

UNITED PATRIOTIC MOVEMENT



(UPM)

ELECTIONS AND NOMINATION RULES

STABILITY AND PROSPERITY

“Entrenching Democratic structures and systems that guarantee all constitutional freedoms, security, justice, and unity for a prosperous and stable nation based on the tenets of rule of law, human rights, transparency, accountability and public participation”

PART I

Rule 1: PREAMBLE

These Rules are guided by the UPM philosophy in accordance with principles of open and democratic society with the purpose of providing means of engendering credible process of selection of visionary and virtuous candidates for the betterment of our beloved motherland, Kenya.

PART II

Rule 2: CITATION AND INTERPRETATION

2.1 CITATION:

- 2.1.1 These rules may be cited as the United Patriotic Movement (UPM) Election and Nomination Rules (hereinafter “the Rules”).
- 2.1.2 In these rules, unless otherwise stated, the words as used carry the same meaning as prescribed in the Party Constitution.

2.2 INTERPRETATION:

“**Agent**” means a person duly appointed and accredited by a candidate as his agent.

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

“**Candidate**” means a person duly cleared by the Party in accordance with these Rules to vie for nomination.

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

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

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

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

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

“**National Delegates Register**” means a list of Party members eligible to attend the National Delegates Convention

“National Delegates Electoral College” means Electoral College convened at an ordinary meeting of National Delegates for purposes of electing national officials or nomination of Party’s Presidential candidate.

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

“Party” means the **United Patriotic Movement (UPM)**.

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

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

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

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

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

“Special Interest” means marginalized communities, ethnic minorities, women, PWDs and youths.

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

“The NENB” means the National Elections and Nomination Board of the Party established to oversee all matters party elections.

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

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

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

“**Youth**” mean having attained the age of 18 years but have not attained the age of 35 years.

PART III

Rule 3: NATIONAL ELECTIONS AND NOMINATIONS BOARD

3.1 Establishment of the National Elections and Nomination Board

- a) There shall be an independent party organ to be known as the **United Patriotic Movement (UPM) National Elections and Nomination Board (NENB)**, which shall be concerned with all matters touching on internal party elections, national elections and by-elections.
- b) The National Elections and Nomination Board shall be headed by the National Director of elections.
- c) The National Elections and Nomination Board shall with the approval of NEC and ratification of the NGC formulate the UPM Nomination rules and regulations
- d) The members and or officers of the National Elections and Nomination Board committee shall be recruited by NEC. The National Chairperson shall submit the list of potential members of the Board to the NEC for competitive selection.
- e) For one to be a NENB member, the person must have the following qualifications:
 - i. Active member of the United Patriotic Movement (UPM).
 - ii. Knowledge in matters elections and democracy.
 - iii. Not a member of any other organ of the party save for the National Director of Election.
- f) The Composition and operating procedures of the of the Board shall be as follows:
 - i. The board shall consist of not less than five (5) members and not more than seven (7) members. The National Director of Elections shall be Chairperson of the Board. The Board members shall amongst themselves select their Deputy Chairperson and Secretary.
 - ii. The Executive Director shall sit as an ex-official member of the Board with no voting rights.
 - iii. Not more than two thirds of the members of the board shall be of the same gender.

- iv. The quorum for meetings of the board shall be at least half of the members.
- v. All decisions of the Board shall be ratified by the NEC.
- vi. The term of Office for the NENB members shall be five years.
- g) The UPM National Executive Committee shall establish County Elections Boards consisting of a Chairperson, a Deputy Chairperson, a Secretary of the Board all appointed by the NEC and two (2) other members appointed by National Nominations and Elections Board. The composition of these County Boards shall adhere to the two-third gender rule and inclusivity.
- h) The principal function of the County Elections Board shall be to coordinate and implement decisions of the NENB at the county level.

