

# MAENDELEO CHAP CHAP PARTY

## NOMINATION AND ELECTIONS RULES

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## **PART I**

### **Article 1: Preamble**

- (i) These rules shall be cited as the Maendeleo Chap Chap Party nomination and election rules. The rules shall come into operation with effect from May, 30<sup>th</sup> 2016 ;
- (ii) Whenever a General or by-election is called there shall be a process of nominating Party Candidates for the elections. This process must be done in accordance with the party constitution, Political Parties Act, the Elections Act, The Constitution of Kenya 2010 and all other applicable provisions of the law.

### **Article 2: Interpretation**

In these Rules unless the context otherwise admits;

“**Agent**” means a person duly appointed by –

- (a) A political party or an independent candidate for the purposes of an election under this Act;  
or
- (b) A referendum committee for the purposes of a referendum under this Act,  
And includes a counting agent and a tallying agent;

“**Ballot box**” means a transparent container with a slot on the top sufficient to accept a ballot paper in an election or in a referendum but which prevents access to the votes until the closing of the voting period.

“**Ballot paper**” means a paper used to record the choice made by a voter and shall include an electronic version of a ballot paper or its equivalent for the purposes of electronic voting;

“**Board**” means the Maendeleo Chap Chap Party National Elections and Nomination Board;

“**Candidate**” means a person contesting for an elective post;

“**Constituency**” means one of the constituencies into which Kenya is divided under Article 89 of the Constitution;

“**County**” means the counties into which Kenya is divided under Article 6 (1) of the Constitution and specified in the First Schedule of the Constitution

“**County assembly**” means a county assembly constituted in accordance with Article 177 of the Constitution;

“**Disability**” has the meaning assigned to it in Article 260 of the Constitution;

“**election material**” means ballot boxes, ballot papers, counterfoils, envelopes, packets statements and other documents used in connection with voting in an election and includes information technology equipment for voting, the voting compartments, instruments, seals and other materials and thins required for the purpose of conducting an election

“**Election offence**” means an offence under this Act;

“**Election results**” means the declared outcome of the casting of votes by voters at an election;

“**Nomination**” means the submission to the Commission of the name of a candidate in accordance with the Constitution and this Act;

“**Party list**” means a party list prepared by a political party and submitted to the Commission pursuant to and in accordance with Article 90 of the Constitution and sections 29,34,35,36 and 37;

“**Parliamentary election**” means the election of one or more members of Parliament;

“**Petition**” means an application to the election court under the Constitution or under this Act;

“**Political party**” has the meaning assigned to it in Article 260 of the Constitution;

“**Polling station**” means any room, place, vehicle or vessel set apart and equipped for the casting of votes by voters at an election;

“**Presidential election**” means an election of a President in accordance with Article 136,139(1) (b) and 146(2) (b) of the Constitution;

“**Ward**” means an electoral area within a county delimited in accordance with Article 89 of the Constitution.

## **PART II: NATIONAL NOMINATIONS AND ELECTIONS BOARD**

### ***Article 3: Appointment***

1. There shall be a board to be known as the MCCP National Nomination and Elections Board, which shall be a standing committee of the Party;
2. The Board shall be headed by a Chairman and shall have four other members and shall be supported by such other officers as are necessary for the discharge of its mandate. The Executive Director shall be an ex-officio member of the Board; and
3. The members Board shall be appointed by the Party Leader in consultation with NEC from amongst Members of the Party who shall be persons knowledgeable in matters of elections;
4. The Board composition shall be guided by article XXV of the Party constitution in taking in to account the two thirds gender rule.

### ***Article 4: Functions of the Board***

1. Formulate and coordinate MCCP elections strategies and conduct party nominations and elections;
2. Undertake Presidential, Parliamentary and County level primary nominations in respect of a general election or by-election in accordance with these rules;
3. Advice NEC and other relevant organs of the party on matters relating to party nominations and elections;
4. The Board may outsource such assistance as may be necessary for the fulfilment of its mandate;
5. Do anything necessary and proper to ensure the success of the Party during nominations and elections;
6. Subject to these rules, the party constitution and other applicable laws, the board shall have the power to decide on rules and procedures for the conduct of its affairs;
7. The board shall report to the National Executive Committee through its Chairman;

8. The Board shall prescribe forms and other documents required for purposes of party elections and/or nominating Party candidates for elections and shall ensure efficient and effective issuance and return of those forms as circumstances may warrant;
9. The Board shall present to the National Executive Committee a list of all candidates seeking election to party positions or nominations for National and County level positions;
10. The National Executive Committee may raise objections on grounds that a candidate presented as above, is not in tandem with MCCP principles and aspirations PROVIDED that such a candidate shall be heard on the objection before any determination on their fate is made;
11. The Board shall design and issue Nomination Certificates in respect of any election in consultation with the National Executive Committee; and
12. Every Certificate issued under Clause 11 of this Article shall bear the seal of the Party and shall be signed by the Party Leader and the Chairperson of the National Elections Board, Provided that NEC may appoint not more than two other officials for purposes of signing certificates in the absence of the two designated signatories.

### **PART III: NOMINATION AND ELECTIONS**

#### ***Article 5: General qualifications for nomination and election of party candidates***

This article deals with provisions for nomination of party candidates for National and County elections. These shall include:-

1. The NEC shall develop voting mechanisms for all its candidates for Presidential, Parliamentary and County nominations to ensure compliance with the provisions of Chapter SIX, Constitution of Kenya 2010 and other relevant provisions of the Law regarding Leadership and Integrity;
2. No person shall be qualified to be a party candidate in any election unless that person meets the following criteria and has the following qualifications:-
  - a) The person must be conversant with, supports and subscribes to the party ideology, philosophy, mission and values;
  - b) The person is validly a current registered and subscribing member of the party in any branch in Kenya and his name appears in the National Register of the party members;
  - c) The person is a citizen of Kenya and a holder of a **National Identity Card** or such other document of national identity as may, be prescribed by Law and is registered as a voter in some constituency in the Republic of Kenya; and

- d) The person is qualified to stand for an election which he/she seeks under the provisions of the relevant provisions of the Laws of Kenya and the Party Constitution.

