

# KENYA CHARTER FOR DEMOCRACY



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## ELECTION AND NOMINATION RULES

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As Adopted by:

**The National Executive Council**

**Held on**

**10 February, 2026**

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# Chapter 1: Preliminary Provisions, Citation, and Legal Framework

## 1.1 Preamble and Constitutional Context

Pursuant to Article 91 and 92 of the Constitution of Kenya 2010, and Section 9 of the Political Parties Act (Cap 7D), the National Executive Council (NEC) of the Kenya Charter for Democracy (KCD) hereby establishes and enacts these comprehensive Election and Nomination Rules. The KCD is a political organization founded on the pillars of Social Democracy, Accountability, and Economic Freedom. We recognize that a political party is a public institution tasked with the solemn duty of shaping the governance of the Republic. Therefore, these rules are designed to ensure that every internal electoral process and candidate nomination is conducted in a manner that is free, fair, transparent, and democratic, reflecting the will of the members and the national values of the people of Kenya. The Party carries the "Black Briefcase" as its official symbol, signifying a commitment to competent management, production-led growth, and the dignity of every citizen. Our colours—

(a) Black: Represents the People of Kenya and the Discipline of hard work required to build the nation.

(b) Blue: Represents Stability and the limitless potential of the Productive Economy.

(c) White: Signifying integrity, transparency, and the purity of democratic intent.

As we embark on this journey, encapsulated in our slogan "Tuko Safarini," these rules shall serve as the primary guide for our march toward a more accountable and prosperous Kenya.

## 1.2 Citation and Commencement

1.2.1 These Rules shall be cited as the Kenya Charter for Democracy (KCD) Election and Nomination Rules (hereinafter referred to as "the Rules").

1.2.2 These Rules shall come into operation on the date of their adoption by the National Executive Council and subsequent certification by the Office of the Registrar of Political Parties (ORPP).

1.2.3 All previous rules, regulations, or procedures governing elections and nominations within the Party are hereby superseded and replaced by this Standard Operating Manual

## **1.3 Legal Compliance and Integration**

1.3.1 These rules are drafted to be fully compliant with the Political Parties Act, 2011, the Elections Act, 2011, and the Independent Electoral and Boundaries Commission (IEBC) regulations.

1.3.2 Pursuant to the guidance issued by the Registrar of Political Parties in the review letter dated 10th November 2025, the KCD has amended all previous anomalies, including improper numbering and the removal of references to external political entities, to ensure this manual is a distinct and proprietary document of the KCD.

1.3.3 This document shall be read together with the KCD Constitution and the Party Manifesto, "The Charter for Prosperity".

## **1.4 Interpretation and Definitions**

In these Rules, unless the context otherwise requires, the following terms shall carry the prescribed meanings:

1.4.1 "Accountability" means the obligation of party officials and candidates to act with integrity, manage resources efficiently, and be answerable to the members and the public for their actions and omissions.

1.4.2 "Agent" means a person duly accredited in writing by a candidate to represent them at a polling station, tallying centre, or vetting interview.

1.4.3. "Board" or "NEB" shall mean the National Elections Board of the Kenya Charter for Democracy established pursuant to Article 14 of the Party Constitution.

1.4.4 "Candidate" means a registered member of the KCD who has been cleared and vetted by the NEB to vie for an internal party position or a national elective office.

1.4.5 "Commission" means the Independent Electoral and Boundaries Commission (IEBC) established under Article 88 of the Constitution of Kenya.

1.4.6 "Direct Nomination" means the issuance of a nomination certificate to an aspirant by the NEC without a primary election, based on consensus, single-candidate status, or security exigencies.

1.4.7 "Economic Freedom" means the party ideology of enabling citizens to produce wealth without undue bureaucratic hindrance, lowering the cost of production, and ensuring honest profit for all.

1.4.8 "Electoral College" means a body of delegates elected from the grassroots to participate in elections for higher party organs.

1.4.9 "IDRM" means the Internal Dispute Resolution Mechanism of the Party.

1.4.10 "NAT" means the National Appeals Tribunal, the final internal judicial body of the KCD for resolving electoral disputes.

1.4.11 "Nomination" means the process of selecting a person qualified under these Rules to contest a general election or by-election on the KCD ticket.

1.4.12 "Party List" means the list of candidates submitted to the Commission for proportional representation seats in the National Assembly, Senate, or County Assembly.

1.4.13 "PWD" means a Person with Disability, being a person with any physical, sensory, mental, or psychological impairment that has a substantial long-term effect on their ability to carry out day-to-day activities.

