

DEMOCRATIC DEVELOPMENT PARTY OF KENYA



ELECTION AND NOMINATION RULES

2024

1



Contents

RULE 1: PREAMBLE.....	5
RULE 2: INTERPRETATION	5
RULE 3: ELECTION OF PARTY OFFICIALS.....	8
RULE 3.1. NATIONAL PARTY OFFICIALS:	9
RULE 3.2. COUNTY DELEGATES COMMITTEE:	10
RULE 3.3 BRANCH EXECUTIVE COMMITTEE:	10
RULE 3.4. SUB-BRANCH EXECUTIVE COMMITTEE:	10
RULE 3.5. POLLING STATION STEERING COMMITTEE:	11
RULE 3.6. DEK WOMEN LEAGUE:.....	12
RULE 3.7. DEK YOUTH LEAGUE:	12
RULE 3.8: QUALIFICATIONS FOR ELECTION AS A PARTY OFFICIAL:	13
RULE 3.9. PROCEDURE FOR DECLARING INTEREST TO BE A PARTY OFFICIAL:.....	14
RULE 3.10. ETHICS AND INTEGRITY REQUIREMENTS FOR THE CANDIDATES:	15
RULE 3.11. VETTING PROCEDURES FOR IDENTIFICATION OF CANDIDATES:	15
RULE 3.12. TIMELINES FOR IDENTIFICATION OF CANDIDATES:	16
RULE 3.13. DOCUMENTS FOR ASPIRING CANDIDATES:.....	17
RULE 3.14. PROCEDURE FOR ELECTION OF PARTY OFFICIALS:.....	17
RULE 3.15: TIMELINES FOR VOTING FOR PARTY OFFICIALS:	18
RULE 3.16. ELIGIBILITY CRITERIA FOR ELECTION OF PARTY OFFICIALS:	19
RULE 4: PARTY ORGANS RESPONSIBLE FOR ELECTIONS AND NOMINATIONS.....	20
RULE 4.1: THE NATIONAL ELECTIONS BOARD:.....	20
RULE 4.1.1. CONDUCT OF BUSINESS OF NATIONAL ELECTIONS BOARD:.....	21
RULE 4.1.2. REPORTING:	21
RULE 4.1.3. FORWARDING OF LIST OF ASPIRANTS:.....	21
RULE 4.1.4. FORMS FOR PROCESSES:.....	22
RULE 4.1.5. NOMINATION CERTIFICATES:.....	22
RULE 4.2. ELIGIBILITY CRITERIA FOR ELECTION TO NEB	22
RULE 4.3. RIGHTS OF MEMBERS OF NATIONAL ELECTIONS BOARD (NEB).....	23
RULE 4.4. NEB QUORUM	23
RULE 4.5. FUNCTIONS OF THE NATIONAL ELECTIONS BOARD.....	23
RULE 4.6 COUNTY ELECTION BOARDS	25
RULE 4.6.1. CONDUCT OF MEETINGS OF THE COUNTY ELECTIONS BOARD:.....	26
RULE 4.6.2. REPORTING:	26
RULE 4.6.3. FORMS FOR PROCESSES:.....	26
RULE 4.7. FUNCTIONS OF THE COUNTY ELECTION BOARDS	26
RULE 4.8: THE NATIONAL EXECUTIVE COMMITTEE	27