3.2 Functions of the National Elections and Nomination Board

Functions of the National Elections and Nomination Board shall include;

- a) Formulate and coordinate the UPM elections strategies and conduct of party nomination and elections.
- b) Undertake Presidential, Parliamentary and County level primaries nominations in respect to a general election or by-election in accordance with the Party nomination rules as approved by the National Governing Council.
- c) Vetting of all candidates intending to seek the UPM party ticket for any election.
- d) Advise the National Executive Committee on matters incidental to and on rules and regulations to govern Party elections provided for under this rules.
- e) Implement the decisions of the UPM governing organs in relation to elections.
- f) Oversee the party's internal elections.
- g) Coordinate the activities of the UPM county elections boards.
- h) To prepare the UPM party list for presentation to NEC.
- i) Conduct interviews for suitable candidates for non-competitive/ direct nominations.
- j) Design and prescribe forms and other documents needed for purposes of party elections and/or nominating Party candidates for internal and national elections.
- k) Competitively recruit the elections officials to conduct thee elections. These Officials shall be:

i. Returning Officers

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

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

ii. Presiding Officers

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

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

iii. Polling and Counting Clerks

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

PART IV

RULES GOVERNING INTERNAL PARTY ELECTIONS

Rule 4.1: IDENTIFICATION OF CANDIDATES FOR INTERNAL PARTY ELECTIONS

- a. The Party in fulfillment of the requirements of the Kenyan constitution, any other written law and the Party constitution shall conduct internal party elections in accordance with the principle of free, fair and peaceful elections.
- b. These elections shall be held from the grassroots all the way to the national level.
- c. Before internal party elections are held, the Party shall ensure that:
 - i. Issue a two months' notice notifying party members of the vacant positions.
 - ii. Call for potential candidates to submit their applications for consideration to elections for party positions. National Officials candidates shall submit their applications to the National Elections and Nomination Board while County, Constituency and grass roots candidates shall submit their applications to their respective County Elections Boards.
 - iii. The shortlisted applicants' names shall be published and made available for the public for a period of two weeks for the purposes of allowing voters to have their input and candidates to verify if captured.
 - iv. Prior to the elections there shall be political education to members of the party and an enhanced recruitment of party members.
 - v. The party Primaries shall be conducted and be concluded within 14 days from the the set date.
- d. Any candidate seeking to be elected into party organ shall:
 - i. Be a member of the United Patriotic Movement
 - ii. Be committed to ideals and core values of the Party,
 - iii. Be a fully paid-up member; in the case of those seeking for national office, Branch and Sub Branch Chairpersons, be life members,
 - iv. Demonstrate having participated in party activities for at least one year prior to his/her application for election.
 - v. Complete and return within the time stipulated by the NENB Party election on form prescribed in Schedule IV to these rules and Party Code of Conduct.
 - vi. Be a delegate by virtue of having been elected from the Grassroots.
 - vii. Be an automatic delegate by virtue of having been elected as UPM Members of County Assembly, Member Parliament, Governors or President.

viii. Be present during the meeting at which the election is conducted.

Rule 4.2. A candidate seeking to be elected into party organ could be disqualified;

- a) If is not a fully registered member of the party.
- b) If is not committed to the ideals and core values of the party.
- c) If is not a fully paid-up member of the party, and in the case of those seeking for national office, branch and sub-branch chairpersons if they are not life members.
- d) If they have not been participating in party activities for at least 1 year prior to his/her application for election.
- e) If they have not completed and returned within the time stipulated by National Elections Nomination Board (NENB) party elections form prescribed in schedule II to these rules and party Code of Conduct.
- f) If they are not delegates by virtue of having been elected from the grassroots.
- g) If they are not automatic delegates by virtue of having been elected as UPM members of parliament or governors.
- h) If they are not present during the meeting at which the election is conducted.
- i) If they are not registered as citizens of Kenya with national identification card.
- j) If they are not registered as voters by IEBC from the areas they are seeking such elective posts.
- k) If they involve themselves in any acts detrimental to a free and fair election i.e. bribery, violence, coaxing and intimidation of voters.

Rule 4.3 Party elections shall be conducted for the following organs of the Party.