***Article 6: Nomination of Presidential Candidate***

The nomination of MCCP Presidential Candidate shall be by the **Special National Delegates Congress (SNDC)** as described in Article 31(1) of the party's constitution.

The Presidential candidate must:

1. Be a Kenyan citizen by birth
2. Qualify to stand for election as a member of parliament.
3. Be a member of the party for a period not less than one year prior to his nomination.
4. Be a holder of a National identity card
5. Be a registered voter in any county in the Republic of Kenya.
6. Be 21 years and above.
7. Pay nomination fees in the amount of Ksh 1,000,000/=.
8. Sign the Party code of conduct and abide by the Party pledge of commitment
9. Be nominated by at least **2000** duly registered voters from at least 24 counties each.
10. Must not owe allegiance to any foreign state.
11. Must have attained **Gold membership** in the party.
12. Must Submit:
  - a) A clearance certificate from Kenya revenue Authority (KRA)
  - b) A clearance certificate from Higher Education Loans Board (HELB)
  - c) A clearance certificate from Ethics and Anti-corruption commission (EACC)
  - d) Certificate of good conduct
  - e) A certified proof of the applicants National Elector Card
  - f) A Certified copy of the applicants Identity Card
  - g) A Certified proof of the name of the branch to which the applicant belongs.
  - h) Such non-refundable fee in cash of banker's cheque or other approved mode of payment as may be determined by the National Executive Committee as Nomination fee.
  - i) Be a holder of a university degree from a recognized university in Kenya.

***Article 7: Nomination of County Governor***

- 1) The Board shall make an advertisement in the local daily to call for candidate to offer themselves for MCCP Governorship nomination exercise;

- 2) Registration of interested candidates shall be done at the National Secretariat in a prescribed form accompanied by registration fees as determined by Board;
- 3) A person applying to be considered for nomination as a County Governor must possess all the relevant qualifications as per the Constitution of Kenya 2010, The Elections Act, the party Constitution and all other relevant provisions of the Law;

### **7.1 Qualifications**

- a. Be a member of MCCP for a period not less than three (3) days prior to nomination.
- b. Be a Kenyan citizen and a holder of National Identity card or a Kenyan passport as may be prescribed by law.
- c. Be a registered voter.
- d. Be 18 years and above
- e. Be conversant with and subscribe to the party ideology, philosophy, mission and values.
- f. Be qualified to stand in an election which he seeks under chapter Six of the National Constitution
- g. Sign the party of code of conduct and abide by the party pledge of commitment.
- h. Pay nomination fees in the amount of Ksh 250,000/= . This amount may be waived or reduced to take in to account special interest groups.
- i. Submit Curriculum vitae in the prescribed form and valid certificate of good conduct.
- j. Be qualified to be a governor of a county
- k. Demonstrate commitment to the party.
- l. Not owe allegiance to any foreign state
- m. Submit a clearance certificate from Kenya Revenue Authority (KRA)
- n. Provide a clearance certificate from HELB
- o. Submit a clearance certificate from EACC
- p. Is a holder of a degree from a university recognized in Kenya
- q. Attaining Gold, Silver or Bronze membership will be an added advantage

### **Article 8: Nomination of County Representative**

There shall be nomination of county representatives. Candidates applying for such nominations will be required to have the following qualifications:

### **8.1 Qualifications**



- a) Be a member of MCCC for a period of not less than three (3) days prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter in the county in which he/she intends to contest
- d) Be eighteen years and above.
- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- f) Demonstrate commitment to the party.
- g) Sign the party Code of Conduct and abide by the Party Pledge of Commitment.
- h) Pay nomination fees in the amount of Ksh 20,000/=. This amount may be waived or reduced to take in to account special interest groups.
- i) Submit a CV in a prescribed form and a valid Certificate of Good Conduct.
- j) Be qualified to be a candidate for the position of Woman MP as per relevant National legislation.
- k) Not owe allegiance to a foreign state.
- l) Demonstrate commitment to the Party.
- m) Be nominated by at least **1000 registered** voters who are also registered members of the Party from all the Constituencies within the County.
- n) Submit a clearance certificate from KRA.
- o) Provide a clearance certificate from HELB
- p) Submit a clearance certificate from EACC.
- q) Should hold a post-secondary school qualifications recognised in Kenya.

**Article 9: Nomination of Senator**

- a) One who requires vying for the position of a senator shall be required to meet the provisions of MCCC constitution.

**9.1 Qualifications**

- I. Be a member of MCCC for a period of not less 3 days prior to the date of nomination
- II. Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- III. Be a registered voter in the country in which he/she intends to contest
- IV. Be eighteen years and above.
- V. Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- VI. Sign the party code of conduct and abide by the party pledge of commitment
- VII. Pay nomination fees in the amount of Ksh 150,000/=. This amount may be waived or reduced to take in to account special interest groups.

- VIII. Submit Curriculum Vitae in a prescribed form and a valid certificate of good conduct
- IX. Be qualified to be a candidate for the position of a senator as per the national legislation.
- X. Not owe allegiance to a foreign state
- XI. Not be a public officer or be acting in any state of public office
- XII. Submit a clearance certificate from KRA
- XIII. Provide a clearance certificate from HELB.
- XIV. Submit a clearance certificate from EACC.

