

PEOPLES TRUST PARTY

NOMINATION RULES

PART ONE

These rules and procedures together with other written laws shall apply in the Nomination and Election of candidates to offices in the Party, the County Assembly, the Parliament and other organizations to which the Party to which the relates.

APPOINTMENT OF NATIONAL NOMINATIONS AND ELECTIONS

BOARD

1. The National Executive Council shall, at least six months before the election date in the election year, establish a National Nominations and Elections Board (Hereinafter referred to as "the Board") whose members shall not be officials and/or officers of the party at any level.
2. The Board shall consist of a chairperson and not more than eight other members all of whom shall be persons of good standing and integrity and who shall themselves and/or their immediate relatives not be seeking nomination as party candidates in the elections.
3. The Chairperson and members of the Board shall be appointed by National Executive Council.
4. In appointing members of the Board, the National Executive Council shall ensure that neither gender is more than two thirds of the total number
5. The Appointed chairperson and members of the Board shall take oath of office as provided for in FORM 1 of the Schedule herein. PART TWO

FUNCTIONS OF THE NATIONAL NOMINATIONS AND ELECTIONS

BOARD

6. The Board shall have the following functions:-
 - a) To supervise and guide the party nomination and elections in accordance with the National Constitution, legislations governing political parties and elections, the Party Constitution, Nomination and Elections Rules and other by-laws of the party.
 - b) Ensure that all party candidates meet the set national, county and party nominations and election criteria.

c) Supervise and guide the National, County and Sub Branch Nominations in accordance with requirement of National legislations and Party nomination rules and procedures.

d) Set up a time table for completion of the nomination of party candidates before any election or elections.

e) gender parity and conformity with the party constitution in the party nominations.

7. In discharging its functions the Board shall not be under the direction of any person and shall act in accordance with the national constitution, election act, the party constitution, these Nominations Rules and any rules of procedure that may be promulgated in accordance with the party constitution.

8. In assisting the Board to discharge its mandate, the National Executive Council shall develop guidelines for:-

a) free, fair and transparent elections

b) Qualifications for appointment of the Election Board including the integrity test

c) Formulate a clear code of conduct to guide the affair of the board

9. The Board, once appointed and sworn in shall according to Party Constitution put in structures to ensure effective national, county/ branch and sub branch nominations and elections

PART THREE

CRITERIA FOR NOMINATION OF PARTY CANDIDATES

10. The criteria for nomination of party candidates for national and county elections shall be based on ;

a) Articles of the National Constitution on National Values;

b) Chapter Six of the National constitution on Leadership and Integrity;

c) Current membership, subscription to the party vision, mission and core values.

d) Citizenship, possession of national identity card and voter's card;

e) Tax compliance;

f) Certificate of good conduct from the Kenya Police and Independent Ethics and anti corruption commission.

g) UN-discharged bankruptcy;

h) Payment of prescribed fee;

- i) Signing of the Electoral Code of Conduct.
- j) Compliance with party code of discipline
- k) Clearance from Ethics and anti corruption commission
- l) Clearance from higher education loans board
- m) Academic requirements as per section 22 of elections act
- n) Clearance from Kenya credit beural (CRB)

PART FOUR

NOMINATION PROCEDURE

11.

6 months prior to election date appointed by the National Constitution or an Act of parliament or during the year when the Presidential, Parliamentary, County Governor and County Assembly elections are to be held, the Board shall publish a notice inviting and requiring members to make recommendations and interested persons to apply for seats in the coming election.

12. In the event of an election occasioned by the death, resignation or disqualification of the

sitting President, Governor, Member of Parliament or County Representative, the notice shall be made within SEVEN (7) days after the announcement of election date by IEBC

13. Written applications and recommendations accompanied by duly filled FORM 2 shall be made to the Board within the specified time for consideration.

14. Closed primaries (only duly registered members) shall be used in the nomination or election of County representatives, and members of Parliament.

15. The special National Delegates Congress or under extra-ordinary circumstances the General Council, shall nominate the Presidential candidate and running mate.

16. The County Forum shall nominate candidate for the seat of County Governor.

17. Elections shall be by secret ballot and by Party members.

18. Scheduled forms shall be used for record keeping and election returns

19. The Board shall within Seven (7) days of receipt of the recommendations/applications display list of the applicants for public inspection.

