

# NATIONAL AGENDA PARTY OF KENYA -

March 30

# 2017

NOMINATION RULES AND REGULATIONS: These rules shall be cited as National Agenda Party of Kenya (NAP-K) nomination rules and regulations hereinafter referred as "RULES AND REGULATIONS".

**AMENDED on  
March 30th  
2017.**



**NATIONAL AGENDA PARTY OF KENYA(NAP-K) NOMINATION RULES AND REGULATIONS DATED AT NAIROBI 2017 FOR THE GENERAL ELECTIONS OF 2017**

**First Part**

**Introduction**

1. These rules shall be cited as National Agenda Party of Kenya (NAP-K) nomination rules and regulations hereinafter referred as "**RULES AND REGULATIONS**".
2. These rules and regulations shall govern and guide the nominations of NAP-K candidates in Internal Party Primary elections before NAP-K nominees are awarded the party nomination certificate in regard to: General Elections and By-elections. The party shall also be guided by the Kenyan 2010 Constitution, The IEBC, Elections, Political Parties, Elections offenses, National Cohesion and Integration Committee, The National Gender and Equality Commission Acts and all other related laws, Regulations and Policies.
3. All NAP-K candidates shall sign and honour the **Pledge of loyalty and commitment forms**.
4. All NAP-K candidates shall commit to honor/ abide by the Party Constitution by signing the Loyalty pledge as part of the Party Nomination application.
5. All NAP-K candidates shall pay a life membership fee and annual fees.
6. (A) All elected leaders on the party ticket shall make monthly contributions to the party as directed by the party NEC; but the amount contributed shall not be less than:
  - (a) Ksh: 20,000/- for a Member of the County Assembly
  - (b) Ksh: 50,000/- for Member of the National Assembly and the Senate (Parliament).
  - (c) Ksh: 70,000/- for Governor
- (B) All NAP-K Nominated members shall NOT pay less than the following amounts:
  - (a) Ksh: 50,000/- per month for a nominated Member of the County Assembly
  - (b) Ksh: 100,000/- per month for Member of the National Assembly and the Senate (Parliament).

**Second Part**

**National Election Board (NEB) and National Nomination Appeals Committee (NNAC)**

The NAP-K National Chairman shall appoint: 3 members for the National Election Board and National Nomination Appeals Committee respectively, before the commencement of nomination procedures. The NEB and NNAC shall consist of a chairperson and two other members all of whom shall be persons of good standing and sound minds who are themselves not seeking nomination as party candidates.

### **THE NEB and NNAC FUNCTIONS:**

The elections Boards shall have the function of supervising and guiding the nominations of party candidates.

The mandate of the boards shall include:

- a. Invite aspirants through media and receive applications
  - b. Verify applications and compliance with the law and party rules
  - c. Vet applications
  - d. Facilitate Logistics
  - e. Make Security considerations
  - f. Transmitting to authorized persons.
  - g. Carry out capacity building of the collegiate boards at the ward, and all other levels.
  - h. Hear and determine complaints arising out of the Party nominations.
  - i. The NNAC shall serve as an internal dispute organ during elections.
7. The Nomination of NAP-K candidates shall be done via either of the following 3 methods:
- a) Direct Nomination method (The method will be used to award an aspirant who is either: currently serving as an elected leader on the NAP-K ticket, or when there is only one applicant, or in protected constituencies for the special interest groups and to reward popular and committed party supporters)
  - b) Collegiate method. The Ward/Constituency/County Collegiate Caucus shall be made up of 5 respected NAP-K paid-up members per ward, the 5 collegiate delegates shall be elected by members in the ward under the supervision of the Branch officials. This approach will be deepened progressively so as to move away from the old political culture of violence.
  - c) Consensus method will be used to enhance cohesion within the party the nominations