1.4.14. "Registrar" shall mean the Registrar of Political Parties appointed and designated pursuant to Section 2 and Section 33 of the Political Parties Act, 2011.

1.4.15 "Special Interest Groups (SIGs)" Explicitly list that **Special Interest Groups (SIGs)** include women, persons with disabilities, youth, ethnic minorities, and marginalized communities as per Section 2 of the Political Parties Act (PPA).

1.4.16 "Universal Suffrage" means the electoral system where every registered and paid-up member of the KCD is entitled to vote in a primary election or internal party election.

1.4.17 "Youth" means any member of the KCD who has attained the age of 18 years but not attained the age of 35 years.

1.4.18 "Zebra System" means the alternating sequential listing of candidates of opposite gender (Male-Female-Male or vice versa) for party lists to ensure 50:50 parity.

Table 1 KCD party standards

KCD Identity Component	Detail / Specification	Ideological Significance
Official Name	Kenya Charter for Democracy	Commitment to a new social contract
Abbreviation	KCD	Brevity and brand recognition
Symbol	The Black Briefcase	Efficient management & production
Primary Colour	Command black (Hex: #000000)	Represents the People of Kenya and the Discipline of hard work required to build the nation.
Secondary Colour	Navy blue (Hex: #000080)	Represents Stability and the limitless potential of the Productive Economy.
Tertiary Colour	Pure white (Hex: #FFFFFF)	Signifying integrity, transparency, and the purity of democratic intent
Slogan	Tuko Safarini	Progress and inclusion

# **Chapter 2: The National Elections Board (NEB) and Election Officers**

## **2.1 Establishment and Independence**

2.1.1 Pursuant to the KCD Constitution, there is hereby established the National Elections Board (NEB) as a permanent and semi-autonomous organ of the Party.

2.1.2 The NEB shall be the sole body mandated to plan, organize, direct, and coordinate all party elections and nominations.

2.1.3 The NEB shall act independently and shall not be subject to the direction or control of any other person or organ, except where these Rules require the approval of the NEC.

## **2.2 Composition and Appointment**

2.2.1. The NEB shall consist of between five (5) and nine (9) members of high integrity appointed by the Party Leader upon the recommendation of the National Executive Council (NEC).

2.2.2. Appointment to the NEB shall strictly adhere to the two-thirds gender principle, ensuring that no more than two-thirds of the members are of the same gender.

2.2.3. The Party shall ensure that the NEB reflects the regional and ethnic diversity of Kenya and includes representation for special interest groups.

2.2.4. The members of the NEB shall elect a Chairperson, a Vice-Chairperson of the opposite gender, and a Secretary from among themselves at their first sitting.

2.2.5. The quorum for a meeting of the NEB to conduct official business shall be four (4) members. Notwithstanding the foregoing, the quorum must concurrently include either the Chairperson or the Secretary to be legally valid.

## **2.3 Qualifications for NEB Membership**

A person shall be qualified for appointment to the NEB if they:

2.3.1 Hold a degree from a university recognized in Kenya in Law, Political Science, Public Administration, or Social Sciences.

2.3.2 Have at least ten (10) years of experience in their respective professional field.

2.3.3 Are a registered and paid-up member of the KCD.

2.3.4 Meet the leadership and integrity requirements of Chapter Six of the Constitution of Kenya.

2.3.5 Have not been convicted of an election offence or any crime carrying a sentence of more than six months.

2.3.6 Are not currently seeking any elective party position or national office, ensuring they are neutral arbiters of the process.

## **2.4 Functions and Duties of the Board**

The NEB shall perform the following duties:

2.4.1 Propose, review, and draft rules and procedures for party elections and nominations for ratification by the NEC.

2.4.2 Vet all aspirants for both internal and national elections to ensure they satisfy the legal and party-specific requirements.

2.4.3 Appoint and train County Returning Officers (CROs), Constituency Returning Officers, Presiding Officers, and Polling Clerks.

2.4.4 Maintain the secure custody of all election materials, including ballot papers, serialized nomination certificates, and registers.

