) Clearance certificate from the Higher Education Loans Board (HELB)
- (vi) Clearance certificate from the Ethics and Anti-Corruption Commission
- (vii) Certified Nomination Forms by the County Executive Committee (CEC) to which the applicant belongs
- (viii) Copy of degree certificate from a university recognized in Kenya

- (ix) Original receipt from the Party Headquarters as proof of payment of non-refundable nomination fee of 50,000 Kshs.
- (x) Meet all other requirements of the Elections Act and regulations made by the IEBC

(c) A candidate for nomination under this Rule shall be disqualified if he or she is:

- (i) is a State officer or other public officer, other than a Member of Parliament;
- (ii) has held office as a member of the Independent Electoral and Boundaries Commission in the immediate past five years
- (iii) has not been a citizen of Kenya for at least the ten years immediately before the date of election
- (iv) is a Member of County Assembly;
- (v) is of unsound mind
- (vi) is undischarged bankrupt
- (vii) is subject to a sentence of imprisonment of at least six months, as at the date of registration as a candidate, or at the date of election
- (viii) has been found in accordance with any law to have misused or abused a state office or public office

Rule 14: Nomination of Candidates for County Positions

(a) Governor

A person seeking nomination for election as a Governor and Deputy Governor must meet the following requirements:

- (i) Be a Life Member of the Party
- (ii) Be a registered voter in the County for which he/she seeks election
- (iii) Must have been Kenyan citizens for at least 10 years; before the election;
- (iv) Must be eligible for election as a member of the county assembly;
- (v) Is a holder of a degree from a University recognized in Kenya;
- (vi) Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act;
- (vii) Must not be a public officer or acting in any State of public office other than a member of the County Assembly;
- (viii) Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out;
- (ix) Meet the minimum requirements for candidates for the County Assembly as set out by the Independent Electoral and Boundaries Commission (IEBC)
- (x) Sign the Party Code of Conduct

An application for nomination for election as Governor shall present the following documents:

- (i) Certified copy of the applicant's National Identity Card
- (ii) Certified proof of the applicant's National Elector Card
- (iii) Copy of the Vibrant Democratic Party Life Membership Certificate
- (iv) Clearance certificate from the Kenya Revenue Authority (KRA)
- (v) Clearance certificate from the Higher Education Loans Board (HELB)
- (vi) Clearance certificate from the Ethics and Anti-Corruption Commission
- (vii) Certified Nomination Forms by the County Executive Committee (CEC) to which the applicant belongs

- (viii) Copy of degree certificate from a university recognized in Kenya
- (ix) Original receipt from the Party Headquarters as proof of payment of non-refundable nomination fee of 200,000 Kshs.
- (x) Meet all other requirements of the Elections Act and regulations made by the IEBC

A person shall be disqualified for nomination as Governor if he or she:

- (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 and Boundaries Commission;
- (iii) has not been a citizen of Kenya for at least the ten years immediately preceding the date of election;
- (iv) is serving a sentence of imprisonment of at least six months; or;
- (v) has been found, in accordance with any law, to have misused or abused a State office or public office or to have contravened Chapter Six of the Constitution;
- (vi) Has held an office of the Governor for two terms;

(b) Member of County Assembly

A person seeking nomination for election as a Member of County Assembly must meet the following requirements:

- (i) Must have been a Kenyan citizen for at least 10 years before the election;
- (ii) Be a Life Member of the Party
- (iii) Must be a registered voter in the ward they are contesting for;
- (iv) Must not owe allegiance to a foreign state;
- (v) Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act;

An application for nomination as a Member of the County Assembly shall present the following documents:

- (i) Certified copy of the applicant's National Identity Card
- (ii) Certified proof of the applicant's National Elector Card
- (iii) Copy of the Vibrant Democratic Party Life Membership Certificate
- (iv) Clearance certificate from the Kenya Revenue Authority (KRA)
- (v) Clearance certificate from the Higher Education Loans Board (HELB)
- (vi) Clearance certificate from the Ethics and Anti-Corruption Commission
- (vii) Certified Nomination Forms by the County Executive Committee (CEC) to which the applicant belongs
- (viii) Copy of post-secondary education from an institution recognized in Kenya
- (ix) Original receipt from the Party Headquarters as proof of payment of non-refundable nomination fee of 20,000 Kshs.
- (x) Meet all other requirements of the Elections Act and regulations made by the IEBC