RULE 4.9. FUNCTIONS OF NATIONAL EXECUTIVE COMMITTEE	28
RULE 4.10. RIGHTS OF THE NATIONAL EXECUTIVE COMMITTEE	28
RULE 5: DEK PARTY LIST	29
RULE 5.1 PROCEDURE FOR ISSUANCE OF NOTICE FOR CANDIDATE NOMINATION TO PARTY LISTS:	29
RULE 5.2 PROCEDURE FOR APPLICATION FOR NOMINATION TO PARTY LISTS:	29
RULE 5.3. TIMELINES FOR NOMINATION OF CANDIDATES TO PARTY LISTS:	30
RULE 5.4. QUALIFICATION AND DISQUALIFICATION OF MEMBERS TO PARTY LISTS:	30
RULE 5.5. VETTING PROCEDURE FOR CANDIDATES:	30
RULE 5.6. PROCEDURE FOR NOMINATION TO PARTY LISTS:	31
NOMINATION OF PARTY CANDIDATES	31
RULE 6. POSITION OPEN TO ASPIRING CANDIDATES AND ANNOUNCEMENT OF VACANT POSITIONS	31
RULE 7. VETTING OF CANDIDATE	31
RULE 8: QUALIFICATION FOR NOMINATION	32
RULE 9: DISQUALIFICATION FROM NOMINATION FOR ASPIRING CANDIDATES	32
RULE 10: PROCEDURE OF APPLYING FOR NOMINATION	33
RULE 10.1. TIMELINES FOR IDENTIFICATION OF ASPIRING CANDIDATES FOR PARTY NOMINATIONS:	36
RULE 11: DIRECT NOMINATION	36
RULE 11.1 CIRCUMSTANCES UNDER WHICH DIRECT NOMINATION MAY BE APPLIED:	37
RULE 11.2. PROCEDURE FOR IDENTIFICATION OF CANDIDATES FOR DIRECT NOMINATION:	37
RULE 11.3. DEVOLVEMENT OF THE NOMINATION BODY:	38
RULE 12: NOMINATION OF PRESIDENTIAL CANDIDATE	38
RULE 13. NOMINATION OF COUNTY GOVERNOR	39
RULE 13.1: QUALIFICATIONS FOR NOMINATION AS A GOVERNOR CANDIDATE:	39
RULE 14: NOMINATION OF CANDIDATES FOR MEMBERS OF THE NATIONAL ASSEMBLY	40
RULE 15: NOMINATION OF SENATOR	41
RULE 16: NOMINATION OF A MEMBER OF THE COUNTY ASSEMBLY	42
RULE 17: NOMINATION OF WOMEN'S REPRESENTATIVE	43
RULE 18: NOTICE OF ELECTIONS AND NOMINATIONS	44
RULE 19. BRANCH ELECTIONS	44
RULE 20: SUB-BRANCH ELECTION	44
RULE 21. POLLING STATION ELECTIONS	44
RULE 22. PRINCIPAL REGISTER OF PARTY VOTERS	45
RULE 22.1: VOTER REGISTRATION AND AMENDMENT OF PARTY VOTERS REGISTER:	45
RULE 23: NOMINATION DAY PROCESS	46
RULE 23.1: ONLY PARTY VOTERS TO ENTER NOMINATIONS POLLING STATIONS:	46

RULE 23.2: STRICTLY NO VIOLENCE:	46
RULE 23.3: ADMISSION AND EXPULSION OF CANDIDATES' AGENTS TO POLLING STATIONS:	47
RULE 24. VOTING PROCEDURE	47
RULE 25: COUNTING OF VOTES	48
RULE 25.1: RESTRICTION ON ACCESS TO POLLING STATIONS DURING VOTE COUNTING:	48
RULE 25.2. PROCEDURE BEFORE COUNTING OF VOTES:	48
RULE 25.3: PROCEDURE AFTER COUNTING OF VOTES:	48
RULE 25.4: RESULT CERTIFICATE:	49
RULE 26. DUTIES OF ELECTION OFFICIALS	49
RULE 26.1. DUTIES OF RETURNING OFFICER OF ELECTORAL AREA:	49
RULE 26.2. DUTIES OF PRESIDING OFFICER OF AN ELECTORAL AREA:	49
RULE 26.3. DUTIES OF POLLING STATION CLERKS:	50
RULE 27: RIGHT TO APPEAL AGAINST RESULTS	51
RULE 28: PARTY NOMINEE TO BE ISSUED WITH CERTIFICATE	51
RULE 29. MATERIAL TO BE SEALED AND KEPT IN SAFE CUSTODY	52
RULE 30. PROCEDURE WHERE CANDIDATES TIE	52
RULE 31: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE	52
RULE 32: ELECTIONS RETURNS	54
RULE 33: NOMINATION AND ELECTION OFFENCES	54
RULE 34: CONSEQUENCES OF CONDUCTING ELECTION AND NOMINATION MALPRACTICES	55
RULE 35. CAMPAIGN GUIDELINES	55
RULE 36. GENERAL DUTIES AND RESPONSIBILITIES OF PARTY MEMBERS DURING NOMINATIONS AND ELECTIONS	56
RULE 37. AMENDMENT/REVIEW	56
RULE 38. GENERAL PROVISIONS	56
FIRST SCHEDULE PPA	57
FOURTH SCHEDULE PPA	61
OATH OF A MEMBER OF THE DISCIPLINARY COMMITTEE	61
SCHEDULE 3	62