**Article 10: Nomination of Parliamentary candidates**

Each applicant for Parliamentary nomination in MCCP shall meet similar conditions as those of the Presidential candidate except that the parliamentary candidate shall be nominated by at least **1000** registered voters who are also registered members of the party in the Sub-branch (constituency)

**10.1 Qualifications**

- a) Be a member of MCCP for a period not less than three (3) days prior to nominations'
- b) Be a Kenyan citizen by birth and a holder of National Identity card or a Kenyan passport as may be prescribed by law.
- c) Be a registered voter in any constituency in his county.
- d) Be 18 years and above
- e) Be conversant with and subscribe to the party ideology, philosophy, mission and values.
- f) Be qualified to stand in an election which he seeks under chapter Six of the National Constitution
- g) Sign the party of code of conduct and abide by the party pledge of commitment.
- h) Pay nomination fees in the amount of Ksh 150,000/= . This amount may be waived or reduced to take in to account special interest groups.
- i) Submit Curriculum vitae in the prescribed form and valid certificate of good conduct.
- j) Be qualified to be a parliamentary candidate.
- k) Demonstrate commitment to the party.
- l) Not owe allegiance to a foreign state
- m) Submit a clearance certificate from Kenya Revenue Authority (KRA)
- n) Provide a clearance certificate from HELB
- o) Submit a clearance certificate from KACC
- p) Be a holder of a degree from a university recognized in Kenya.
- q) Attaining **Gold, Silver or Bronze** membership will be an added advantage

**Article 11: Nomination of women representative**

There shall be a Women League Constituted by female members of MCCP who subscribe to the League at all structures of the party.

The Women Representative therefore must be a member of such league in her respective level of structure to qualify for nomination and election.

### **11.1 Qualifications**

- r) Be a member of MCCP for a period of not less than three (3) days prior to the date of nomination
- s) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- t) Be a registered voter in any part of the country
- u) Be eighteen years and above.
- v) Be conversant with support and subscribe to the party ideology, philosophy, mission and values.
- w) Demonstrate commitment to the party.
- x) Sign the party Code of Conduct and abide by the Party Pledge of Commitment.
- y) Pay nomination fees in the amount of Ksh 100,000/=.
- z) Submit a CV in a prescribed form and a valid Certificate of Good Conduct.
- aa) Be qualified to be a candidate for the position of Woman MP as per relevant National legislation.
- bb) Not owe allegiance to a foreign state.
- cc) Demonstrate commitment to the Party.
- dd) Be nominated by at least **1000 registered** voters who are also registered members of the Party from all the Constituencies within the County.
- ee) Submit a clearance certificate from KRA.
- ff) Provide a clearance certificate from HELB
- gg) Submit a clearance certificate from EACC.
- hh) Should hold a post-secondary school qualifications recognised in Kenya.

### **Article 12: Youth Representative**

There shall be a Youth League constituted by youth of either gender (male or female) members of RBK who subscribe to the League at all levels of the party structure

#### **12.1 Qualifications**

- a) Be a member of MCCP for a period of not less than three (3) months prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter in the country in which he/she intends to contest
- d) Be (18) eighteen to (35) thirty five years.
- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values. Pay nomination fees as shall be determined by NEB.
- f) Demonstrate commitment to the party.

### **Article 13: Representative persons with disability**

There shall be a League of people with disability at all levels of the party structure.

#### **13.1 Qualifications**

- a) Be a member of MCCP for a period of not less than three (3) months prior to the date of nomination
- b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
- c) Be a registered voter
- d) Be eighteen years and above.
- e) Be conversant with support and subscribe to the party ideology, philosophy, mission and values. Pay nomination fees as shall be determined by NEB.
- f) Demonstrate commitment to the party

### **Article 14: Nomination procedures**

1. In accordance with the General Elections Calendar as provided for in Law and published by IEBC, or in the event of a by-election, the board shall cause to be published, a notice inviting and requiring members to make recommendations and interested persons to apply for nomination as party candidates in either general or by- elections, provided that:-
  - i) The party leader shall receive automatic/direct/unopposed nomination to the seat he/she intends to vie for; and
  - ii) The party shall be at liberty to undertake direct nomination and proceed to issue a certificate in respect of certain candidates upon the NEC considering their popularity and probability of success in their bid to capture the desired seat.
2. All aspirants shall swear, sign and affirm to the Maendeleo Chap Chap Integrity and Rapid Development Oath. This oath as prescribed in appendix 5 shall be undertaken before a commissioner for oaths and witnessed by a member of the NEC so appointed.

*The oath shall read as follows*

*Naapa*

- ✓ *Kupigana Na Ufisadi*
- ✓ *Sitapewa au kupeana Hongo*
- ✓ *Sitakula Mali ya Uma*
- ✓ *Sitakuwa na ukora na tama ya Wanasiasa*

- ✓ *Nitahimiza jitihada za amani na Umoja*
  - ✓ *Nitapinga ukabila- sis ni watoto wan chi ya Kenya*
  - ✓ *Nitafanya kazi kwa bidii nikiyajali maslahi ya Mwananchi kwanza*
  - ✓ *Nitajiuzulu nikipatikana na hatia ya ufisadi au ulegevu wa kazi.*
3. The recommendations and applications in writing shall be made to the National Nominations and Elections Board;
  4. The Branch Executive Committee may receive such applications at the local level on behalf of the Board provided the officials are not interested parties in the nomination exercise;
  5. Upon receipt of the recommendations/applications, the Branch Executive Committee shall forthwith transmit all such recommendations and/or applications to the Board;
  6. The board shall tabulate the recommendations and or applications and indicate the gender of each aspirant ;
  7. The Board shall then cause a list of all the applicants to be appropriately published and displayed;
  8. The Board shall prepare the final list of the recommended candidates and applicants and submit the same to the NEC;
  9. NEC shall consider the names thus presents in accordance with Article 4 (10) of these rules;
  10. If the NEC shall be satisfied with the list, it shall endorse and certify the list and submit it board ;
  11. Where two or more aspirants show interest in the contesting for the party ticket for any position, the board shall employ of the following methods to determine the party candidate :-
    - (i) Build consensus among the aspirants to support one of them;
    - (ii) Undertake independent research or opinion polling to determine the most popular candidate;
    - (iii) In the event the candidates are not able to agree on any of the above, the board shall proceed to conduct free, fair and democratic nomination exercise ;
  12. The date, Venue and officials overseeing the nomination exercise at the national, county, constituency and ward levels shall be published within reasonable time to ensure transparency;