A person shall be disqualified from nomination as a Member of County Assembly if he or she:

- (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 and Boundaries Commission;
- (iii) has not been a citizen of Kenya for at least the ten years immediately preceding the date of election;
- (iv) is serving a sentence of imprisonment of at least six months; or;
- (v) has been found, in accordance with any law, to have misused or abused a State office or public office or to have contravened Chapter Six of the Constitution;

RULE 15: Procedure for Nomination to the Party List

- (a) Nomination of members for National Assembly, Senate and County Assemblies for Party List seats specified under Article 97 (1) (c), 98 (1) (b), (c) and (d) and Article 177 (1) (b) and (c) of the Constitution of Kenya 2010 shall be on the basis of proportional representation;
- (b) Nomination of members for East African Legislative Assembly for Party List seats specified in the East African Legislative Assembly Nomination Rules shall be on the basis of proportional representation.
- (c) The National Executive Committee (NEC), shall identify persons from among the Party members for nomination to the Party List as members the National Assembly, Senate and County Assembly representative. The persons so identified shall meet the following criteria:
 - (i) Have a demonstrated loyalty to the Party and served it with diligence;
 - (ii) Have contributed to the Party's success in the elections;
 - (iii) Have shown commitment to the Party values and policies;
 - (iv) Are qualified to hold public and State office as provided for in the Party Constitution and these Rules;
 - (v) Are registered Party members and have paid Party subscription fees;
 - (vi) Have submitted a duly signed Code of Conduct and Pledge of Commitment to the Party;
 - (v) Have paid the nomination fees prescribed by the Party for the particular elective position subject to the provisions of Rule 15 (g) (iv).
- (d) The National Executive Committee shall then submit the Party List to the IEBC. The final list shall take into account the interests of women, youth, persons with disability and marginalized groups;
- (e) In determining the suitability of candidates for the Party List, the National Executive Committee shall only include persons who have made a demonstrable active contribution to the Party
- (f) For persons wishing to be nominated to the Party List:
 - (i) All provisions of the Pledge of Commitment shall apply to them in the same manner as to candidates vying for elective seats;
 - (ii) They must have met all the requirements for that position in these guidelines and any other written law;
 - (iii) They MUST have been active in the propagation of the Party's Mission and Vision;
- (g) For persons to be nominated to the Party List:

- (i) The qualifications for the candidates shall be the same as that of other candidates running for the same position;
- (ii) The names must be listed in the alternate between male and female candidates in order of priority;
- (iii) The nominations shall reflect the gender and ethnic diversity of Kenya.
- (iv) Candidates who qualify to be included in the Special Interest Group (S.I.G) category shall be eligible for 50 percent discount on the prescribed Party nomination fees. These include Women, Youth, Marginalized and People Living with Disability (PWDs).

PART V: ELECTION OF PARTY OFFICE-BEARERS

RULE 16: Party Elections at the Polling Station Level

The Party shall have elections at the Polling Station/Ward level to elect the Polling Station Mobilisation Committee (PSMC) pursuant to Article 24 of the Party Constitution;

- (a) The following office bearers shall be elected to the Polling Station Mobilisation Committee, namely:
 - (i) Chairman
 - (ii) Vice Chairman
 - (iii) Secretary
 - (iv) Assistant Secretary
 - (v) Treasurer
 - (vi) Assistant Treasurer
 - (vii) Organizing Secretary
 - (viii) Assistant Organizing Secretary
 - (ix) Chairlady, Women League
 - (x) Secretary, Women League
 - (xi) Chair, Youth League
 - (xii) Secretary, Youth League
 - (xiii) Chairperson PWD Assembly
 - (xiv) Secretary PWD Assembly
- (b) At the Polling Station/Ward level to elect committee members of the Women League pursuant to Article 25 of the Party Constitution;
- (c) At the Polling Station/Ward level to elect the member of the Youth League pursuant to Article 27 of the Party Constitution;
- (d) Only members who are listed in the Party's Principal Register as members in the particular polling station shall elect members of the Polling Station Mobilisation Committee and positions in clause (b) and (c) above.
- (e) Elected officials at Polling Station level shall hold office for a term of five (5) years.