RULE 1: PREAMBLE

- I. These Rules shall be cited as the **DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK)**, Nomination and Election Rules.
- II. These Rules shall come into effect immediately after the party is given the right to operate.
- III. Whenever a General or by-election is called, party candidates shall be nominated. This process must be done under these Rules, read together with the Party Constitution, the *Political Parties Act*, the *Elections Act*, the Constitution of Kenya 2010, and all other applicable laws.

RULE 2: INTERPRETATION

In these Rules, unless the context otherwise admits:

“Agent” means a person duly appointed by a candidate to act as their agent for an election or nomination under these Rules;

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

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

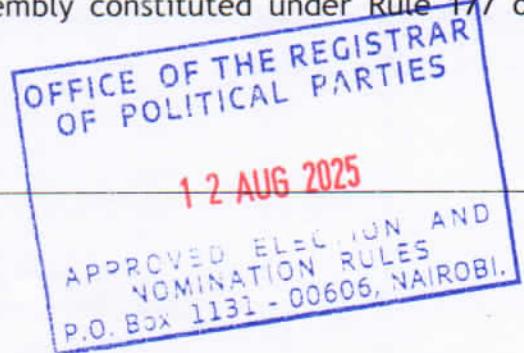
“Board” means the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) Elections and Nomination Board.

“Candidate” means a person contesting for an elective or nominative post.

“Constituency” means one of the constituencies into which Kenya is divided under Rule 89 of the Constitution.

“County” means the counties into which Kenya is divided under Rule 6 (1) of the Constitution and specified in the Second Schedule of the Constitution.

“County assembly” means a county assembly constituted under Rule 177 of the Constitution.



"Disability" has the meaning assigned to it in Rule 260 of the Constitution.

"Election material" means ballot boxes, ballot papers, counterfoils, envelopes, packet statements, and other documents used in connection with voting in an election, and includes information technology equipment for voting, the voting compartments, instruments, seals, and other materials and things required for conducting an election.

"Election offense" means an offense under the Election Offenses Act and these Rules.

"Election results" means the declared outcome of the casting of votes by voters at an election.

"Nomination" means the submission to the Commission of the name of a candidate under the Constitution and this Act.

"Party list" means a party list prepared by the party and submitted to the Commission under and in accordance with Rule 90 of the Constitution and these Rules.

"Parliamentary election" means the election of one or more members of Parliament.

"Petition" means an application to the election court under the Constitution or under this Act.

"Political party" has the meaning assigned to it in Rule 260 of the Constitution.

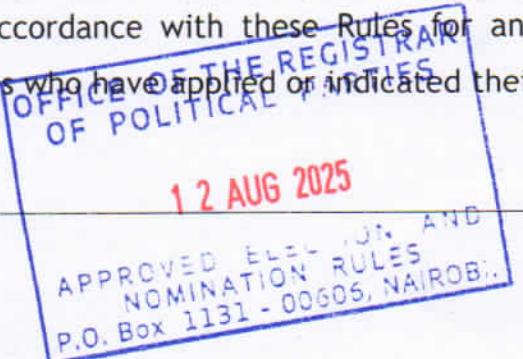
"Polling station" means any room, place, vehicle, or vessel set apart and equipped for the casting of votes by voters at an election.

"Presidential election" means an election of a President under Rule 136,139(1) (b) and 146(2) (b) of the Constitution.

"Ward" means an electoral area within a county delimited under Rule 89 of the Constitution.

"Returning Officer" means a person appointed or designated under these Rules to conduct nominations in his respective electoral area and includes a Deputy Returning Officer.

"Party Lists Nomination Days" means the day or days scheduled by the relevant authority of The Party pursuant to and in accordance with these Rules for any election or selection of applicants or candidates who have applied or indicated their



candidature to contest or be considered to be nominated by The Party to be included in any Party List.