13. Unless otherwise decided by the board or its appointed officers in consultation with party aspirants, voting during nominations shall be done at the polling station level;
14. The board shall have power to recruit returning officers, presiding officers, clerks and other officials for the smooth and democratically running of the nomination exercise provided such recruitment is done transparently and not to the advantage of one aspirant;
15. Only card bearing members of the party, whose names appear in the party register shall be eligible to vote;
16. Each such member of the party shall have one vote and shall cast the same by secret ballot;
17. Every candidate for nomination shall have the right to appoint two agents at the election and the counting of the votes;
18. 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;
19. The Presiding Officer shall announce the results at the polling station and all the candidates and or their agents present will confirm the result by endorsing and signing the tally of votes cast on a form to be provided;
20. The results shall then be relayed to a constituency tallying centre in respect of MNA and MCA and to a County Tallying Centre in respect of Women Representative, Senate and Governor positions for tallying provided the venues for the tallying will have been made public in advance;
21. Upon tallying and verification of the same by the candidates and or their agents, the relevant returning officer shall announce the results and declare the candidate in whose favour most votes have been cast to be the winner;
22. If any candidate and/or agent refuses/fails to certify the totals as correct the presiding or returning officer, as the case may be, shall make note of such refusal and record the grounds for refusal and certify and sign the results provided a returning officer may announce the results even where a candidate disputes them awaiting appeal;
23. After declaration of the winner, the returning officer shall relay the results, the signed tallying form, any objections and a personal report of the entire exercise to the chairperson of the board;
24. Upon receipt of the aforesaid , the Chairperson of the Board shall, table the same to the board for discussion, adoption, correction and or rejection;

25. If satisfies that the nomination has been conducted in accordance with these rules, the party constitution and the rules of natural justice, the Election Board shall endorse and confirm the nomination of the candidate and and relay the same to the NEC for consideration under Article IV;
26. Upon NEC being satisfied with the exercise and results thereof, the board will proceed to issue a nomination certificate to the winner as provided for under these rules for submission to IEBC;
27. These nomination rules can be amended and re-filed with the Registrar of political parties, after being adopted by the NEC before the date of the nomination exercise. The amended rules would automatically replace the old rules and would be applicable in all process and litigations;
28. The party can give direct nominations to certain candidates on submissions to the NEC based on an objective criteria of promoting the core values of the party and on the viability of the candidate to win.

#### ***Article 15: Nomination of Party List Members***

1. Criteria of election of members for National Assembly, Senate and County assemblies for Party list seats specified under Article 97(1) (c and 98(1)(b) (c) and (d) and article 177 (1) (b) and (c) of the National Constitution shall be on the basis of proportional representation and in accordance with article 90 of the constitution;
2. MCCP shall submit its party list to the IEBC upon National Executive Committee checking and endorsing the same;
3. The party list shall contain alternatives between male and female candidates and shall prioritise a person with disability, the youth and any other candidate representing a marginalised group;
4. Only persons with demonstrable active contribution to the party shall qualify to be in the party list.

#### ***Article 16: Appeal and Dispute Resolution***

1. The National Executive Council and the National Nominations and elections Board shall, at the commencement of the process of nomination, establish a National Appeals and Dispute Resolution Panel which shall finally determine all and any matters and disputes between party members and/or party members pertaining nominations;
2. The National appeals and Disputes resolution panel shall be appointed on ad hoc basis to deal with appeals and// or disputes arising from the nomination process in a particular election and shall stand dissolved upon conclusion of the nomination process;

3. The Appeals and Dispute Resolution Panel shall have a chairperson who shall be a person of high personal and moral integrity and who and whose immediate relatives shall not be a contestant or contestants on the nomination;
4. The Appeals and Dispute Resolution Panel shall have four (4) other members at least one of whom shall be a lawyer of not less than five years standing. Two of neither the panel members shall be of either gender and shall be persons of high moral and personal integrity and shall have experience in public affairs and shall not nor their immediate relatives be contestants in the nomination;
5. Any person aggrieved by the decision of the Election Board, may after the declaration of the winner lodge an appeal/or complaint within 72 hours, in writing setting grounds and attaching evidence in support of the appeal/complaint.
6. A person preferring an appeal to the National Appeals and Dispute Resolution Panel shall pay such fees as may be prescribed by the panel from time to time;
7. Any person who presents a petition to challenge Party nomination process shall deposit a non-refundable fee of Kenya shillings. Fifty thousand (**Ksh.50,000**) only, in addition to the fees as shall be prescribed hereinabove.
8. After lodging the appeal and fulfilling the requirements, the person preferring the appeal shall be entitled to be heard by the Panel and may be allowed to call any witnesses in support of his case;
9. All appeals filed for determination shall be determined within 72 hours;
10. The decision of the Appeals and Dispute Resolution Panel shall be final.

## **PARTIV: PARTY GRASSROOTS ELECTIONS**

### **Article 17: Grassroots election Procedures**

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

These elections shall be held from the lowest to the highest structures within the party. The following criteria and qualifications shall apply:-

1. Prior to the elections there shall be political education carried out by National and Branch officials.
2. Three months to the elections NEC shall cause mass recruitment of member's compilation and verification of national register for the party elections.



3. The NEC elections shall issue a public notice of not less than 21 days in print and electronic media with national circulation and coverage specifying the venue, time and date of the elections
4. The NEC will establish an
5. Election board to manage internal Party elections at all levels.
6. Venue.