- a) National Officials
- b) Regional Coordinating Committee
- c) County Coordinating Committee
- d) Branch Executive Committee
- e) Sub-Branch Executive Committee
- f) Polling Station Steering Committee
- g) UPM Women Council
- h) UPM Youth Council

Rule 4.4: Conduct and procedure of elections of National Officials

- (a) UPM National elections shall be conducted in accordance with our constitution to elect the following officials:
 - i. Party Leader
 - ii. Deputy Party Leader
 - iii. National Chairperson
 - iv. National Deputy Chairperson
 - v. Secretary General
 - vi. Deputy Secretary General
 - vii. National Organizing Secretary

- viii. National Deputy organizing Secretary
- ix. National Treasurer
- x. National Deputy Treasurer
- xi. Chairlady, Women's Council
- xii. Deputy Chairlady, Women's Council
- xiii. Chairperson, Youth Council
- xiv. Two Deputy Chairpersons, Youth Council (one of either gender)
- xv. Chairperson, Disability Council
- xvi. Not more than 10 Sector Secretaries

- (b) The National officials shall be elected by the National Delegates Convention (NDC) convened in accordance with provisions of the Party Constitution except for the Executive Director, the Secretary for Parliamentary Affairs, the Secretary of Women Affairs and the Secretary for Youth Affairs.
- (c) The elections will be called as per the Party's Constitution.
- (d) Elections shall be held on the appointed date as from 6.00am to 6.00pm.
- (e) The mode of election shall be agreed upon by all candidates and could be either by secret ballot, consensus, acclamation or any other.
- (f) The elected leaders shall assume office immediately after election results have been announced.
- (g) The elected leaders shall serve for a term of four years and are eligible for re-election.
- (h) The National Elections and Nomination Board shall appoint a returning officer for elections of the National Officials.
- (i) The NENB will issue nomination forms for national elections 30 days prior to the holding of the National Delegates Convention.
- (j) The duly filled nomination forms must be received at the registered Head office 21 days to the National Convention date.
- (k) A nomination form duly completed that complies with all the requirements under these rules.
- (l) Each candidate shall have a proposer and seconder. They should be party members, registered voters and who should be delegates to the National Convention.
- (m) The National Executive Committee may charge nomination fees.
- (n) All registered delegates present at the National Convention shall be provided with a booklet containing ballot papers for all electoral positions.
- (o) The ballot boxes must be clear and transparent.

- (p) The returning officer shall count the votes, audibly read the ballot paper out, and in full view of candidates/or their agents.
- (q) Then result of the elections will be announced at the close of the counting process.
- (r) Dissatisfied candidates may lodge an appeal against the results with the National Elections Appeals Tribunal.
- (s) The National Elections Appeals Tribunal shall hear the presentations and decide each case objectively on its merit.
- (t) The decision of the National Elections Appeals Tribunal on such appeals shall be final.
- (u) Should the elections be found to be flawed and therefore null and void, the National Elections and Nomination Board shall announce the dates and venue for fresh elections and conduct such repeat elections in the manner prescribed above.

Rule 4.5 Conduct and Procedure of Elections of Party Officials at County, Branch and Ward levels:

a) Branch Organization

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

- i. Mainstream:**
 - 1. Branch Executive Committees
 - 2. Sub-Branch Executive Committees
 - 3. Polling Station Steering Committees
- ii. UPM Women Council:**
 - 1. UPM Women Council Branch Executive Committees
 - 2. UPM Women Council Sub-Branch Executive Committees
 - 3. UPM Women Council Polling Station Steering Committees
- iii. UPM Youth Council:**
 - 1. UPM Youth Council Branch Executive Committees
 - 2. UPM Youth Council Sub-Branch Executive Committees
 - 3. UPM Youth Council Polling Station Steering Committees

b) Composition of the Branch Executive Committee

The Branch shall be composed of the following officials:

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

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

Special Interest Groups Representative Committee Members; provided that one third of members of Branch Executive Committee shall be of either gender

c) Composition of Sub-branch Executive Committees

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

- i. Chairperson
- ii. Deputy Chairperson
- iii. Secretary
- iv. Deputy Secretary
- v. Treasurer
- vi. Deputy Treasurer
- vii. Organizing Secretary
- viii. Deputy Organizing Secretary
- ix. Secretary for Women Affairs who shall be the person elected as the UPM Women Council Sub Branch Leader
- x. Secretary for Youth affairs who shall be the person elected as the UPM Youth Council Sub Branch Leader
- xi. Persons with Disability Representative
- xii. Special Interest Groups Representative Committee Member provided that one-third of those officials shall be of either gender.

d) Composition of the County Coordinating Committee

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

- i. The County Coordinating Chairman
- ii. The County Deputy Coordinating Chairman
- iii. The County Coordinating Secretary
- iv. The County Coordinating Organizing Secretary
- v. The County Coordinating Treasurer
- vi. The County UPM Women Council Representative
- vii. The County UPM Youth Council Representative
- viii. The County Disability Council Representative
- ix. And twelve Committee Members

e) Composition of the Regional Conference Committee

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

- i. The Regional Coordinating Chairman
- ii. The Regional Deputy Coordinating Chairman
- iii. The Regional Coordinating Secretary

- iv. The Regional Coordinating Organizing Secretary
- v. The Regional Coordinating Treasurer
- vi. The Regional UPM Women Council Representative
- vii. The Regional UPM Youth Council Representative
- viii. The Regional Disability Council Representative

4.6 Procedure of elections at the Sub-branch, Branch, County and Regional levels

- a) The NENB shall issue a public notice of not less than 21 days in print and electronic media with national circulation and coverage specifying the venue, time and date of the various internal elections to be held by the party.
- b) The elections will be conducted at the County, Branch and Ward levels by the County Elections Board where members of the party with membership cards and who are also registered as voters in their respective branch shall elect the officials directly by secret ballot.
- c) The County Elections Board shall appoint election officials whose character is not questionable.
- d) Party Elections at the Branch shall be presided over by returning/presiding officers and any other officials determined by the County Elections Board.
- e) The returning/presiding officers shall take charge of electoral process guided by established rules and procedures.
- f) Candidates should be party members and registered voters.
- g) Candidates wishing to be elected into any Party Position or organ must be of good character.
- h) Candidates wishing to be elected into any Party position or organ must sign and abide by the Party's Code of Conduct as herein **Schedule 5**.
- i) Candidates wishing to be elected into any Party position or organ must demonstrate loyalty to the party.
- j) Candidates wishing to be elected into any Party position or organ must also have a proposer and a seconder who shall be members of the party and who shall be registered as voters.
- k) All candidates must fully complete prescribed nomination forms.
- l) Nomination forms for all party elections will be issued under authority and direction of the National Elections and Nomination Board.
- m) The fees and/ or any other charges for the nomination process shall be determined by the National Executive Committee.

- n) The date and time of presentation of nomination papers shall be determined and communicated at least 3 days to the polling day by the National Elections and Nomination Board.
- o) Each returning/presiding officer shall conduct democratic, free, fair and transparent elections using the secret ballot or any other agreed method of voting.
- p) The elections shall start as from 6.00am to 6.00pm on the prescribed election date.

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

- a) Is 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?

4.7 Organization of UPM Women Council

There shall be established a UPM Women Council.

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

- a) All UPM Youth Council Members of the Party at Polling Station shall assemble at the Polling Stations and vote by secret ballot or any other method accepted by the delegates in session to elect a Management Committee comprising of:
 - i. Chairperson
 - ii. Deputy Chairperson
 - iii. Secretary
 - iv. Deputy Secretary
 - v. Treasurer
 - vi. Deputy Treasurer
 - vii. Organizing Secretary
 - viii. Deputy Organizing Secretary
 - ix. Persons with Disability Representative
 - x. Special Interest Groups Representative
 - xi. Committee Members
- b) Delegates of the Polling Station shall form the UPM Women Sub Branch Electoral College and shall elect the UPM Women Sub Branch Steering committee comprising:
 - i. Chairperson
 - ii. Deputy Chairperson
 - iii. Secretary
 - iv. Deputy Secretary

- v. Treasurer
- vi. Deputy Treasurer
- vii. Organizing Secretary
- viii. Deputy Organizing Secretary
- ix. Persons with Disability Representative
- x. Special Interest Groups Representative
- xi. Committee Members

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

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

d) At the National level, the UPM Women Council National Officials shall be elected by members of each UPM Women Council Branch Executive Committee. The national women league officials elected shall be:

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

4.8 Organization of UPM Youth Council

There shall be established a UPM Youth Council.