2.4.5 Formulate the "Electoral Calendar" and issue notices for elections and nominations as required by law.

2.4.6 Accredite independent observers, party agents, and media representatives for the purpose of transparency.

2.4.7 Announce results and issue interim nomination certificates to successful aspirants.<sup>1</sup>

## **2.5 Terms of Office and Removal**

2.5.1 Members of the NEB shall serve for a term of five (5) years, renewable once.

2.5.2 A member of the NEB may be removed from office by the NEC on the following grounds:

2.5.2.1 Gross violation of the Party Constitution or these Rules.

2.5.2.2 Mental or physical incapacity to perform their duties.

2.5.2.3 Declaration of bankruptcy.

2.5.2.4 Conviction of an offence involving dishonesty or moral turpitude.

2.5.2.5 Resignation or defection from the Party.

## **2.6 Election Officers and Their Roles**

**2.6.1 County Election Board (CEB):** Established in each county and composed of five (5) members, the CEB shall serve for a **term of three (3) years**, renewable once. The **quorum** for a sitting of the CEB to conduct official business shall be **three (3) members**. The CEB coordinates logistics on behalf of the NEB, including the identification of polling venues and supervision of polling clerks at the county level.

2.6.2 Returning Officers (RO): One for each County and Constituency. The RO is responsible for training junior officials, ensuring logistical readiness, and announcing official results.

2.6.3 Presiding Officers (PO): Appointed for every polling station. The PO regulates voter admission, keeps order, and counts votes in the presence of agents.

2.6.4 Polling and Tallying Clerks: Assist in voter identification and ballot management under the supervision of the PO or RO.

2.6.5 Security Officers: Appointed to maintain law and order, ensuring that the environment is conducive for free and fair voting.

# **Chapter 3: Internal Party Elections**

## **3.1 Organization of Party Organs**

Internal elections shall be conducted to fill positions within the following KCD structures:

3.1.1 The Polling Station Steering Committee: The base unit of the party.

3.1.2 The Ward Executive Committee (WEC): Corresponding to the County Assembly Ward.

3.1.3 The Sub-Branch Executive Committee (SBEC): Corresponding to the Constituency level.

3.1.4 The Branch Executive Committee (BEC): Corresponding to the County level.

3.1.5 The Regional Coordinating Committee: Overseeing groups of counties.

3.1.6 National Organs: Including the NEC, the Women League, the Youth League, and the PWD League.

## **3.2 Composition of Committees and Organs**

3.2.1 Every committee at the Polling Station, Ward, Sub-Branch, and Branch level shall consist of twenty-two (22) officials, including a Chairperson, Secretary, and Treasurer.

3.2.2. Pursuant to the statutory requirements on gender parity, no more than two-thirds (2/3) of the officials constituting any committee shall be of the same gender.

3.2.3 Representation for PWDs and Special Interest Groups must be included in every committee structure as specific designated docket.

3.2.4 Not more than two-thirds of the party's registered office bearers (National and County) shall be of the same gender.

### **3.3 Notice and Quorum**

3.3.1 The NEB shall issue a formal notice of not less than twenty-one (21) days for all party elections, published in at least one national daily newspaper.

3.3.2 The quorum for any party election or meeting of an electoral college shall be one-half (50%) of the eligible members.

3.3.3 Where a quorum is not met, the meeting shall be adjourned for a period not exceeding seven (7) days, after which the members present shall constitute a quorum for the transaction of business.

### **3.4 Qualifications for Party Office**

A candidate seeking election to a party office shall:

3.4.1 Be a fully paid-up member of the KCD.

3.4.2 In the case of Sub-Branch, Branch, and National Chairpersons, be a Life Member of the Party.

3.4.3 Demonstrate having participated in party activities for at least six months prior to the election, unless exempted by the NEC for valid reasons.

3.4.4 Subscribe to the KCD Code of Conduct and the Ideology of Accountability.

**3.4.5 Disqualification of Party Officials:** A person is disqualified from seeking or holding any party office if they:

(a) Are an undischarged bankrupt;

(b) Have been convicted of a criminal offence and sentenced to imprisonment for a period of not less than six (6) months;

(c) Are a member or official of another political party; or

(d) Have been found to have violated the Leadership and Integrity requirements of Chapter Six of the Constitution.

## **3.5 Election of National Officials**

3.5.1 National officials shall be elected by the National Delegates Convention (NDC).

3.5.2 The NDC shall comprise delegates from branches, members of parliament, governors, and representatives of special interest groups, totalling no more than 3,000 persons.

3.5.3 Voting shall be by secret ballot, though acclamation may be used for uncontested positions.

3.5.4 Assumption of Office: Successful candidates shall assume office immediately upon the declaration of results.

# Chapter 4: The Nomination of Party Candidates for National and County Elections

## 4.1 Scope and Categories

These rules govern the nomination of candidates for the following elective positions in Kenya:

4.1.1 President of the Republic of Kenya.

4.1.2 Member of the Senate.

4.1.3 County Governor.

4.1.4 Member of the National Assembly.

4.1.5 County Woman Representative to the National Assembly.

4.1.6 Member of the County Assembly (MCA).

## 4.2 Announcement of Vacancies and Application

4.2.1 Upon resolution by the NEC, the NEB shall advertise and receive applications for the nomination of candidates in the prescribed KCD forms.