**Article 18: Eligibility Criteria**

No person shall be eligible to participate in the Party Sub Location/Ward, Location, Branch and National elections unless that person:

- a) Is a fully paid up member of the Party and his or her name appears in the register of members and holds a valid current party membership card as prescribed in the relevant law
- b) Is a Kenyan citizen with a valid identification Card or Passport as may be prescribed by law.

**Article 19: Venue, time and date of elections**

- a) The party Grass-roots elections will start at the Sub-Location, and then proceed to Location/Ward and the Branch/constituency levels. County and National.
- b) The polling, Ward and Sub-Branch and Branch elections shall be held in a central place particularly in schools, Ass. Chiefs or Divisional Centres, religious institutions or other public place as agreed by the candidates.
- c) The elections will be held between 10.00am to 4.00pm of the prescribed dates only.
- d) The membership registers will be kept at the branch level by the Party Secretary under the supervision of the entire Sub-Location Executive Committee.
- e) Only current party identity card bearing members are eligible to inspect the registers to verify their eligibility to vote as prescribed in Section 3(c) of the Party's Constitutions and 17(6) of Political Parties Act 2007.
- f) For avoidance of doubt, the polling Ward and Branch elections for the year \_\_\_\_\_ shall be conducted as follows:

Polling centre on \_\_\_\_\_ or \_\_\_\_\_ as the Party members may decide outside or within the precincts of the offices of the area Sub-Chief between the hours of 10.00am and 4.00pm

Ward Elections: on \_\_\_\_\_ or \_\_\_\_\_ as the Party members on the Location/Ward may decide outside or within the precincts of the office of the area chief between the hours of 10.00am and 4.00pm

Sub-branch / Constituency Elections: On \_\_\_\_\_ outside or within the precincts of the constituency office between the hours of 10.00a.m and 4.00p.m

Branch /County:

### **Article 20: Management and Supervision**

- a) The party elections at all levels shall be supervised and mandate by the National Nominations and Elections Board and its appointed officials
- b) The Party elections for National officials shall be carried out by the National Delegated Congress on such a date, time and venue as shall be determined by the National Executive Councils and notice thereof published in to print and elections media with national circulation or coverage not less than twenty one (21) days before the date of the elections.
- c) For the purposes of the elections of the National officials, the National Executive Council may appoint such a person or persons or organization for the purposes of conducting, supervising and managing the elections as it may deem fit.
- d) Members vying for any post in the elections shall not be appointed as an election official.

### **Article 21: Voting procedure**

1. Unopposed candidates who are fully qualified for positions applied for will be declared unopposed and duly elected to positions applied for on the election day if they are not challenge by any qualified candidate/s for same posts.
2. Voting shall be either by secret ballot, by show of hands or by queuing and the person obtaining the highest number of votes for any office shall be declared the winner.
3. The returning officer shall require all contestants for an office to confirm the results in writing by signing the Elections Returns form. Provided that where a contestant declines or refuses or otherwise fails to sign the form, the Returning Officer shall make a note of that fact and counter sign the form.
4. Any person who having been elected to an office in either polling centre committee Executive Committee Sub Branch Executive Committee who subsequently contests and

wins and is elected into an office in a higher Party structure shall relinquish the office previously elected which shall become vacant immediately.

5. Consequently a By-election shall be held within 60 days to fill the vacancy arisen.
6. No person shall use bribery, intimidation, coercion, violence or other under influence in the election to any office and any person who does so shall be disqualified by the Returning Officer.

#### **Article 22: Elections returns**

The Returning Officer appointed for the purpose of supervising and managing each election at the Sub-location, Location/Ward, Branch/Constituency, County and the National Delegates Congress shall complete a prescribed Elections Return Form duly signed by the Chairman of Elections Board and counter signed by himself/herself and the candidates and return the same to the office of the Executive Director who shall keep a record thereof and compile a register of the elected party officials at all levels.

#### **Article 23: Resolution of disputes**

- a) Where a dispute arises on the election of a candidate to an office at a Sub-location, Location/Ward, Branch/Constituency, County or National Level, the elections Board will immediately form an Ad-hoc Committee of five respectable non-partisan people to resolve it. The complainant will pay such a fee prescribed the National Executive Council.
- b) The results of arbitration will be communicated to the elections Board immediately for appropriate action.
- c) Where a By-Election is recommended, the Elections Board shall order fresh elections to be held within a period of one week thereof.
- d) Disputes adjudicated by the Ad-hoc committee will be resolved within one day.

## **PART V- POSITIONS TO BE CONTENSTED**

#### **Article 24- Polling**

1. Chairperson
2. Vice-chairperson
3. Secretary
4. Assistant Secretary
5. Treasurer

6. Assistant Treasurer
7. Organizing Secretary
8. Assistant Organizing Secretary
9. Youth Leader
10. Women Leader
11. Ten committee Members of whom at least five shall be women and five shall be youth( The youth is a person between 18- and below 35 years old)
12. Of the Ten committee members, at least one person must be elected to represent persons with disability.
13. The community interest should underline the selection of the ten committee members.
14. For purposes of National officials the provisions on the same enumerated in the Party constitution apply.

**Article 25 – Ward**

1. Chairperson
2. Vice-chairperson
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Assistant Treasurer
7. Organizing Secretary
8. Assistant Organizing Secretary
9. Youth Leader
10. Women Leader
11. Ten committee Members of whom at least five shall be women and five shall be youth( The youth is a person between 18- and below 35 years old)
12. Of the Ten committee members, at least one person must be elected to represent persons with disability.
13. The community interest should underline the selection of the ten committee members.