RULE 17: Party Elections at Ward Level

(a) The Party shall have elections in every ward to elect the following office bearers of the Ward Coordination Committee (WCC) pursuant to Article 23 of the Party Constitution:

- (i) Chairperson
- (ii) Vice-Chairperson
- (iii) Secretary
- (iv) Assistant Secretary
- (v) Treasurer
- (vi) Assistant Treasurer
- (vii) Organizing Secretary
- (viii) Assistant Organizing Secretary

(b) The Party shall have elections in every ward to elect members of the Women League at the Ward level namely, Chairperson, Vice-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary.

(c) The Party shall have elections in every ward to elect members of the Youth Assembly at the Ward level namely, Chairperson, Vice-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary and Deputy Organizing Secretary.

(d) The Party office bearers at the Ward Level shall hold office for a term of five years.

(e) Any member who is listed in the Party's Principal Register as a member in the particular Ward has a right to seek election to any office in, and to participate in Party elections for, the Ward Coordination Committee and the Constituency Management Committee, and members of the Women and Youth Leagues at the Ward Level.

RULE 18: Party Elections at Constituency (Sub-County) Level

(a) The Party shall have elections at the Constituency (Sub-County) level to elect office bearers of the Constituency Management Committee (CMC) pursuant to Article 22 of the Party Constitution, namely:

- (i) Chairperson,
- (ii) Vice-Chairperson
- (iii) Secretary
- (iv) Assistant Secretary
- (v) Treasurer
- (vi) Assistant Treasurer
- (vii) Organizing Secretary
- (viii) Assistant Secretary
- (ix) Chairperson- Women League
- (x) Secretary Women League
- (xi) Chairperson- Youth League
- (xii) Secretary- Youth League
- (xiii) Chairperson – PWD Assembly
- (xiv) Secretary – PWD Assembly

(b) Constituency Management Committee office bearers shall hold office for a term of five (5) years.

(c) In addition to the above elective positions, the Party shall conduct elections for members of the Women League at Constituency (Sub-County) Level namely, Chairperson, Vice-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary.

(d) The Party shall also conduct elections for members of the Constituency Youth League, namely, Chairperson, Vice-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary and Deputy Organizing Secretary.

(e) Any member who is listed in the Party's Principal Register as a member in the particular Constituency has a right to be seek election to any office in, and to participate in elections for, the Constituency Management Committee, and members of the Women League and Youth League at the Constituency level.

RULE 19: Elections at the Party County Level

(a) The Party shall have elections at the County level to elect office bearers of the County Executive Committee (CEC) pursuant to Article 21 of the Party Constitution, namely:

- (i) Chairperson
- (ii) Vice-Chairperson
- (iii) Secretary
- (iv) Assistant Secretary
- (v) Treasurer
- (vi) Assistant Treasurer
- (vii) Organizing Secretary
- (viii) Assistant Organizing Secretary
- (ix) Chairperson- Women League
- (x) Secretary Women League
- (xi) Chairperson- Youth League
- (xii) Secretary – Youth League
- (xiii) Representative – PWD Assembly

(b) The Party County Executive Committee office bearers shall be elected at the County Annual General Meeting by secret ballot and for a term of five (5) years or until the Party elections are called, whichever comes first and shall be eligible for re-election.

(c) In addition to the office-bearers under Rule 19 (a), the Party shall conduct elections at the County level in respect of officials of the Party Women League at County level namely, Chairperson, Vice-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary and Deputy Organizing Secretary.

(d) The Party shall also conduct elections for members of the County Youth League namely, Chairperson, Vice Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary and Deputy Organizing Secretary.

(e) Any member who is listed in the Party's Principal Register as a member in the particular County has a right to be seek election to any office in, and to participate in elections for, the Party County Executive Committee Constituency Management

Committee, and members of the Women League and Youth League at the Constituency level.