4.2.2 The advertisement shall clearly state the qualifications, timelines, and fees for each position, with specific emphasis on inclusivity.

**4.2.3:** The vetting of applicants shall be a structured process conducted by the NEB using the **Standardized Vetting Scorecard (Form 2)** provided in Schedule I of these Rules. The scorecard shall evaluate candidates on a weighted scale of 100% covering:

- (a) Party Loyalty (20%),
- (b) Leadership & Integrity/Chapter 6 Compliance (40%),
- (c) Academic & Professional Merit (20%),
- (d) Community Presence/Popularity (20%).

### **4.3 General Qualifications for Candidates**

Pursuant to the Constitution of Kenya and the Elections Act, every aspirant for a KCD nomination shall:

4.3.1 Be a Kenyan citizen by birth or registration, as the specific law requires.

4.3.2 Be a registered voter in the electoral area where they seek nomination.

4.3.3 Be a registered member of the KCD and, for high-level seats (President to MP), a Life Member.

4.3.4 Possess the required academic qualifications (e.g., a degree for President and Governor; post-secondary qualifications for others).

4.3.5 Be proficient in English and Kiswahili.

4.3.6 Provide a valid Certificate of Good Conduct and clearance from the Ethics and Anti-Corruption Commission (EACC).

### **4.4 Disqualification Grounds**

An aspirant shall be disqualified from nomination if they:

4.4.1 Owe allegiance to a foreign state.

4.4.2 Are a State Officer or Public Officer, unless the specific legal exemptions apply.

4.4.3 Are of unsound mind or an undischarged bankrupt.

4.4.4 Are serving a sentence of imprisonment of six months or more at the time of nomination.

4.4.5 Have been found guilty of abusing a public office or violating Chapter Six of the Constitution.

4.4.6 Have planned, sponsored, or participated in political violence or electoral malpractice.

## 4.5 Coalitions and joint candidates

**4.5.1. Power to Enter Coalitions:** The National Executive Council (NEC) may, by resolution, enter into a Pre-Election or Post-Election Coalition with other political parties pursuant to Section 10 of the Political Parties Act.

**4.5.2. Joint Nominations:** Where the Party has entered into a Coalition Agreement, the NEC may resolve to:

- (a) Field joint candidates with partner parties in specific electoral areas.
- (b) Zone specific regions for partner parties.
- (c) Conduct joint nominations with partner parties.

**4.5.3. Issuance of Coalition Tickets:** In the event of a joint nomination, the Party shall recognize the certificate issued by the Coalition Board as valid for the purposes of IEBC clearance.

**4.5.4. Protection of Party Identity:** Notwithstanding any coalition agreement, the Party shall retain its distinct identity, including its Name, Symbol (The Black Briefcase), and Slogan ("Tuko Safarini").

## 4.6 Nomination Fee Structure and Inclusivity

The KCD, consistent with its ideology of Social Democracy and the need to empower marginalized groups, hereby establishes the following mandatory fee structure. Women, Youth, and Persons with Disabilities (PWDs) are entitled to a 50% discount on the standard fee for all categories.

Table 2 nomination fee's structure

Position	Standard Aspirant Fee (Kshs)	SIG (Women, Youth, PWD) Fee (Kshs)
President	1,000,000	500,000
Governor	500,000	250,000
Senator	250,000	125,000
National Assembly (MP)	200,000	100,000
County Woman Representative	100,000	50,000
County Assembly (MCA)	20,000	10,000

All fees are non-refundable and must be paid via Bankers Cheque to the official KCD National Elections Account.

## **4.7 Methods of Nomination**

The NEB, in consultation with the NEC, shall determine the most suitable method for nomination in each electoral area:

4.7.1 Universal Suffrage: Open to all registered party members in the constituency or ward.

4.7.2 Indirect Nomination (Delegates): Conducted through the respective Electoral College.

4.7.3. Consensus-Based Selection: In circumstances where aspirants mutually agree to defer to a single candidate, such mediation shall be formally chaired by a duly appointed member of the NEB. Pursuant to this process, the consensus agreement shall be recorded in writing and shall be executed by all participating aspirants prior to the issuance of a Direct Nomination certificate.