### **FORMATION OF COLLEGIATES:**

8. Each Ward Collegiate (WC) shall consist of a chairperson and four other members. Each National Assembly Collegiate (NAC) and County Collegiate (CC) shall have collegiate delegates equal to the number of wards in the area times five members per ward. The maximum Collegiate delegates in the case of a Presidential Nomination- The Presidential Nomination Collegiate (PNC) shall be 1450 wards multiplied by five (7250 delegates) all of whom shall be persons of good standing and sound minds and who are not themselves not seeking nominations as party candidates. The basic unit of the collegiate is the ward. In the event of a vote by a ward, the Collegiate Chairperson shall make nominations returns on the form V, ranking the candidates based on votes casted for them.
9. The NEB shall stagger and set a timetable for the completion of the nomination of party candidates before any elections, based on the EMB timelines.
10. The National Elections Board seats at the national level and shall work and liaise with other collegiate boards at the WC, NAC, CC and PNC. NEB and NNAC shall appoint officials or agents to assist the committee(s) in the furtherance of their mandate.

### **Third Part**

#### **Nomination of Presidential Candidate**

11. Any party member who fulfills the constitutional, legal and judicial requirements set in law and outlined by the Elections Management Body for contesting the presidency is eligible to contest the party nomination for the presidential position. Through affiliation, coalition agreements, NAP-K may support and campaign for a presidential candidate running on another party or a given Coalition.
12. The chairperson of the National Elections Nominations Board shall forward the name of the presidential candidate to the National Executive Committee for approval. Upon approval by NEC, the NEB shall then issue the candidate(s) with a set schedule for county campaigns. In the event the party attracts more than one presidential candidate, the NEB shall set a staggered schedule per county basis via a considerable notice in the media, specifying date, time, venue for the county delegates vote casting through a secret ballot casting. The winner shall be issued with the nomination certificate signed by both the NEB chairperson and the National Party Chairman. In the event of a single candidate, candidate shall then be issued with a certificate of Nomination signed by both the NEB chairperson and the National Party Chairman.

### **Forth-Part**

#### **Nomination of Candidates at all levels in the elections**

13. All aspirants seeking nomination of the party at all levels, shall submit to the National Elections Board an application in writing in form III with copies thereof to the Branch. Such applications shall be accompanied with the evidence of party membership; National Identification Card/Passport and any other documents specified in law or by the NEB. The applicant shall deliver in person his/her application to the NEB.
14. In the event a constituency attracts more than 1 aspirant, the NEB shall submit the aspirants applications to the respective collegiate board for a determination of the award of the NAP-K nomination certificate based on any of the 3 nomination methods.
15. The National Executive Committee shall determine the nomination fee as per the party constitution for the candidates from time to time. The National Chairman shall have the power to vary and apply price discrimination for affirmative action and party marketing.

No party member shall be nominated as a party candidate unless he/she has the following:-

- (i) Valid membership party card
- (ii) Voter's card/Registered as a voter
- (iii) National Identity card (ID)
- (iv) Qualified for the seat they aspire for, based on the laws and requirements of the EMB and in accordance with the constitution of the land- Kenya and the election's Act.
- (v) Paid nomination fee in full.