"**Presiding Officer**" means a person appointed or designated under these Rules to preside over a polling Centre, and includes a Deputy Presiding Officer.

"**Register**" means a roll of delegates or the DEMOCRATIC DEVELOPMENT PARTY OF KENYA membership register prepared under the Party Constitution.

"**Voter**" for the purposes of Presidential, County, Parliamentary, and County Assembly nominations means a DEMOCRATIC DEVELOPMENT PARTY OF KENYA member who is a holder of a National Identity Card and is registered as a voter in that particular electoral area.

"**Women**" shall have the meaning ascribed to it by the definition contained in the Constitution of Kenya.

"**Youth**" shall have the meaning ascribed to it by the definition contained in the Constitution of Kenya



RULE 3: ELECTION OF PARTY OFFICIALS

- i. Election of Party officials shall be conducted in line with Articles 6.2 of the DEK Constitution
- ii. The stipulated election of party officials outlined below is uniformly applicable across all levels of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK), ranging from the highest echelon, the national level, to the lowest tier within the party's organizational structure.
- iii. All the Party Officials shall be elected by the delegates of the party to serve for a five-year term, which is renewable upon re-election.
- iv. Party officials at different levels include;
 - a. National officials: shall be elected by the national delegates.
 - b. County Officials: Shall be elected by delegates representing their respective regions during county congresses.
 - c. Branch Officials: Shall be elected by delegates representing their respective constituencies during constituency congresses.
 - d. Sub-branch Officials: Shall be elected by delegates representing their respective wards during ward congresses.
 - e. Polling station Officials: Shall be elected by delegates representing their respective polling stations during congresses.
- v. In electing all the party officials across the echelon, the delegates congress shall ensure that no more than one-third of the membership is of the same gender.
- vi. Elections shall be through secret ballot or any other method of voting acceptable to the delegates in session, and, where an office is contested by more than one candidate, the vote shall be decided by a simple majority.
- vii. Where only one candidate is nominated to an office at the close of the nominations, that candidate shall be declared duly elected to the office for which he/she was nominated. Nomination of all candidates shall be in the prescribed form.
- viii. The Board, in liaison with the NEC, shall provide the election materials as may be directed by the Delegates.



RULE 3.1. NATIONAL PARTY OFFICIALS:

- i. A National Official may attend any meeting(s) organized by a Branch as an ex-officio member.
- ii. National Party elections shall be conducted for the following offices of the Party:
 - a) The Party Leader;
 - b) Deputy Party Leader;
 - c) Party National Chairperson;
 - d) Party Deputy Chairperson;
 - e) Secretary General;
 - f) Deputy Secretary General;
 - g) National Treasurer;
 - h) National Deputy Treasurer;
 - i) National Organizing Secretary;
 - j) National Deputy Organizing Secretary;
 - k) Secretary for Public Policy & Economic Affairs;
 - l) Secretary for Legal and Constitutional Affairs;
 - m) Secretary for Publicity & Information;
 - n) Secretary for International & Foreign Affairs;
 - o) Secretary for Women's Affairs and Gender;
 - p) Secretary for Youth Affairs;
 - q) Secretary for Disability Affairs;
 - r) Secretary for Science & Technology;
 - s) Secretary for Environment;
 - t) Secretary for Special Programs & Social Welfare;
 - u) Secretary for Resource Mobilization;
 - v) Deputy Secretary for resource mobilization; and
 - w) The Executive Director.
- iii. The DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) constitution unambiguously delineates the functions, rights, procedures, and duties of party officials at all levels, ranging from the national level to the smallest organizational units, including the women's and youth leagues. The constitution provides comprehensive guidance



and clarity regarding the roles and responsibilities of individuals holding various party positions, ensuring a consistent and transparent framework for effective governance and decision-making within the party's hierarchy.

iv. In addition, the Board shall conduct elections to fill vacancies in the following Party organs:

RULE 3.2. COUNTY DELEGATES COMMITTEE:

The County Delegates Executive Committee for every county shall consist of:

- a) The County Delegates Chairperson.
- b) The County Delegates Deputy Chairperson.
- c) The County Delegates Secretary.
- d) The County Organizing Secretary.
- e) The County Delegates' Treasurer.
- f) The County DEK Women's League Representative.
- g) The County DEK Youth League Representative.
- h) The County Special Interest Representative.
- i) Twelve Committee Members.