## **4.8 Direct Nomination Power of the NEC**

4.8.1 Notwithstanding the provisions of Rule 4.6, the National Executive Committee (NEC) is hereby empowered to issue a Direct Ticket and nominate a candidate without a primary election in the following specific cases:

4.8.1.1 Consensus: Where all cleared aspirants for a particular seat sign a written agreement to support one individual.

4.8.1.2 Single Candidate: Where only one aspirant has been cleared and vetted by the NEB for a specific position by the close of the application deadline.

4.8.1.3. Security and Order: In the event that the NEB, relying upon credible intelligence or local security reports, determines that the execution of a primary election is highly likely to incite violence, loss of life, or extreme regional instability, the NEC shall be empowered to issue a Direct Ticket. Notwithstanding this emergency power, such an intervention shall strictly require a formal, written advisory report from national security organs or the County Election Board (CEB) to substantiate the bypass of a primary election.

4.8.1.4 Coalition Obligations: Where a seat is specifically reserved for a candidate from a coalition partner under a legally deposited coalition agreement.

4.8.2 Devolvement of Identification: While the final power to issue a Direct Ticket rests with the NEC, the identification of candidates for non-competitive nomination for **Member of County Assembly (MCA)** and **Member of the National Assembly (MP)** seats shall be devolved to the respective **County Election Boards (CEB)** and **Sub-Branch Executive Committees**. These organs shall submit a consensus report or vetting recommendation to the NEC for final NEC ratification.

# **Chapter 5: Procedures for Party List Nominations (Special Seats)**

## **5.1 Legal Mandate and Purpose**

5.1.1 The KCD shall nominate and present party lists to the Commission for the allocation of special seats in accordance with Article 90 of the Constitution.

5.1.2 The lists shall cover the National Assembly (Special Interests), the Senate (Women, Youth, PWDs), and County Assemblies (Gender and Marginalized Groups).

5.1.3 The primary objective of the party list is to ensure representation for groups that may not have been successful through single-member constituency contests.

5.1.4 Notice for Party List Applications: The NEB shall issue a formal notice of at least fourteen (14) days inviting applications for nomination to the Party List. This notice shall be published in at least one national newspaper and on the official Party website, specifying the categories of special seats (Women, Youth, PWD, and Marginalized Groups) and the required documentation.

## **5.2 Mandatory Zebra System**

5.2.1 To satisfy the constitutional "Two-Thirds Rule" and ensure progressive gender parity, every party list submitted by the KCD shall strictly implement the "Zebra System".

5.2.2 The Zebra System mandates that candidates on the list must alternate between Male and Female sequentially (e.g., F, M, F, M or M, F, M, F) throughout the entire list.

5.2.3 Any list that violates this sequence shall be considered legally defective by the NEB and shall be returned for immediate correction before submission to the IEBC.

5.2.4 In the case of the Senate (Women) list, all sixteen (16) names shall be female as per Article 98(1)(b) of the Constitution.

## **5.3 Criteria for Priority and Placement**

5.3.1 Priority on the party list shall be given based on:

5.3.1.1 Demonstrated loyalty and long-term service to the KCD.

5.3.1.2 Contribution to the party's ideological and financial development.

5.3.1.3 Representation of diverse regional and ethnic backgrounds, ensuring no two consecutive names on the national list are from the same county.

5.3.2 The first four nominees on the National Assembly list shall include at least one person representing the Youth, one representing PWDs, and one representing Workers.

## **5.4 Application and Certification**

5.4.1 Aspirants for the party list must submit a formal application to the NEB, accompanied by evidence of registration and, for PWDs, a certification from the National Council for Persons with Disabilities (NCPWD).

5.4.2 Nominees must sign a letter stating their intention and willingness to serve if nominated.

5.4.3 Once submitted to the Commission, the party list is "closed" and cannot be amended or altered during the term of that Parliament or County Assembly.

# Chapter 6: Preparation for Voting and Polling Day Procedures

## 6.1 Venue and Identification of Polling Stations

6.1.1 The NEB shall determine and publish the list of polling stations for nominations at least twenty-one (21) days before the election date.

6.1.2 Polling stations shall, where possible, mirror the centres used by the IEBC to ensure familiarity and access for all members.

6.1.3 At least one polling station shall be established in every Ward or Sub-location where the party is fielding candidates.

## 6.2 The Party Membership Register

**6.2.1 Register Categories:** The KCD Membership Register, as certified by the ORPP, shall explicitly identify members by category, including "**Ordinary Members**" and "**Life Members**" as required by the Second Schedule of the Political Parties Act. **Only members registered under the "Life Member" category for the requisite period shall be eligible for nomination to high-level seats (President to MP)** pursuant to Rule 4.3.3. No person shall be cleared as a Life Member unless their status is **verified against the IPPMS database** held by the Registrar of Political Parties at least 90 days prior to the date of the nomination.