16. The Ward collegiate under the guidance of NEB shall set down the time and place of nomination of party candidates. The NEB shall cause advertisement of the official party nomination period. The NEB Chairperson in consultations with the National Chairman shall have powers to extend the period of nomination beyond that advertised on need and case by case.
17. At the commencement of the nomination exercise the applicants shall submit nomination papers duly completed in Form IV together with NAP-K, Particulars, addresses and signatures of the proposer and seconder and at least ten or more supporters all of whom shall be members of the party and registered voters in the Branch, while at the same time the aspirants shall commence clearance with other agencies i.e. HELB, EACC, CRB, CID as the EMB policies may dictate.
18. The NEB shall ensure compliance with the provisions therein.
19. If after the close of the receipt of nomination papers for any seat in the Ward/ Parliamentary / County elections there is only one valid application, the applicant shall be nominated as the unopposed party candidate through Direct Nomination Method.
20. If after the close of the receipt of nomination and papers there are more than one candidate. Then an election shall be held in accordance with rule 8. Each aspirant will have a right of appointing an agent in the event of a collegiate voting. The agents will be apply for accreditation and security.
21. The National Executive Committee shall review and determine the number of delegates who shall participate in the nomination exercise in 2022 and after every 4 years subsequently. Regional party popularity, demographic, vastness of the land mass will be considered in a weighted scale to determine the proportionate number of delegates.
22. Each delegate in the collegiate shall cast their vote on a piece of paper by writing the NAP-K of their chosen candidate and at the close of the poll, the ballots shall be counted and the winner of the election declared as the party candidate by the Collegiate Chairperson.
23. After the poll, the Collegiate Board shall prepare in triplicate a return of the election showing the result thereof and thereafter send the original copy of the return to the NEB through the NEC and the duplicate copy thereof shall be sent to the County Branch. The return shall be in form V.
24. Each active County Branch shall prepare the County party lists in accordance with the provision of the electoral laws of Kenya, in consultations with the ward collegiates.  
The lists shall be presented to the NEC for verification of compliance and moderation in order to serve the overall party interest, before they are presented to the IEBC.

## **Fifth part**

### **General**

#### APPEALS & DISPUTE RESOLUTION PROCEDURES:

25. a) Any member of contestants who is dissatisfied with the outcome results of nominations shall appeal to the National Nominations Appeals Committee (NNAC) within three days after the declaration of the nomination results. The candidate shall provide a written appeal stating sufficient grounds and necessary evidence. The appellant shall pay a filing fee of Ksh:20,000/-
  - b) The NNAC shall after considering the appeal confirm or reject the nominations and where nomination is rejected the nomination exercise shall be repeated.
  - c) The NNAC shall establish its rules for the purposes of dealing with appeals
  - d) The decision of the NNAC shall be final.
26. The party leadership and hierarchy shall assist in the nomination process by creating a conducive, cooperative and supportive synergy with both NEB and NNAC.
27. The National Executive Committee may issue directions and enact procedures for the better carrying out of these rules and regulations.
28. Gender parity shall be observed at all levels to abide by the written law threshold.

## **Sixth Part**

29. Nomination Certificates to the IEBC. The nomination certificate(s) to the IEBC shall be signed by the authorized party officials.

## **Seventh Part**

### 30. Interpretation

In the Rules and Regulations, unless the context otherwise requires:

"Branch" means a branch established under the constitution of the party.

"Branch Executive Committee" means Branch Executive Committee established under NAP-K party constitution.

"Constitution" means the constitution of the party.

"Election officials" means chairperson/member of the NEB and NNAC Nomination Appeals Board / official/ agent appointed under rule 10.

"Nomination Elections Board" means Nomination Board established under rule 6 part 2.

"National Executive Committee" established under constitution. "Party" means National Agenda Party of Kenya(NAP-K)

"President" means president of the Republic of Kenya.

"Rules and Regulations" means Rules and Regulations

## **Sixth Part**

### 31. Nomination Certificates to the IEBC

The nomination certificate(s) to the IEBC shall be signed by the authorized party officials.

**FORM 1**

**NOMINATION RULES**

**RULE III**

**PLEDGE OF LOYALTY AND COMMITMENT**

I.....of.....County in the Republic of Kenya wishing to be nominated as a party candidate in the 2017 General Elections do hereby solemnly swear and pledge as follows:

1. That I shall respect, defend and safeguard the constitution of Kenya, and the party constitution and allegiance to both constitutions.
2. That I shall be loyal to my country Kenya and to the party.
3. That I shall abide by the party's motto as stated in the party's constitution. I shall support the party manifesto and programmes and undertake to work for their realization.
4. That I believe in the legislative supremacy of parliament, the independence of judiciary, the Rule of Law of Democratic institutions and processes.
5. That I shall never conduct or participate in the torture or political suppression of another human being and shall fully support the repeal and abrogation of the presentation of public security Act, public order Act, the chiefs authority Act and all other oppressive laws.
6. That I shall always defend the respect and observance of human and democratic rights and liberties.
7. That I shall support free and fair elections within the party and in Kenya.
8. That I shall accommodate the criticism and observe the principles of good and open governance.
9. That is shall oppose and never practice nepotism, clanism, tribalism or regionalism and shall ensure that the allocation of jobs and services are merit based,
10. That is shall oppose and never practice corruption.
11. That I shall be transparent in all my business transactions and never allow my personal interest to prevail upon public interest.
12. That I shall defend and protect public properties, assets and investments irrespective of whoever is involved in the misuse.
13. That I shall never practice discrimination against anyone on the basis or race, religion, tribe, gender or class.

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

**SIGNED BY:**

.....  
.....

At.....on this.....day of.....2017

**BEFORE ME**

.....  
.....

**COMMISSIONER OF OATHS**

**FORM II**

**NAP-K NOMINATION RULES**

**11, 19 & 23**

**NOMINATION CERTIFICATE**

This is to certify that Mr/Mrs /Dr. Prof..... ID No..... has been nominated by National Agenda Party of Kenya (NAP-K) to contest Presidency / Parliamentary / County seat in the forth coming General Elections /By - elections.

**Signed.....**

**Secretary- General & National Chairman**



**FORM IV**

**NAP-K NOMINATION RULES,**

**RULE 17 NOMINATION PAPER:-**

Date.....

Nomination of a candidate for.....Ward/ Constituency/ County.....

Candidate's NAP-K and address.....

National Identity Card/ Passport No.....

Voter's card No.....

Party membership card No:.....

**NAP-K and signature of Candidate.....**

We the undersigned, being members in the County/ constituency / ward do hereby support the nomination of the NAP-Kd candidate above for.....election.

**Proposer:**

NAP-K and Address.....

Identity Card / Passport No.....

Voter's Card No.....

Party Membership Card No.....

NAP-K and Signature of Proposer.....

**Secunder:**

Identity Card / Passport No.....

Voter's Card No.....

Party Membership Card No.....

NAP-K and signature of Secunder.....

**FORM V**

**NAP-K NOMINATION RULES,**

**RULE 17 NOMINATION PAPER:-**

NAP-K of supporters and particulars of ten or more supporters and they must sign against their NAP-K.

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

NAP-K NOMINATION RULES, RULES; 8, 20, 21 & 22, ELECTION RETURNS

Nomination for.....

County/ Constituency / Ward.....

Name of NAP-K candidate nominated.....

(Give Address, ID No., Voter's Card No. and Party Membership Card No.)

**RESULTS (RANKING OF CANDIDATES BASED ON VOTES RECEIVED)**

	<b>NAP-K of candidate</b>	<b>Address ID / Passport / Party membership Card No.</b>
1		
2		
3		
4		
5		
6		

Dated at.....on this.....day of 20.....

**Chairperson**

**Collegiate Board**

**County/Constituency/Ward.....**

**FORM VI**

**REGISTER OF WARD COLLEGIATE DELEGATES**

WARD NAME:.....SUB COUNTY.....COUNTY.....

1		<b>Party membership Card No.</b>  <b>ID:</b>	<b>SIGNATURE</b>  
2		<b>Party membership Card No.</b>  <b>ID:</b>	<b>SIGNATURE</b>  
3		<b>Party membership Card No.</b>  <b>ID:</b>	<b>SIGNATURE</b>  
4		<b>Party membership Card No.</b>  <b>ID:</b>	<b>SIGNATURE</b>  
5		<b>Party membership Card No.</b>  <b>ID:</b>	<b>SIGNATURE</b>  

**Date:**

**Chairperson:**

**Telephone:**