20. On the date appointed for nomination of party candidates, notice and venues whereof shall be published not less than three (3) weeks before hand.

21. Each member of the party shall have one vote for every candidate and shall use current membership card and National Identification Card to cast the secret ballot.
22. The Returning Officers and the Presiding Officers shall ensure that candidates and Party members have subscribed to the Electoral Code of Conduct before an election.
23. Every candidate for nomination shall have the right to appoint at least two agents at the election and the counting of the votes.
24. 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.
25. The candidate with the highest number of votes cast in his/her favor shall be declared the winner of the election at that polling station and the Presiding Officer and all the candidates/counting agents present will confirm the result by endorsing and signing the tally of votes cast.
26.) The Returning Officer shall convey the endorsed and confirm the result vide FORM 4 of the Schedule to the chairperson of the Nominations and Election Board who shall tally and total all the returns in respect of each nomination.
27. The chairperson of the Board assisted by the members of the Board shall tally and total the votes on the returns made by the Presiding Officers and all the candidates present or their agents shall certify the totals to be correct and sign the same.
28. If any candidate and/or agent refuses/fails to certify the totals as correct the Board shall make note of such refusal and record the grounds for refusal and certify and sign the results.
29. The person with the highest number of votes tallied shall be the winner of the nomination and the Board shall declare such a person the party candidate for that particular election.
- 30.. If satisfied that the nomination has been conducted in accordance with these rules and the party constitution, the Board shall endorse and confirm the nomination of the candidate and such person(s) selected by the party and shall certify such nomination to the Independent Electoral and Boundaries Commission (IEBC) as provided for at Section 31(3) & (4) of the Elections Act, 2011.
31. The returning officer shall confirm unopposed candidates as duly nominated candidates and issue them with FORM 5 (clearance certificate) at the completion of nomination process.
32. The Board shall issue a copy of the declaration and the certificate aforesaid to the National Executive Council as provided for in FORM 5.

PART FIVE

CRITERIA AND PROCEDURES FOR PEOPLES TRUST PARTY PRIMARIES

34. Party nomination shall begin with :

- a) Civic and political education to sensitize members on significance of leadership and party elections and provisions of electoral code of conduct
- b) Membership recruitment drive and updating of Membership registers
- c) Establishment of the Nominations and Elections Board
- d) Publication of the notice and program.

35. Eligibility criteria for candidates: No one shall participate in party elections as voter and candidate unless that person:

- a) Is a fully registered member of the Party
- b) Is a registered citizen of Kenya with a National Identification Card
- c) Has signed the Electoral Code of conduct
- d) Meets the requirements of Article Ten and Chapter Six of the Constitution of Kenya
- e) Must be a registered voter in Kenya

PART SIX

DEVELOPMENT OF PARTY LIST

39. Pursuant to articles 97 (1) (c), 98 (1) (b), (c), (d) and 177 (1) (b) and (c) of National constitution and section 34 of elections act 2011, the party shall nominate members into the party list as prescribed by these laws prior to party nominations.

40. In addition to meeting eligibility criteria set out under section 10 of part three of these rules, party list candidates must meet the following criteria

- a) Exemplary service to the party
- b) Enhancement of party's aims and objectives
- c) Minimum membership period of 3 months

41. Nominees into the party list for nomination to county assembly shall be done by National executive committee with recommendation by the county executive committees

42. Nominees into the party list for nomination to national assembly and senate shall be done by the national executive council.

43. The national elections board shall preside over the process.

44. The national election board shall recommend over the development of the party list in both county and national level to National executive committee.

45. The National executive committee and county executive committee shall prioritize the lists and the national executive shall have the final say of the nomination names.

PART SEVEN

NOMINATION AND ELECTION DISPUTE RESOLUTION

38. The National Executive Council and the Board shall, upon the establishment of the Nominations and Elections Board, establish a National Nomination Dispute Resolution Panel (hereinafter referred to as the "Panel") which shall finally determine all and any matters and disputes between party members and/or party members pertaining to party nominations.

39. The Panel shall be an ad hoc body to deal with disputes arising out of the nomination process in a particular election and shall stand dissolved upon conclusion of the nomination process.

40. The Panel shall have a chairperson who shall be a person of high personal and moral integrity and whose immediate relatives friends and associates shall not be a candidate/s in the nomination.