6.2.2 The NEB shall ensure that a physical or electronic copy of the register is available at every polling station.

6.2.3 A member must produce their National Identity Card and KCD Membership Card to be cleared to vote.

## 6.3 Voting Procedure

6.3.1 Hours: Polling shall open at 6:00 am and close at 5:00 pm. Members already in the queue at 5:00 pm shall be allowed to cast their votes.

6.3.2 Secret Ballot: Every member shall mark their ballot in a private booth. The ballot paper shall contain the names and photographs of the candidates and a unique serial number.

6.3.3 Assistance: Voters who are visually impaired or physically incapacitated may be assisted by a person of their choice or a Presiding Officer, provided the assistance is witnessed by agents.

6.3.4 Indelible Ink: After voting, every member's finger shall be marked with indelible ink to prevent multiple voting.

## **6.4 Counting and Tallying**

6.4.1 Counting shall commence at the polling station immediately after the polls close, in full view of candidates' agents and accredited observers.

6.4.2 Form 1: The Presiding Officer shall record the final tally on Form 1 and ensure it is signed by all present agents. Refusal to sign by an agent shall not invalidate the results but the reasons for refusal must be noted.

6.4.3 Form 2: The official declaration of results at the polling station level shall be made using Form 2.

6.4.4 Tallying of results for Constituency and County levels shall be conducted by the respective Returning Officers at a designated Tallying Centre.

# **Chapter 7: Internal Dispute Resolution Mechanism (IDRM)**

## **7.1 Establishment of the National Appeals Tribunal (NAT)**

7.1.1. Pursuant to Section 40 of the Political Parties Act (2011), there is hereby established the KCD National Appeals Tribunal (NAT) as the final internal judicial organ of the Party.

7.1.2. The NAT shall consist of five (5) members of high integrity appointed by the NEC at least thirty (30) days prior to any election or nomination.

7.1.3. Composition of the NAT:

7.1.3.1. The Chairperson shall be a person qualified for appointment as a Judge of the High Court of Kenya.

7.1.3.2. At least two (2) members shall be Advocates of the High Court of Kenya possessing no less than seven (7) years of post-qualification experience.

7.1.3.3. Not more than two-thirds of the NAT members shall be of the same gender.

7.1.4. Quorum and Decision Making: The NAT shall sit in a panel of an odd number of members. The quorum for any sitting or determination of an appeal shall be a minimum of three (3) members. All decisions shall be reached by a simple majority.

## **7.2 Jurisdiction and Powers**

The NAT shall have the authority to:

7.2.1 Hear and determine all disputes arising from the vetting of candidates by the NEB.

7.2.2 Resolve all complaints and petitions arising from the results of party primaries and internal elections.

7.2.3 Adjudicate disputes regarding the composition and order of Party Lists.

7.2.4 Summon any party official, candidate, or witness to provide evidence or testify.

7.2.5 Order a recount of votes, a re-tallying of results, or the nullification of a primary election and the conduct of a fresh one.

## **7.3 The Mandatory 72-Hour Resolution Rule**

In accordance with the necessity of strict electoral compliance, the KCD shall enforce the following timelines:

7.3.1. Filing: Any person aggrieved by an election result or NEB decision shall lodge a written appeal with the NAT within forty-eight (48) hours of the formal announcement.

7.3.2. Determination: The NAT shall hear the parties and deliver a final, binding judgment within seventy-two (72) hours of the filing of the appeal.

7.3.3. Continuous Operation: During the peak nomination period, the NAT shall remain in continuous session to ensure compliance with these statutory timelines.

7.3.4. General Election Statutory Bar: Notwithstanding the 72-hour internal rule, all nomination-related disputes shall be heard and determined by the NAT in their entirety no later than ninety (90) days prior to the date of the General Election, pursuant to Regulation 27 of the Elections (Party Primaries and Party Lists) Regulations, 2017.

7.3.5. Statutory Cut-off: Notwithstanding the internal timelines stipulated herein, all dispute resolution proceedings shall conclude, and verdicts shall be rendered, no later than seven (7) days prior to the statutory deadline for submitting names to the Independent Electoral and Boundaries Commission (IEBC). Any appeal pending subsequent to this date shall be summarily dismissed.

## **7.4 Exhaustion of Internal Remedies and Bar to Courts**

7.4.1 In accordance with Section 40(2) of the Political Parties Act, no member of the KCD shall initiate legal proceedings in the High Court, the Political Parties Disputes Tribunal (PPDT), or any other judicial body until they have fully exhausted the Internal Dispute Resolution Mechanisms provided in this Chapter.