RULE 20: Elections at the Party National Level

(a) Any member of the Party who is qualified has a right to be nominated as a candidate for any of the National Party offices specified in Article 11 namely:

- i. Party Leader
- ii. Deputy Party Leader- Strategy and Policy
- iii. Deputy Party leader - Operations
- iv. National Chairperson
- v. Deputy National Chairperson – Strategy and Policy
- vi. Deputy National Chairperson - operations
- vii. Secretary General
- viii. Deputy Secretary General – Current & political affairs
- ix. Deputy Secretary General – Strategy
- x. National Treasurer
- xi. Deputy National Treasurer – Finance & Audit
- xii. Deputy National Treasurer- Planning & Resource Mobilisation
- xiii. National Organising Secretary
- xiv. Deputy Organising Secretary – Operations
- xv. Deputy Organising Secretary – Programs
- xvi. Deputy Organising Secretary – External Affairs
- xvii. National Welfare Secretary
- xviii. Deputy National Welfare Secretary
- xix. National Chairlady Women League
- xx. Vice Chairlady Women League
- xxi. National Chairperson Youth League
- xxii. Vice Chairperson Youth League
- xxiii. National Chairperson- PWD Assembly
- xxiv. Representative- Kenyans Living in the Diaspora
- xxv. Secretary Legal and International Affairs
- xxvi. Director of Elections
- xxvii. National Community Leader
- xxviii. Party Patron who shall be an honorary national official appointed by NEC and shall be the principal adviser to the Party.

(b) Provided that no person, except with leave by a majority decision of the National Executive Committee shall be eligible to be elected if such person had not been a Party member for a period of three years preceding such election for the positions of Party Leader, National Chairperson, Secretary General, National Treasurer, National Organizing Secretary, Chairperson of National Women League and Chairperson National Youth Assembly;

(c) Elected Party National officials shall be elected for a term of five (5) years.

RULE 21: Procedure for Election of Party Office-Bearers

(a) The Party shall commence the process of identifying candidates for various Party office-bearers at least six (6) weeks before Party elections. The Party Secretary-General shall communicate to the Party Branches of the intention of the Party to hold elections to fill such offices. Where a vacancy arises in respect of any position at polling station, ward, constituency, county and national levels, elections shall

be conducted within six months to fill the vacant position. Candidates seeking election to any Party office shall present their application forms to the National Elections Board as follows:

- (i) In respect of Party national office bearers, not later than one week before the date of the elections for that office;
 - (ii) In respect of Party elections at the County, Constituency, Ward and Polling station level, not less than forty-eight (48) hours to the date of elections.
- (b) Each candidate at the Party elections shall in addition to the application form, present the following: -
- (i) National ID Card or Kenyan Passport
 - (ii) Party membership certificate;
 - (iii) Application Fee as prescribed by NEC;
 - (iv) Personal contact data including: email, telephone number, postal and physical address;
 - (v) Names of proposer and seconder who must be fully paid-up Party members;
 - (vi) Curriculum vitae;
 - (vii) Duly signed Pledge of Commitment to adhere to the Party Code of Conduct and in particular desist from violence, bribery or any other unlawful conduct that may undermine the integrity of the Party elections.
- (c) The Party elections at County, Constituency, Ward and Polling Station levels shall take place on the same day at venues designated as Party polling stations designated by the NEB between 0600 hours and 1800 hours;
- (d) The Party elections at National level will be conducted during the National Delegates Convention;
- (e) The National Elections Board shall appoint Returning Officers, Presiding Officers and Clerks for purposes of conducting Party elections at Polling Station, Ward, Constituency, County and National levels;
- (f) Party elections for office bearers shall be conducted through secret ballot.

PART VI: INTERNAL DISPUTE RESOLUTION MECHANISM

RULE 22: Party Internal Disputes Resolution Mechanism - Pursuant to article 38 of the Party IDRMM shall be the internal organ tasked with resolving any disputes arising from the Party nominations or election of Party office bearers. All such disputes shall first be referred to the IDRMM. The IDRMM shall comprise respected members of the Party who are knowledgeable in electoral matters. Provided the members of the IDRMM shall not be Party officials or serving in elective positions. Not more than two-thirds of the members of the IDRMM shall be of either gender.