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

The election of the UPM Youth Council including the composition of the UPM Youth Council committees from the sub-branch level to the national level shall mirror that of the UPM Women Council.

PART V

ELECTIONS AND NOMINATIONS FOR NATIONAL ELECTIONS

Rule 5: GENERAL QUALIFICATIONS FOR NOMINATION AND ELECTION OF PARTY CANDIDATES

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

1. Party primaries; and
2. Direct/ special nomination.

5.1 Party Primaries

National Elections Nomination Board shall issue a notice calling for NDC's convention for the purposes of nomination and election of the party Presidential candidate.

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

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

a. Presidential Candidates

- i. The Party Leader or any other member of the party who qualifies to be president of the Republic of Kenya will be the Party's presidential Candidate in the event of a National Presidential election.
- ii. If more than two individuals declare their interest to be the party's presidential candidate, there shall be an election conducted by the NENB at the National Delegates Congress (NDC).
- iii. The Deputy Party Leader will be the Party's Presidential Candidate Running mate in the event of a National Presidential election. Any other party member who qualifies to be the Deputy President of the Republic of Kenya may also seek the party ticket for Deputy President.
- iv. If more than two individuals declare their interest to be the party's deputy presidential candidate, there shall be an election conducted by the NENB at the National Delegates Congress (NDC).
- v. The Presidential / Running mate party nominations shall be done and concluded six months before general elections are held.
- vi. Any hopeful Presidential Candidate and their Running mate shall be fully paid members of the party and shall provide the following documents to the National Elections and Nomination Board:

- a. Detailed CV
 - b. Copy of ID Card or Passport
 - c. Evidence of registration as a voter
 - d. Copies of academic and professional qualifications
 - e. Pay the nomination fee as determined by NEC
 - f. Sign the party's code of conduct
 - g. Meet all the requirements for election as president or deputy president under Kenyan law
- vii. A presidential Candidate / Running mate could be disqualified in the event that they have not met all the requirements stipulated in Presidential/Running mate candidates' requirements in Rule 5.1(a) above.

b. Gubernatorial Candidates

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

- i. Detailed CV
- ii. Copy of ID Card or Passport
- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Pay the nomination fee as determined by NEC
- vi. Sign the party's code of conduct
- vii. Meet all the requirements for election as Governor or Deputy Governor under Kenyan law
- viii. The gubernatorial / running mate party nominations shall be done and concluded three months before general elections are held.
- ix. A gubernatorial Candidate / Running mate could be disqualified in the event that they have not met all the requirements stipulated in gubernatorial /Running mate candidates' requirements in Rule 5.1(b) above.

c. Parliamentary Candidates (Senate and National Assembly)

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

- i. Detailed CV
- ii. Copy of ID Card or Passport
- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Pay the nomination fee as determined by NEC
- vi. Sign the party's code of conduct
- vii. Meet all the requirements for election as Senator or Member of National Assembly under Kenyan law.
- viii. The Senatorial and National Assembly party nominations shall be done and concluded three months before general elections are held.
- ix. A Senator /Member of National Assembly candidate could be disqualified in the event that they have not met all the requirements stipulated in senatorial /Member of National Assembly candidates' requirements in Rule 5.1(c) above.

d. County Assembly Candidates

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

- i. Detailed CV
- ii. Copy of ID Card or Passport
- iii. Evidence of registration as a voter
- iv. Copies of academic and professional qualifications
- v. Pay the nomination fee as determined by NEC
- vi. Sign the party's code of conduct
- vii. Meet all the requirements for election as a member of a county assembly.
- viii. The Member of County Assembly party nominations shall be done and concluded three months before general elections are held.
- ix. A Member of County Assembly candidate could be disqualified in the event that they have not met all the requirements stipulated in Member of County Assembly candidates' requirements in Rule 5.1(d) above.