14. For purposes of National officials the provisions on the same enumerated in the Party constitution apply.

**Article 26 – Sub-branch**

1. Chairperson

2. Vice-chairperson

3. Secretary

4. Assistant Secretary

5. Treasurer

6. Assistant Treasurer

7. Organizing Secretary

8. Assistant Organizing Secretary

9. Youth Leader

10. Women Leader

11. Ten committee Members of whom at least five shall be women and five shall be youth( The youth is a person between 18- and below 35 years old)

12. Of the Ten committee members, at least one person must be elected to represent persons with disability.

13. The community interest should underline the selection of the ten committee members.

14. For purposes of National officials the provisions on the same enumerated in the Party constitution apply.

**Article 27- Branch**

1. Chairperson

2. Vice-chairperson

3. Secretary

4. Assistant Secretary

5. Treasurer

6. Assistant Treasurer

7. Organizing Secretary
8. Assistant Organizing Secretary
9. Youth Leader
10. Secretary Youth League
11. Women Leader
12. Secretary Women League
13. Eight committee Members of whom at least five shall be women and five shall be youth((The youth is a person between 18- and below 35 years old)
14. Of the eight committee members, at least one person must be elected to represent persons with disability.
15. The community interest should underline the selection of the eight committee members.
16. For purposes of National officials the provisions on the same enumerated in the Party constitution apply.

**Article 28- National**

1. Party Leader(PL)
2. Deputy Party Leader(DPL)
3. National Chairperson(NC)
4. Deputy National Chairperson(FDNC)
5. National Secretary General(NSG)
6. Deputy National Secretary General(DNSG)
7. National Treasurer(NT)
8. Deputy National Treasurer(DNT)
9. National Organizing Secretary(NOS)
10. Deputy National Organizing Secretary(DNOS)
11. National Chairperson, Women Congress
12. Deputy National Chairperson, Women Congress

13. National Chairperson, Youth Congress
14. Deputy National Chairperson, Youth Congress
15. National Director of Elections
16. Deputy National Director of Elections
17. Secretary for parliamentary affairs(chief Whip)
18. Chief Executive officer(CEO)

## **PART VI – PARTY CAUCUSES**

### **Article 29:MCCP parliamentary group**

1. There shall be a MCCP parliamentary group which shall be a caucus of Members of National Assembly and Senate elected on the MCCP ticket or nominated by the Party to the respective Houses
2. The national Chairperson shall within fourteen days of the declaration of results of a general election convene a meeting of the MCCP parliamentary group at a place specified in the notice of the meeting at which the agenda shall be:
  - a) Election by secret ballot of the Leader of MCCP Parliamentary Group
  - b) Election by secret ballot of the Deputy Leader of MCCP parliamentary Group
  - c) Elections by secret ballot of the MCCP Chief Whip
  - d) Election by secret ballot of the Deputy MCCP chief whip and Secretary to the parliamentary Group.
3. A member of the National Assembly or Senate shall not without justification oppose Party positions and Policy in Parliament. PROVIDED a member shall not be construed to have opposed a Party position where the same was not communicated to him in writing by the Chief Whip.
4. A member of the National Assembly or Senate who opposes Party positions on more than three occasions shall be de-whipped and reported to the National steering Committee for disciplinary proceedings to be initiated.

5. Without prejudice to the foregoing, Party Positions shall be agreed on at meetings of the MCCP Parliamentary Group wherein decisions on any matter shall be determined by consensus or simple majority vote.

**Article 30: Congress of governors**

1. There shall be an informal caucus of Governors elected on MCCP ticket to be known as the Congress of Governors which shall meet once every quarter of a year at a place determined by the National Chairperson.
2. The congress of Governors shall review and advise the party on challenges of devolution of power and resources
3. The president of Kenya if he is a Member of MCCP, or the MCCP presidential Candidate, in the last general election if still a Member, shall be invited to the Congress of Governors.
4. The Governor's congress shall propose and receive such help from the Party Advisory and or Working Committees as would enhance the effective discharge of their mandates.

**Article 31: MCCP members of County Assembly (MCA)**

1. The Members of each County Assembly elected on a MCCP ticket shall constitute themselves into a Caucus to be known as the MCCP MCA Caucus
2. The Branch Chairperson shall within fourteen days after the declaration of county elections convene a meeting of all Members of the respective county assembly elected on a MCCP ticket
3. The agenda of the meeting shall be
  - a) The election of a Caucus leader
  - b) The election of a Whip
4. The MCCP MCA shall, in the discharge of their mandate as Members of the County Assembly, endeavour at all times to advance the Party position, objectives and ideologies.
5. There shall be an informal National Conference of Members of county assemblies elected on a MCCP ticket which shall meet annually but not later than the 31<sup>st</sup> of December at a place determined by the National Chairperson.
6. The conference shall review and consolidate the Party's strength in the county Governments and Assemblies.
7. The President of Kenya if he is a Member of MCCP, MCCP Senators, MCCP members of the National Assembly and all MCCP Governors shall be invited to the conference.

**8. Qualifications for nominating a member of County assembly:**



- a) A person qualifies for nomination as a member of County assembly if the person:
- b) Is registered as a voter in the county he intends to vie.
- c) Satisfies any educational moral and ethical requirements prescribed in the party constitution, National Constitution and Election Act 2011.
- d) Nominated by at least 500 registered members of the party in his County.
- e) Has not been a member of national electoral commission within the five years immediately before the date of election
- f) Gold, Silver or Bronze member will be an added advantage for such qualification.

**Article 32: The Professional Caucus/Stakeholders**

1. There shall be a party Professionals Caucus.
2. The Party's Professional Caucus shall consist of such persons with expertise or skills and experience in a particular field and who subscribe to and support the Party's vision, philosophy, ideals and policies and who are otherwise not members of any of the organs and are ready and willing to support the Party programs intellectually and materially and shall meet at such time and place as determined by the National Executive Committee.
3. Members of the party's professional caucus shall organise themselves in a way they consider most efficient.
4. The resolutions of the caucus shall be made available to the NEC for purposes of incorporation in the activities, programs and projects of the party.
5. The NEC shall facilitate and attend the party professional caucus

**Article 33:Nomination and Election Offences**

1. Soliciting or receiving bribes to encourage voting for a candidate
2. Hate speech targeting the opposing side;
3. Carrying another person's membership card.
4. Destruction of nomination and election materials of the opposing candidate.
5. Use of another person's membership card to vote
6. Prevention, obstruction or barring of a person from voting.
7. Election offences under Chapter 7 of the Laws of Kenya will lead to warning and disqualification of a member and a candidate in whose favour the offence was done.