The mandate of the Internal Disputes Resolution Mechanism shall be as follows:

- (a) Hear and determine electoral disputes emanating from the Party nominations or election of Party office bearers;
- (b) Advise the NEB on matters related to election disputes within the Party;

- (c) Makes rule relating to hearing of election disputes arising from Party nominations or elections of Party office bearers”

The procedure for appealing to the Party Internal Disputes Resolution Mechanism is as follows:

- (a) An aggrieved Party shall lodge an appeal to the Internal Dispute Resolution Mechanism constituted for purposes of hearing and determining disputes arising out of nominations or elections of Party office-bearers;
- (b) The appeal shall be in simple language, either in English or Kiswahili, and without due regard to technicalities, stating clearly the position the appellant was contesting or intended to contest and the specific grounds of appeal, provided the appeal shall not be heard until the appellant pays a fee as prescribed by the National Executive Committee for lodging of such appeals;
- (c) Should the nomination of a candidate or election of Party office bearer be adjudged to be flawed or nullified by the Internal Disputes Resolution Mechanism, the National Elections Board shall immediately declare the date and venue for fresh nomination or elections in the manner prescribed under these Rules;
- (d) In the event that the Party Internal Disputes Resolution Mechanism conclusively determines the winner in the contested nomination or election, and based on sufficient proof that the candidate who won committed electoral offences such as voter bribery, violence, fraud or other prohibited conduct, the Party National Elections Board may proceed to declare the person determined by the IDRМ as the conclusive winner, and proceed to set aside or nullify the earlier nomination of a candidate for any elective position in the General of By-election, or election of Party Office bearer as the case may be.

RULE 23: Appeal from Decision of Internal Disputes Resolution Mechanism

- (a) Decisions of the Internal Disputes Resolution Mechanism shall be subject to appeal to the Political Parties Disputes Tribunal (PPDT) or any other organ established by law for that purpose.

PART VII: GENERAL PROVISIONS

RULE 24: Party Membership Register

The Principal Party register of members shall be used for all Party Elections and for the Nomination of candidates who will vie for positions in all National General Elections and By- Elections.

- (a) The Secretary General shall transmit to the Party County Executive Committee (CEC) a Certified extract of The Principal Party Register for that County, which shall group members by polling station, Ward, Constituency and County, and which shall show the membership number, national identity card number, ethnicity, gender.
- (b) The Party County Executive Committee (CEC) shall retain a duly certified copy of the Register. The Constituency Management Committee (CMC) and Ward Coordination Committee (WCC) shall ensure that the duly certified copy of the

Party Membership register is available for inspection by members at the Polling Station and Ward level.

- (c) Any Member who considers that his/her registration details have discrepancies shall have the right to petition the Secretary of the County Executive Committee (CEC). Any rectification of the said Register shall be communicated by Secretary of the CEC to the Secretary General.

SCHEDULE 1

THE CODE OF CONDUCT OF THE VIBRANT DEMOCRATIC PARTY

All Party office bearers, Party Candidates nominated for the General and By-elections, Party elected leaders, Party nominees to various elective posts including those on the Party Lists, and all Party Members shall subscribe to the following Code of Conduct.

- (a) They shall conduct themselves with the highest standard of personal integrity and shun any form of dishonourable conduct including:
- (i) Corruption;
 - (ii) Discrimination on grounds of race, ethnicity, place of origin, sex, or religion;
 - (iii) Nepotism, tribalism, clannism or favoritism in management of public affairs;
 - (iv) Crimes against humanity which include genocide;
 - (v) Gender-based violence
 - (vi) Child abuse or other form of cruelty and violence against children and other vulnerable groups such as the elderly
 - (vii) Economic crimes
 - (viii) Election offences
 - (ix) Other acts or omissions that may bring the Party into hatred, ridicule or contempt
- (b) All Party leaders, candidates, nominees and members have a duty to report any violation of this Code of Conduct to any Party official at the local, county and national level for the appropriate action to be taken.
- (c) All Party leaders shall uphold and protect human dignity, respect human rights and equality of all persons, and the fundamental principles of freedom, democracy and justice.
- (d) In order to ensure a clean Party leadership as set out in (a) and (b) above, all Party leaders shall bind themselves by signing the Pledge of Commitment as set out below.

Action for Breach of the Party Code of Conduct and Party Pledge

- (a) Pursuant to Article 33 on Party Discipline, in any case, where a person is found guilty of an offence under this article, National Executive Committee (NEC) may impose any or more of the following punishments: -
- (i) Reprimand;
 - (ii) Demand for a written apology;
 - (iii) A fine, compensation, or restitution;
 - (iv) Suspension from the Party;
 - (v) Exclusion from elections and/or nominations;

- (vi) Dismissal from office;
- (vii) Revocation of nomination;
- (viii) Recall from any public office;
- (ix) Expulsion from the Party.