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

- a) The person must be conversant with, supports and subscribes to the party ideology, philosophy, mission and values.
- b) The person is a validly current registered member in any branch in Kenya and his/her 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.
- d) The person is qualified to stand for an election which he/she seeks under the provisions of the law for the time being regulating and governing the conduct of election in Kenya.
- e) The person has no criminal record of an offence against which there is no pending in the last five years immediately before applying for nomination.
- f) The person is not an un-discharged bankrupt under the laws of Kenya.
- g) The person must have paid his nomination fee.
- h) The person undertakes to and signs the party code of conduct and to abide by the party Disciplinary Rules.
- i) The person must have been cleared by the Higher Education Loans Board (HELB)

PART VI

Rule 6: RULE ON THE CONDUCT AND PROCEDURE OF THE UNITED PATRIOTIC

MOVEMENT (UPM) PARTY PRIMARIES

- a) Only registered party members who are also registered voters shall participate in the nomination process. Voters must produce their party membership card and elector's card to cast their vote.
- b) The National Elections and Nomination Board (NENB) shall appoint election officials whose character is not questionable.
- c) Party Elections at the County shall be presided over by returning/presiding officers and any other officials determined by the National Elections and Nomination Board (NENB).
- d) The returning/presiding officers shall take charge of electoral process guided by established rules and procedures
- e) The National Elections and Nomination Board (NENB) shall issue the schedule stipulating the dates and public venue for nomination of Senatorial, parliamentary and county candidates.
- f) The returning /presiding officer may organize to have all the voting equipment, materials and staff at the polling center before polling opens on the Election Day.

- g) At the polling area voting shall start at 6.00 am and end at 6:00pm.
- h) At the commencement of the nominations, the returning/presiding officer will indicate clearly on poster and announce the posts and names of all eligible candidates.
- i) Ballots papers for the polling stations may be in form of a booklet.
- j) Each voter shall write clearly and legibly the name of their preferred candidate(s) and deposit in the designated ballot box.
- k) The ballot boxes must be clear and transparent.
- l) Illiterate voters may be assisted by Party agents/workers to fill in the name of their preferred candidates.
- m) All ballot papers shall bear the official stamp of the party.
- n) The returning officer shall make arrangements to start counting of votes immediately after 6.00 pm
- o) Counting of votes will take place at the polling station, in the presence of candidates or their appointed agents.
- p) Ballot papers which have more than one mark/name, such that it is not clear which candidate the voter intended to elect shall be considered spoilt and therefore void. Where names are already indicated in a ballot paper voter can make any type of mark.
- q) The returning officer shall enter the results of counting process in the prescribed form before announcing those results.
- r) Once the results form is completed the returning officer shall give a copy of the completed form to the candidates or their agents and then announce those results by reading from the completed form.
- s) Candidates taking part in the elections and who is dissatisfied with the results shall be entitled to appeal at the National Elections Appeals Tribunal within 4 days from the day nomination results are declared.
- t) The National Elections Appeals Tribunal shall hear the presentations and decide each case objectively on its merit within 14 days.
- u) The decision of the National Elections Appeals Tribunal on such appeals shall be final.
- v) Should the election be found to be flawed and therefore null and void, the National Elections and Nomination Board shall announce the dates and venue for repeat elections and conduct such repeat elections in the manner prescribed above.
- w) Returning /presiding officers shall file duly signed returns with the National Elections and Nomination Board not later than 2 days after announcement of results.
- x) The form will specify the names and positions of elected county, parliamentary and senatorial candidates.

- y) The elections materials may be sealed and preserved by the returning officer at the branch level.
- z) The winner of the county, parliamentary and Senatorial nomination will be issued with a prescribed certificate by the National Elections and Nomination Board signed by the Party Leader and Secretary General not more than 48 hours after the announcement of the results.