7.4.2 Proceeding to an external court before the NAT has rendered a decision, or before the 72-hour window has expired, shall constitute a gross breach of party discipline.

7.4.3 Premature filing of external legal proceedings shall be grounds for a Preliminary Objection at the PPDT" rather than immediate expulsion.

## **7.5 Appeals Process and Fees**

7.5.1 Appeals must be in writing, signed by the appellant or their advocate, and supported by a sworn affidavit and relevant evidence.

7.5.2 NAT Appeal Fees: Presidential/Gubernatorial/Senatorial: Kshs. 70,000. Member of Parliament/Woman Rep/Party list: Kshs. 40,000. Member of County Assembly: Kshs. 20,000.

7.5.3 The NAT may, at its discretion, waive or reduce fees for indigent Special Interest Group members to ensure access to justice.

# **Chapter 8: Code of Conduct and Disciplinary Measures**

## **8.1 Ethical Requirements for Candidates**

Consistent with the Pillar of Accountability, every KCD candidate shall:

8.1.1 Publicly condemn and refrain from any form of political violence, intimidation, or harassment.

8.1.2 Desist from carrying or displaying weapons at any political meeting or rally.

8.1.3 Avoid the use of inflammatory language or hate speech based on gender, ethnicity, or religion.

8.1.4 Refrain from bribery, including the distribution of cash, food, or alcohol for the purpose of influencing voters.

## **8.2 Disciplinary Actions for Electoral Malpractice**

8.2.1 Any member found by the NEB or NAT to have engaged in electoral malpractice shall face the following sanctions:

8.2.1.1 Formal written reprimand and demand for an apology.

8.2.1.2 Fines of up to Kshs. 500,000.

8.2.1.3 Disqualification from the current nomination or election.

8.2.1.4 Revocation of any previously issued nomination certificate.

8.2.1.5 Suspension or permanent expulsion from the KCD.

8.2.2 The Party shall cooperate with the Commission and the Director of Public Prosecutions (DPP) to ensure that criminal electoral offences are prosecuted to the full extent of the law.

### **8.2.3 Monitoring and Enforcement:**

(a) The **National Elections Board (NEB)** and its appointed County Election Boards (CEB) shall be responsible for monitoring electoral conduct and identifying malpractices during primaries.

(b) The **National Appeals Tribunal (NAT)** shall have the primary jurisdiction to adjudicate reported malpractices.

(c) The **National Executive Council (NEC)** shall be the body mandated to enforce the final sanctions, including disqualification, fines, or expulsion, based on the findings of the NAT or the NEB.

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## **8.3 The KCD Pledge of Commitment**

Every candidate cleared for nomination must sign a legally binding Pledge of Commitment to:

8.3.1 Uphold the KCD Constitution and the "Briefcase Economy" Manifesto.

8.3.2 Make regular monthly financial contributions to the Party treasury as determined by the NEC.

8.3.3 Serve the constituents with the empathy of a family and the efficiency of a private enterprise.

8.3.4 Resign from their elective seat if they defect to another political party or act in a manner that fundamentally undermines the KCD ideology.

# **Chapter 9: General Provisions and Administrative Schedules**

## **9.1 Campaign Regulations**

9.1.1 The official campaign period shall be determined by the NEB but shall not be less than fourteen (14) days prior to the polling date.

9.1.2 All campaigns shall cease forty-eight (48) hours before the polls open. No campaigns are permitted on polling day within the polling precincts.

9.1.3 The Party shall provide a level playing field for all candidates, ensuring that party resources are not used to Favor one aspirant over another during a contested primary.

## **9.2 Certification and Submission to IEBC**

9.2.1 Upon the final determination of all disputes by the NAT, the NEB shall compile the final list of nominees.

9.2.2 The National Chairperson and the Secretary General shall sign the KCD Nomination Certificates under the official Party Seal.

9.2.3 The final list shall be submitted to the Commission at least six months before the general election, or as per the gazetted timelines.

## **9.3 Amendments and Revisions**

9.3.1 These rules may only be amended by a resolution of the NEC supported by at least two-thirds (2/3) of its members.

9.3.2 No amendments to these rules shall be valid if made within three (3) months of a general election or party primary, ensuring the rules of the game are not changed during the contest.

## 9.4 Administrative Schedules

### 9.4.1 Schedule I: Official Forms

Form 1: Nomination Application Form.