(b) In any case where NEC finds it appropriate, it may delegate its dispute resolution mandate or any dispute involving the Party or its members to the Political Parties Disputes Resolution Tribunal as provided in the Political Parties Act, or by any other written Law

PLEDGE OF COMMITMENT

I, Vibrant Democratic Party
Membership No..... ID No., of P. O. Box
from.....County.....Constituency.....Ward in
the Republic of Kenya wishing to be nominated as a contestant for the post of
..... do hereby solemnly swear and pledge as follows: -

1. That I shall respect, defend and safeguard the Constitution of Kenya and the Party Constitution and pledge allegiance to both Constitutions.
2. That I shall be loyal to my Country Kenya and my Party, the Vibrant Democratic Party.
3. That I shall abide by the Party’s Motto of unity and justice and that I shall abide by the Party’s Manifesto and programmes and undertake to work for their realization.
4. That I believe in the principles and national values set out in Article 10 of the Constitution of Kenya 2010, the Rule of Law and Democracy.
5. That I shall never conduct or participate in the torture or the political suppression of another human being and support the repeal of all oppressive laws.
6. That I shall always defend human rights, democracy and civil liberties.
7. That I shall accommodate criticism and observe the principles of transparency, accountability and good governance.
8. That I shall support free and fair elections within the Party and in national elections.
9. That I shall oppose and not practice nepotism, clannism, sexism or tribalism and I shall ensure that allocation of jobs and services is based on merit.
10. That I shall oppose and never practice corruption.
11. That I shall be transparent in my business transactions and never allow my personal interest to prevail upon the public interest.
12. That I shall always defend and protect life, public property and expose any misuse of public property.

13. That I shall not practice discrimination against anyone on the basis of age, sex, race, tribe, colour, gender or religion.
14. That I shall abide by all national electoral laws and Party election rules.
15. That any gift or donation received as State Officer on a public or official occasion shall be delivered to the State unless exempted under an Act of Parliament.
16. That any gift or donation received as Party Official on a public or official occasion shall be delivered to the Party
17. That I do not and shall not maintain a bank account outside Kenya except in accordance with an Act of Parliament.
18. That I shall not seek or accept a personal loan or benefit in circumstances that compromise the integrity of the Party or Public position held.
19. That as a full-time State Officer, I shall not participate in any other gainful employment.
20. That I shall support the Party vision, mission, policies and Programs.
21. That I shall participate actively as a member of the Party caucus in the body that I shall be elected to and shall vote, to the greatest extent possible, in accordance with the Party position.
22. That as long as I have been ELECTED through the Vibrant Democratic Party ticket in any position, be it the President, Deputy President, Governor, Deputy Governor, Senator, County Women Representative, Member of Parliament, or County Assembly Representative, I shall pay the monthly subscription of 5% (of the gross salary exclusive of taxes) from my salary to the Vibrant Democratic Party as required, failure to which the Party, which is the Vibrant Democratic Party shall be at liberty at its own discretion to terminate my membership to the Party.
23. That for any reason that I might be NOMINATED by the Vibrant Democratic Party in any Assembly, be it the Senate, National Assembly, County Assembly or East Africa Legislative Assembly (EALA) I shall pay the monthly subscription of 10% (of the gross salary exclusive of taxes). Failure to adhere to this or any other rule the Party, which is the Vibrant Democratic Party shall be at liberty at its own discretion to terminate my membership from the Party and replace my position with another member of the Party who shall adhere to these rules.
24. That the Party on its own discretion may remove or strike off my name off the list of members if it learns of my allegiance, obedience or adherence to another Political Party.
25. That I shall not enter into commitment without prior consent of the Party Leadership.
26. That I swear this pledge on the understanding that failure to adhere to this pledge will lead me to be disqualified or deemed to have contravened this

Pledge of Commitment, the Code of Conduct for leaders and/or any part thereof, after receiving due notice from the National Executive Committee to do so.

Signed:.....at.....
.....on this.....day
of.....20.....

In the presence of **Commissioner of Oaths/Magistrate**

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