PART VII

Rule 7: RULES ON THE CONDUCT OF NON-COMPETITIVE / INDIRECT NOMINATIONS

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

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

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

The proposed candidate for indirect nomination shall submit the following to the National Elections and Nomination Board:

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

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

PART VIII

Rule 8: NOMINATION OF CANDIDATES INTO THE PARTY LIST

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.

The Party through the Secretary General shall submit the party list to the Independent Electoral and Boundaries Commission as prescribed by the Constitution of Kenya, Elections Act or any other written law.

The preparation of the party list shall adhere to the following rules:

- a) The party shall notify its members on existence of positions for nominations in county assemblies, national assembly, senate and EALA through public advertisement calling for interested party members to submit their application for consideration and giving them two weeks to apply for the same.
- b) Persons for consideration to be nominated to the party list shall apply to the party, through the National Elections and Nomination Board for consideration.
- c) The applicants shall provide the following:
 - i. Detailed CV
 - ii. Copy of ID Card or Passport
 - iii. Evidence of registration as a voter
 - iv. Copies of academic and professional qualifications
 - v. Position interested in
 - vi. Sign the party's code of conduct
 - vii. Meet all the requirements for election into the position they seek nomination on (i.e paid nomination fees as prescribed for in their categories, demonstrated their contribution to the party activities, educational capacity etc).
- d) The shortlisted applicants shall be presented to NEC for voting process.
- e) The selected candidates' names shall be forwarded to the relevant authorities through the party list.
- f) The signatories to the party list shall be the Party Leader and Secretary General.

PART IX

Rule 9: CODE OF CONDUCT AND CAMPAIGN GUIDELINES

All persons cleared by the National Elections and Nomination Board shall be required to sign the party's code of conduct.

Specifically, the candidates shall be required to commit to conducting ethical and clean campaigns free of violence, intimidation, voter bribery and sexual harassment.

The NENB shall also publish campaign guidelines that shall amongst others provide for all activities to be undertaken by candidates during their campaigns.

The guidelines shall provide for the Dos and Don'ts by the candidates.

The guidelines shall also give the NENB the powers to formulate campaign schedules for candidates in hotly contested electoral areas to avoid any possibility of clashing rallies.

Candidates who break the code of conduct:

- (a) May be disqualified from participation in the said elections
- (b) The election may be cancelled
- (c) Such election may be postponed
- (d) Other subsequent disciplinary actions as deemed fit by NENB shall apply.

The enforcement of this code of conduct shall be entrusted in the hands of NENB through its presiding officers, security officers and party agents.

PART X

INTERNAL DISPUTES RESOLUTION MECHANISMS (IDRM) RELATING TO ELECTIONS AND NOMINATIONS

Rule 10: NATIONAL ELECTIONS APPEALS TRIBUNAL

National Elections and Nominations Board shall constitute an **ad hoc** committee to oversee any disputes that shall arise out of internal party elections and nominations.

- a) National Elections Appeals Tribunal(committee) shall comprise of five members as follows:
 - i. The Chairperson who shall be an advocate of the High Court with at least 7 years of Practice
 - ii. A secretary who shall not be of the same gender as the Chairperson
 - iii. Three other members
- b) The members of the Tribunal shall be nominated by the NEC in consultation with National Elections and Nomination Board.
- c) For avoidance of doubt, the composition of the tribunal shall adhere to the two-thirds gender rule.
- d) The National Elections Appeals Tribunal shall preside over the appointment of County Tribunals.
- e) The county tribunals shall handle all disputes resulting from election nomination processes of members of county assemblies and members of national assembly. Their verdict shall be final and can only be overturned by the decision of the High Court of Kenya.
- f) The National Elections Appeals Tribunal shall preside over all appeals emanating from senatorial, gubernatorial and presidential election nomination processes. Their verdict shall be final and can only be overturned by the decision of the High Court of Kenya.