<b>Field</b>	<b>Details</b>
<b>Full Name of Aspirant</b>	
<b>National ID Number</b>	
<b>KCD Membership Number</b>	
<b>Position Applied For</b>	
<b>Electoral Area (County/Constituency/Ward)</b>	
<b>Vetting Date</b>	

Form 2: Vetting and Scorecard procedures.

Table 3 CANDIDATE BIO-DATA

<b>Field</b>	<b>Details</b>
<b>Full Name of Aspirant</b>	
<b>National ID Number</b>	
<b>KCD Membership Number</b>	
<b>Position Applied For</b>	
<b>Electoral Area (County/Constituency/Ward)</b>	
<b>Vetting Date</b>	

**PART B: ASSESSMENT AND SCORING** Candidates must provide documentary evidence for each category. Minimum aggregate pass mark is 60%.

*Table 4 ASSESSMENT AND SCORING FORM*

<b>Assessment Area</b>	<b>Weighted Score (%)</b>	<b>Points Awarded</b>	<b>Remarks by Vetting Officer</b>
<b>1. Party Loyalty &amp; Service:</b> (Duration of membership, attendance of party functions, financial contributions, and promotion of KCD ideology)	20%		
<b>2. Leadership &amp; Integrity:</b> (Full compliance with Chapter 6 of the Constitution, valid EACC clearance, and valid Certificate of Good Conduct)	40%		
<b>3. Academic &amp; Professional Merit:</b> (Verification of degrees/diplomas, professional experience, and technical suitability for the specific office)	20%		
<b>4. Community Presence:</b> (Documented evidence of grassroots influence, popularity in the electoral area, and previous public service record)	20%		
<b>TOTAL AGGREGATE SCORE</b>	<b>100%</b>		

**PART C: VETTING PANEL DETERMINATION**

*Check one of the following based on the score above:*

**CLEARED:** Aspirant has met all legal and party requirements and is eligible to participate in the nomination process.

**CONDITIONALLY CLEARED:** Aspirant is missing minor documentation (listed below) and has 24 hours to rectify.

**REJECTED:** Aspirant has failed to meet the minimum score or is disqualified under Rule 4.4 of the KCD Nomination Rules.

**Reason(s) for Rejection (if applicable):**

\_\_\_\_\_

**PART D: AUTHENTICATION**

<b>Vetting Officer Name</b>	<b>Designation</b>	<b>Signature</b>
	<b>Vetting Chair (NEB)</b>	
	<b>Vetting Member</b>	
	<b>Vetting Member</b>	

**(Official Stamp of the KCD National Elections Board)**

Form 3: Tally of Votes (Polling Station).

Form 4: Declaration of Primary Winner.

Form 5: NAT Appeal Filing Form.

9.4.2 Schedule II: Fee Structure (As detailed in Article 4.6).

9.4.3 Schedule III: Zoning Map

Zone A (Competitive): High-density KCD support areas where Universal Suffrage is mandatory.

Zone B (Strategic): Emerging areas where the Delegate System may be used.

Zone C (Negotiated): Coalition or conflict zones where Consensus or Direct Nomination is prioritized.

## **9.5 Youth Age Transition**

An official elected to a Youth position who attains the age of 35 years during their term shall be permitted to serve out the remainder of that specific term, but shall be ineligible for re-election to any Youth League position thereafter.

# Chapter 10: Financial Management and Use of Public Funds

**10.1:** The Party shall utilize any monies received from the Political Parties Fund strictly for purposes compatible with democratic principles as outlined in **Section 26 of the Political Parties Act**.

**10.2:** The Party shall ensure that at least **thirty percent (30%)** of the monies received from the Fund are used for purposes related to promoting the representation of women, persons with disabilities, youth, and marginalized communities in Parliament and County Assemblies.

**10.2.1 Ring-Fencing:** The 30% allocation shall be strictly utilized for:

- (a) Civic education and leadership training academies for women and youth.
- (b) Subsidizing nomination fees for indigent SIG aspirants.
- (c) Producing braille materials and sign language services for PWD members.
- (d) These funds shall **NOT** be re-allocated to general administration or staff salaries.

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Adopted by the National Executive Council of the Kenya Charter for Democracy (KCD) this of 10<sup>th</sup> February 2026 signed by:

Party Leader Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

National Chairperson Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary General Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Seal of the Kenya Charter for Democracy)*

I hereby certify that these Election and Nomination Rules of the Kenya Charter for Democracy (KCD) have been reviewed and certified for use pursuant to Section 34 of the Political Parties Act, 2011.

Registrar of Political Parties Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Official Seal of the Office of the Registrar of Political Parties)*