RULE 3.3 BRANCH EXECUTIVE COMMITTEE:

- i. The Party shall establish Branches in each of the 290 constituencies in the country.
- ii. All Branches shall be answerable to the County Delegates Conference and the National Executive Council.
- iii. Each Branch shall be managed by a Branch Executive Committee consisting of the Branch Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Deputy Treasurer, and three other executive members.
- iv. The Branch Chairpersons shall convene and preside over all branch meetings of the Party

RULE 3.4. SUB-BRANCH EXECUTIVE COMMITTEE:

- i. There is hereby established a Party Sub-Branch in each Ward in Kenya.
- ii. The Sub-Branch shall be under the general direction of the Branch as the case may

be.

iii. The Sub-Branch shall be governed by a Sub-Branch Executive Committee which shall consist of:

- a) Sub-Branch Chairperson.
- b) Deputy Chairperson.
- c) Secretary.
- d) Deputy Secretary.
- e) Organizing Secretary.
- f) Deputy Organizing Secretary.
- g) Treasurer.
- h) Sub-Branch Deputy Treasurer.
- i) Branch Secretary for Women Affairs (DEK Women League Leader).
- j) Branch secretary for Youth Affairs (DEK).
- k) Youth League Leader.
- l) Secretary for Persons with Disability.
- m) Eight Committee Members.

RULE 3.5. POLLING STATION STEERING COMMITTEE:

i. There is an established Party Polling Station Steering Committee.

ii. Each polling station shall be managed by a Polling Station Steering Committee consisting of:

- a) Chairperson.
- b) Deputy Chairperson.
- c) Secretary.
- d) Deputy Secretary.
- e) Organizing Secretary.
- f) Deputy Organizing Secretary.
- g) Treasurer.
- h) Sub-Branch Deputy Treasurer.
- i) Secretary for Women's Affairs (DEK) Women's League.
- j) Polling Station Leader.
- k) Secretary for Youth Affairs (DEK Youth League Leader),



- l) Secretary for Persons with Disability,
- m) Eight Committee Members, all of whom shall be elected by universal suffrage of all of the Party members residing within the area of the polling.

RULE 3.6. DEK WOMEN LEAGUE:

- i. There is established the National Women's League.
- ii. The Women's League shall consist of:
 - a) Secretary for Women Affairs and Gender as convener; and
 - b) All Women National Leaders.
 - c) Elected women party Governors, Senators, or Members of Parliament, and Members of County Assemblies.
 - d) Women members of the County, Constituency, and Ward Executive Committees.
- iii. The Secretary of Women Affairs and Gender shall convene the National Women League at least once every year in consultation with the NEC or from time to time as shall be directed by the National Executive Committee (NEC).

RULE 3.7. DEK YOUTH LEAGUE:

- i. There is established the National Youth League (NYL).
- ii. The National Youth Congress shall consist of:
 - a) The Secretary of Youth Affairs;
 - b) All Youth National Leaders;
 - c) Elected Youth Party Governors, Senators, or Members of Parliament;
 - d) Elected Youth Members of County Assemblies; and
 - e) Youth members of the County, Constituency, and Ward Executive Committees.
- iii. Membership of the Youth Congress is limited to eighteen to thirty-five (18-35) years.
- iv. In consultation with NEC, the Secretary of Youth Affairs at the National Office shall convene and preside over the National Youth Congress.
- v. The National Youth Congress shall be convened at least once every year or from time to time as shall be approved by the NEC.

RULE 3.8: QUALIFICATIONS FOR ELECTION AS A PARTY OFFICIAL:

A person shall be qualified to be elected provided that such a person is:

- i. A member of the party with good standing;
- ii. Holds the required academic or technical qualifications set by the party or any other law;
- iii. Express declaration of intent to be bound by the Party Code of Conduct for Party officials and the Party Constitution; and
- iv. Fulfils the requirements of Chapter Six of the Constitution of Kenya.
- v. Not have been suspended by the Party disciplinary bodies
- vi. Candidates for election as party officials shall pay a nomination fee determined by the National Executive Committee. The nomination fee shall be set at a reasonable and non-discriminatory amount and shall be communicated to all potential candidates at least 30 days before the nomination process. Any changes to the nomination fee must be communicated to the party members at least 21 days before the commencement of the election process.