- g) The quorum of either the National/County Elections Appeals Tribunal shall be 3 and will adhere to the gender principle.
- h) Members to be appointed to the county and National Appeals election tribunals Board shall;
 - i. Be of good moral standing
 - ii. Not officials of the party
 - iii. Conversant with election laws
- i) The duties of the Tribunal shall be:
 - i. Formulate its procedure rules to be presented to the ratified by NENB
 - ii. Jurisdiction to hear and determine disputes arising from the party nominations and elections.
- j) The decisions of the Tribunal shall be final and can only be challenged at the Court of Law.

PART XI

Rule 11: PROCEDURE AND CONDUCT OF APPEALS AT THE NATIONAL ELECTIONS APPEALS TRIBUNAL

- a) Any person aggrieved by the decision of the National or County Elections Tribunal, may after the declaration of the winner lodge an appeal/ complaint within 72 hours, in writing setting grounds and attaching evidence in support of the appeal/complaint.
- b) A person making appeal to the National Elections Appeals Tribunal shall pay such fees thereof as may be determined by the National Executive Council.
- c) After lodging the appeal and fulfilling the requirements, the person making the appeal shall be entitled to be heard by the Panel and may be allowed to call any witnesses within 72 hours.
- d) All appeals filed for determination shall be determined within 72 hours.
- e) The decision of the Appeals Board shall be final.

SCHEDULE I.

1. NOMINATION FEE

POSITION CONTESTED	NOMINATION FEES	FEMALE CANDIDATE	YOUTH CANDIDATE
Presidential Candidate	Ksh. 1,000,000	500,000	500,000
Governorship	Ksh. 500,000	250,000	250,000
Member of National Assembly (Senator and MP)	Ksh. 300,000	150,000	150,000
County Women Representatives	N/A	150,000	150,000
Member of County Assembly excluding Women Aspirants & Youths)	Ksh. 50,000	25,000	25,000

- a) All aspiring candidates who are persons with disability (PWDs) shall pay one-third of the nomination fees required for candidates in that position.
- b) Any strong candidate may write to the NEC for exemption or reduction of fees payable by them. They must however provide valid reasons for them.

SCHEDULE 2.

APPEAL FEES

POSITION	APPEAL FEE (KSHS.)
1. President	Ksh. 250,000
2. Governor	Ksh. 100,000
3. Senator	Ksh. 75,000
4. Member of Parliament	Ksh. 50,000
5. Women Representative	Ksh. 25,000
6. Member of County Assembly	Ksh. 20,000

SCHEDULE 3.

LIST OF REQUIREMENTS FROM ALL PARTY CANDIDATES.

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

SCHEDULE 4.

**UNITED PATRIOTIC MOVEMENT
NOMINATION APPLICATION FORM**

I,hereby make an application to **United Patriotic Movement (UPM)** to vie for the position of

PERSONAL INFORMATION

1. FULL NAME:

.....

2. ID NUMBER:

.....

3. DATE OF BIRTH:

.....

4. GENDER:

.....

5. CAMPAIGN NAME (IF ANY):

.....

6. VOTER REGISTRATION NUMBER:

.....

7. COUNTY:

.....

8. CONSTITUENCY:

.....

9. WARD:

.....

10. POLLING STATION:

.....

11. TELEPHONE NUMBER:

.....

12. EMAIL ADDRESS:

.....

13. NAME OF PROPOSER:

.....

a. ID NUMBER OF PROPOSER.....

b. VOTER REGISTRATION NUMBER.....

c. POLLING CENTRE.....

14. NAME OF SECONDER:

.....

a. ID NUMBER OF PROPOSER.....

b. VOTER REGISTRATION NUMBER.....

c. POLLING CENTRE.....

PROFESSIONAL DESIGNATION

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

ASSOCIATION	FROM (YEAR)	TO (YEAR)

EDUCATION BACKGROUND

List your education history.

INSTITUTION	QUALIFICATION ATTAINED	FROM (YEAR)	TO (YEAR)

DATED at thisday

of.....20.....

Signed by the Applicant

Signature:

Before me;

COMMISSIONER FOR OATHS/MAGISTRATE

.....

SECRETARY GENERAL

SCHEDULE 5.

CODE OF CONDUCT.

Here attached.