***Duties of members during Nominations/elections -***

1. Report election offences as soon as possible to Designated IEBC Security Officer's desks, Designated Peace Committees or the nearest Police Station;

2. Conduct campaigns in a peaceful manner and to ALWAYS adhere to the laws, rules and regulations guiding elections in Kenya;
3. Participate in the election by coming out.

**Article 34:Amendment/Review**

These nomination Rules may be amended and/or reviewed by the National Executive Council at least six (6) months before the date set for the general elections and the amended and/or reviewed rules shall be filed with the Registrar of Political Parties, automatically replacing the pre-existing rules, upon which they shall be applicable in all legal and other processes connected herewith.

**FORM DR 1**

**SCHEDULE**

**OATH OF MEMBER OF THE DISCIPLINARY COMMITTEE**

I \_\_\_\_\_ having been appointed Chairman (member) of the Disciplinary Committee do swear that I will without fear or favour, affection or ill-will discharge the functions and duties of the Office of the chairman (member) of the Disciplinary Committee, and that I will not, directly, reveal and matter relating to such functions and duties to unauthorized persons or otherwise than in the course of my duty.

So help me God.

Sworn at Nairobi: \_\_\_\_\_ )

)

)

)

)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ )

)

)

)

)

Commissioner for Oaths: \_\_\_\_\_ )

FORM 1 (ELECTION RETURN)

**MAENDELEO CHAP CHAP PARTY (MCCP)**

**(ELECTION PROCEEDINGS)**

POLLING CENTRE..... WARD.....  
 SUB BRANCH (CONSTITUENCY)/BRANCH (COUNTY).....

I .....having presided over then elections in the above electoral unit, do hereby certify that the elections were carried out freely and that the results were as follows:-

POST.....

NO.OF CONTENSTANTS.....DATE.....

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTENSTANTS
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....

Name of returning officer.....signature.....

POST.....

NO.OF CONTESTANTS.....DATE.....

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTESTANT
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....

Name of returning officer.....signature.....

POST.....

NO.OF CONTESTANTS.....DATE.....

CONTESTANT'S NAME	MEMBERSHIP NUMBER	NUMBER OF VOTES WON	SIGNATURE OF CONTENSTANTS
1.			
2.			
3.			
4.			

**Declared winner.....**

Number of votes cast.....spoilt.....good.....  
 Name of returning officer.....signature.....  
 POST.....  
 NO.OF CONTESTANTS.....DATE.....

This form is part of the elections documentation, released by MCCP, chaired by MCCP Direction of elections and will be used only in accordance with the election rules and party constitution

**FORM 2 (ELECTION RETURN)**

**MAENDELEO CHAP CHAP PARTY (MCCP)**

**(ELECTION OFFICE BEARERS)**

I.....have presided over the election for.....

(Polling/ ward) certify that the following persons were elected.

1. Chairman.....
2. Vice Chairman.....
3. Secretary.....
4. Assistant Secretary.....
5. Treasurer.....
6. Assistant Treasurer.....
7. Organizing Secretary.....
8. Assistant Organizing Secretary.....
9. Women Leader.....
10. Ass.Women leader.....
11. Youth Leader.....
12. Ass.Youth Leader.....
13. Committee Member (Female).....
14. Committee Member (Female).....
15. Committee Member (Female).....
16. Committee Member (Youth).....
17. Committee Member (Youth).....
18. Committee Member (man)..... Member
19. Committee Member.....
20. Rep of People with disability.....

Signature of the Returning Officer.....dates.....

Full Name of the Returning Officer.....

1. Witnessed by (signature).....date.....  
 Full Name.....
2. Witnessed (Signature).....  
 Full Name.....

This form is part of the elections documentation, released by MCCP National Elections Board, chaired by MCCP Director of Elections and will be used only in accordance with the election rules and party constitution.

**FORM 3 (ELECTION RETURN)**

**MAENDELEO CHAP CHAP PARTY (MCCP)**

**(ELECTION OFFICE BEARERS)**

I.....have presided over the election for.....

(Constituency of Branch) certify that the following persons were elected.

1. Chairman.....
2. Secretary.....
3. Assistant Secretary.....
4. Treasurer.....
5. Assistant Treasurer.....
6. Organizing Secretary.....
7. Assistant Organizing Secretary.....
8. Women Leader.....
9. Youth Leader.....
10. Ass. Women leader.....
11. Youth Leader.....
12. Ass. Youth Leader.....
13. Committee Member (Female).....
14. Committee Member (Female).....
15. Committee Member (Female).....
16. Committee Member (Youth).....
17. Committee Member (Youth).....
18. Committee Member (man).....
19. Committee Member.....
20. Rep of People with disability.....

Signature of the Returning Officer.....date.....

Full Name of the Returning Officer.....

1. Witnessed by  
(signature).....date.....Full  
Name.....

2. Witnessed  
 (Signature).....  
 Full Name.....

This form is part of the elections documentation, released by MCCP National Elections Board, chaired by MCCP Director of Elections and will be used only in accordance with the election rules and party constitution.

FORM 4 (ELECTION RETURN)

**MAENDELEO CHAP CHAP PARTY (MCC)**

**(DELEGATES TO THE SPECIAL NATIONAL DELEGATES CONGRESS)**

.....BRANCH DELEGATES

NAME	MEMBERSHIP NO.	ID NO.
1. CHAIRMAN		
2. SECRETARY		
3. WOMEN LEADER		
4. SECRETARY		
5. YOUTH LEADER		
6. SECRETARY		
7. TREASURER		
8. Persons with Disability/Special interest		

Note: The Branch Chairman, Secretary, Women Leader and Youth leader must be included as Delegates.