41. The 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 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 candidates in the nomination.

42. Any person aggrieved by the decision of the panel shall in writing with supporting evidence appeal to National Executive council within 72 hours.

43. A person lodging a complaint to the Panel Or the Board shall pay such fees thereof as may be determined by the National Executive Council

44. Complaints filed shall be heard and be disposed of within 72 hours. integrity and whose immediate relatives friends and associates shall not be a candidate/s in the nomination.

NATIONAL NOMINATION AND ELECTION BOARD

OATH

I _____ having been appointed Chairman (member)
of the National Nominations and Elections Board do swear that I will without fear or favor, affection or
ill-will discharge the functions and duties of the Office of the Chairman (member) of the Board,
and that I will not, directly, reveal any 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 _____, 19_____)

Commissioner for Oaths: _____)

FORM 2
NOMINATION RETURNING FORM
DETAILS

ILSNAME OF CANDIDATE.....

COUNTY.....

POSITION-----

ADDRESS.....

TELEPHONE NO.....

NAME OF COUNTY.....

NAME OF WARD.....

NATIONAL ID/NO.-----

MEMBERSHIP CARD NO-----

ELECTOR'S CARD NUMBER-----

SIGNATURE-----

PROPOSER-----

1D/NO-----

MEMBERSHIP NO-----

VOTER'S CARD NO-----

SIGNATURE-----

SECONDER-----

ID/NO-----

VOTER'S CARD NO-----

SIGNATURE-----

SUPPORTERS:

NAME.....

ID NUMBER.....

VOTERS CARD NO.....

MEMBERSHIP CARD NO.-----

SIGNATURE

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

FORM 3

PEOPLES TRUST PARTY NOMINATION RULES, PART FIVE PLEDGE OF
COMMITMENT

I _____ of ID No. _____ P.o Box
No. _____ of _____ in the Republic of Kenya
wishing to be nominated as a Party Presidential candidate County Representative/Governor/
Senator/Member of Parliament for _____ Ward/County/Constituency
hereby solemnly swear and pledge as follows:

1. That I Swear to respect, defend and safeguard the Constitution of Kenya and Party Constitution.
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 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.
5. 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 oppressive laws.
6. That I shall always defend the respect and observance of human and democratic rights and liberties.
7. That I shall accommodate criticism and observe the principles of good and open governance.
8. That I shall support free and fair elections within the Party and in Kenya.
9. That I shall oppose and never practice nepotism or tribalism and shall ensure that the allocation of jobs and services is based on merit.
10. That I shall practice zero tolerance to corruption.
11. That I shall be transparent in all my business transactions and never allow my personal interest to prevail upon the public interest.

12. That I shall always defend and protect public property and in that respect I shall at all appropriate fora expose any misuse of public property, assets and investments irrespective of whoever is involved in the misuse.

13. That I shall never practice discrimination against anyone on the basis of race, tribe color gender or religion.

14. 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.

15). That I shall swear to to make the prescribed monthly party subscription fee as stipulated by the Peoples Trust party .

16). I shall swear to abide with party positions on policy issues and other areas of interest on matters touching the National issues

Signed By: _____) at _____ on this _____

day of _____ 20____)

Before me: _____)

Commissioner for Oaths

FORM 4.

ELECTION RETURNS PEOPLES TRUST PARTY

LEVEL.....

COUNTY.....

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

POST/OFFICE.....
.....

POLLING

STATION.....

NO. OF CANDIDATES.....DATE.....

NAMES OF CANDIDATES

MEMBERSHIP

NUMBER

NUMBER OF VOTES WON

SIGNATURE

1.

2.

3.

4.

5.

Declared winner..... Number of votes cast.....No of spoilt Votes.....

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

FORM 5

CERTIFICATE OF NOMINATION

At the Party Nominations of candidates for Election held on
.....under the Elections Act,
2011,Mr/Ms.....ID/No.....was duly nominated as the
Party candidate for (County//Constituency/Ward).

i. Cellphone No.....

ii. Address.....

iii. Membership No.....

iv. Voter's Card No.....

Issued at Nairobi on _____ day of _____ 20__

SIGNED:

1-----

Chairman, National Nominations and Elections Board.

2-----

Secretary, National Nominations and Elections Board