PROVIDED THAT;

- a. For elections into the offices of the SIGs, the person seeking shall belong to such groups and/or meet any additional specified qualifications as may be just and necessary
- b. The Board shall undertake necessary affirmative action steps to promote inclusivity and accessibility within the party's electoral processes. This shall include, but not be limited to, the reduction or waiver of nomination or other fees for candidates, provision of supportive materials for Persons with Disabilities (PWDs) to enable their effective participation, and necessary modifications of premises to ensure accessibility for all members. These affirmative action aims to foster a more inclusive and equitable electoral environment, providing equal opportunities for all members to participate in the party's democratic processes.
- c. The Board shall retain the power to modify these qualifications to suit the objective needs of the SIGs arising from time to time.
- vii. The stipulated qualifications and requirements outlined above are uniformly applicable across all levels of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA

(DEK), ranging from the highest echelon, the national level, to the lowest tier within the party's organizational structure. These qualifications are consistently enforced throughout the party's hierarchy to ensure a standardized and equitable selection process for candidates aspiring to assume party official positions.

viii. The disqualifications pertaining to aspiring for party official positions are consistent with the provisions outlined in rule 9 of the DEK election and nomination rules, applying uniformly across all levels within the party's organizational structure.

RULE 3.9. PROCEDURE FOR DECLARING INTEREST TO BE A PARTY OFFICIAL:

The procedure for declaring interest to be a party official involves the following steps:

- i. Submission of Intent: Any party member interested in vying for a party official position shall formally submit a written declaration of intent to the relevant party authorities. This declaration should clearly state the specific position the member intends to contest for.
- ii. Communication to Electoral Committee: The declaration of intent shall be directed to the electoral committee or any designated body responsible for overseeing the party's internal elections.
- iii. Compliance with Timelines: The member expressing interest in being a party official shall ensure that the declaration is submitted within the stipulated timeline or deadline, as provided in the party's constitution or election guidelines.
- iv. Verification of Eligibility: The electoral committee shall verify the eligibility of the member, confirming that they meet all the requirements and qualifications stipulated in the party's constitution or election rules for the specific position.
- v. Acknowledgment of Receipt: Upon receiving the declaration of intent, the electoral committee shall promptly acknowledge receipt of the submission to provide transparency and assurance to the aspiring candidate.
- vi. Provision of Nomination Form: The electoral committee shall furnish the member with the necessary nomination form or documentation required to formalize their candidacy for the desired party official position.
- vii. Completion and Submission of Nomination Form: The aspiring candidate shall duly complete the nomination form, providing any required information and supporting documentation as outlined in the form.

- viii. Nomination Review: The electoral committee shall review the submitted nomination form for completeness and compliance with the party's election regulations.
- ix. Publication of Aspiring Candidates: Once the nomination review process is complete and the eligibility of candidates is confirmed, the electoral committee shall publish the list of aspiring candidates for party official positions. This publication shall be made available to all party members to ensure transparency and informed decision-making during the election process.

RULE 3.10. ETHICS AND INTEGRITY REQUIREMENTS FOR THE CANDIDATES:

Candidates aspiring to be party officials in the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) shall adhere to the following ethics and integrity requirements:

- i. Commitment to Party Principles: Candidates must demonstrate an unwavering commitment to the core principles, values, and objectives of the DEK, as outlined in the party's constitution and mission statement.
- ii. Transparency and Accountability: Candidates shall exhibit utmost transparency and accountability in their actions, decision-making, and financial matters, ensuring that they act in the best interests of the party and its members.
- iii. Conflict of Interest: Candidates shall avoid any conflict of interest that may compromise their ability to impartially discharge their duties and responsibilities as party officials.
- iv. Upholding the Law: Candidates must respect and abide by all applicable laws and regulations governing political activities, elections, and public conduct.
- v. Respect for Party Members: Candidates shall treat all party members with respect and dignity, promoting a culture of inclusivity, tolerance, and unity within the party.
- vi. Ethical Campaigning: Candidates shall conduct their election campaigns with integrity, avoiding defamatory statements, misleading information, or any unethical practices that may tarnish the reputation of the party.