*This form is part of the elections documentation, released by citizens convention party chaired by Citizens Convention Party Director of elections and will be used only in accordance with the election rules and party constitution.*

## FORM 5

### SCHEDULES

#### PLEDGE OF COMMITMENT

##### MAENDELEO CHAP CHAP PARTY NOMINATION RULES, PART FIVE (Rule 13)

I \_\_\_\_\_ of \_\_\_\_\_ in the Republic of Kenya wishing to be nominated as a Party Candidate in the \_\_\_\_\_ elections do hereby solemnly swear and pledge as follows:

1. **That I** shall respect, defend and safeguard the Constitution of Kenya and Party constitution and pledge allegiance to both Constitutions.
2. **That I** shall be loyal to my country Kenya and the Party.
3. **That I** shall abide with the Party's motto of Freedom, justice and Truth. I shall support the Party Manifesto and programs and undertake to work for their realization.
4. **That** at all times be guided and shall abide to the party cardinal principles to uphold integrity and strive for rapid development.
5. **That I** believe in the legislative supremacy of Parliament, the independence of the judiciary, the Rule of Law and the establishment of democratic institutions and processes.
6. **That I** shall never conduct or participate in the torture or the political suppression of another human being and shall fully support the repeal and abrogation of the preservation of Public Security Act, the Public order Act, the Chief's authority Act and all other oppressive laws.
7. **That I** shall always defend the respect and observance of human and democratic rights and liberties.
8. **That I** shall accommodate criticism and observe the principles of good and open governance.
9. **That I** shall support free and fair elections within the Party and in Kenya.
10. That I shall oppose and never practice nepotism, clanism or tribalism and shall ensure that the allocation of jobs and services is based on merit
11. **That I** shall oppose and never practice corruption.
12. **That I** shall be transparent in all my business transactions and never allow personal interest to prevail upon the public interest.
13. **That I** shall always defend and protect public property, assets and investments irrespective of whoever is involved in the misuse
14. **That I** shall never practice discrimination against anyone on the basis of race, tribe, colour, gender or religion.

15. **That I** shall swear this pledge on the understanding that I may be disqualified or required to resign from leadership if I contravene the pledge of commitment.

Signed By : \_\_\_\_\_ )

At \_\_\_\_\_ On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ )

Before me: \_\_\_\_\_ )

Commissioner for Oaths)

## FORM 6

**CITIZENS CONVENTION PARTY NOMINATION RULES: ARTICLE 19(J) AND PART SIX, RULES (37-40)**

### CERTIFICATE OF NOMINATION

At the Party Nominations of candidates for..... Elections to be held on .....under the National Assembly and Presidential Election Act (or Local Government Act)..... (Name of candidate) was duly nominated as the Party candidate for the said elections in .....(Kenya/Constituency/Ward).

1. Presidential Elections (or Parliamentary or County Elections).
2. Kenya (or name of Constituency or Ward)
3. \_\_\_\_\_

(Candidate's name and address)

- i. National Identity Card number
- ii. Elector's Card number
- iii. Party's membership card number

*Dated at Nairobi on this* \_\_\_\_\_ *day of* \_\_\_\_\_ *20*\_\_\_\_\_



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Chairman

Secretary

National Nominations and Elections Committee

**FORM 7**

**MAENDELEO CHAP CHAP PARTY NOMINATION RULES, PART SIX Rules (14-18)**

**APPLICATION FOR NOMINATION**

1. Name.....
2. Address.....
3. Date and place of birth.....
4. Marital status.....
5. Party membership card no.....Category.....

**Elector's card No.....**

National Identity Card No.....

6. Ward.....

**Sub-branch.....**

Branch.....

7. Seat .....(State Constituency/Ward)

8. Written statement (the statement must include the following:

- I. Detailed account of education
- II. Occupation and nature of past and present occupation

- III. Why you joined the party
- IV. Summary of your philosophy and political beliefs and why you think MCC is the right party.
- V. Outline of the aims and objects of MCC and what you think should be the party's priorities).

Signature of Applicant

**FORM 8**

**MAENDELEO CHAP CHAP PARTY-NOMINATION RULES, PART III, Article 5  
NOMINATION PAPER.**

Date.....  
 Nomination of a candidate for.....  
 Constituency or Ward.....  
 Candidate's name and Address.....  
 National identity card no.....  
 Elector's card no.....

.....  
 (Name and signature of candidate)

We, the undersigned, being party members in the constituency/ward do hereby support the nomination of the above named candidate for.....

**Proposer:**

Name and address.....  
 National Identity Card No.....  
 Elector's card number.....  
 Party membership card number.....

(Name and signature of the proposer)

**Secunder:**

Name and address.....  
 National Identity Card No. ....  
 Elector's card number.....  
 Party membership card number.....

.....  
 (Name and signature of the seconder)

Names of supporters (give address and particulars of ten supporters and they must sign against their names).

	NAME	ID NUMBER	VOTERS CARD	MEMBERSHIP
--	------	-----------	-------------	------------

			NO.	CARD NO.
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

**FORM 9**

**MAENDELEO CHAP CHAP PARTY NOMINATION RULES, RULE 24  
ELECTION RETURNS**

Nomination for \_\_\_\_\_ (Constituency or ward).

Name of Candidate Nominate \_\_\_\_\_

\_\_\_\_\_  
(Give address, national identity card, elector's card and party membership card numbers)

**Results**

	NAME	CONTACT	ID NO.	PARTY CARD NO.
1.				
2.				
3.				
4.				
5.				

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

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**Chairman**  
**Nominations Board Sub-Branch**