RULE 3.11. VETTING PROCEDURES FOR IDENTIFICATION OF CANDIDATES:

The vetting procedures for identifying candidates for party officials in the DEK shall encompass the following steps:

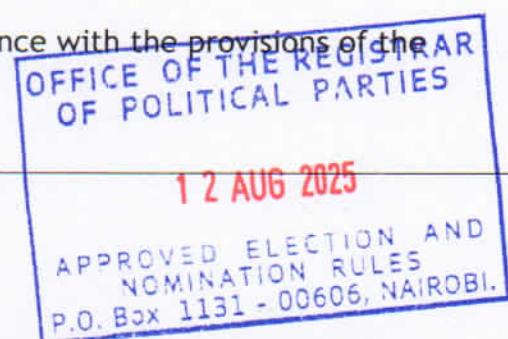
- i. Review of Eligibility: The electoral committee, according to rule 8 of the Election Rules and Nomination Guidelines, shall meticulously review the eligibility of each aspiring

candidate. This review shall be conducted in accordance with the party's constitution and election guidelines, meticulously assessing compliance with age requirements, party membership, and any other pertinent criteria outlined therein.

- ii. Qualifications Assessment: The vetting committee shall assess the qualifications and leadership experience of each candidate to ascertain their suitability for the respective party official positions.
- iii. Background Check: A comprehensive background check shall be conducted to verify the candidates' integrity and any potential issues that may affect their candidacy.
- iv. Interview Process: The vetting committee shall conduct personal interviews with each candidate to evaluate their understanding of party principles, vision, and commitment to ethical conduct.
- v. Reference Checks: The vetting committee may solicit references from relevant party members or external sources to gain insights into the candidates' character, reputation, and previous engagement with the party.

RULE 3.12. TIMELINES FOR IDENTIFICATION OF CANDIDATES:

- i. Opening Date for Declaration of Interest: The opening date for party members to declare their interest in contesting for various party official positions shall be at least 60 days before the scheduled date of the internal elections.
- ii. Closing Date for Declaration of Interest: The closing date for party members to declare their interest in contesting for party official positions shall be 30 days after the opening date for declaration of interest.
- iii. Submission of Nomination Forms: Interested candidates shall submit their duly completed nomination forms and relevant supporting documents to the party headquarters within 7 days after the closing date for declaration of interest.
- iv. Vetting Process: The vetting process for all nominated candidates shall be conducted by the DEK Electoral Board and shall commence within 7 days after the submission of nomination forms.
- v. Publication of Final List of Candidates: The final list of candidates for party officials shall be published and made publicly available within 14 days after the conclusion of the vetting process.
- vi. The proposed timelines shall be in full compliance with the provisions of the



Constitution of Kenya 2010, the Elections Act 2011, the Political Parties Act 2011, and any other relevant laws governing political parties concerning party nominations.

RULE 3.13. DOCUMENTS FOR ASPIRING CANDIDATES:

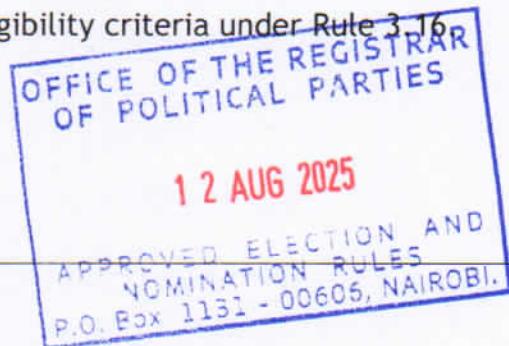
Aspiring candidates for party officials in the DEK shall be required to submit the following documents:

1. Written Expression of Interest: A formal written expression of interest specifying the desired party's official position.
2. Nomination Form: A duly completed and signed nomination form provided by the electoral committee, containing all required personal information and endorsements.
3. Vision Statement: A comprehensive vision statement outlining the candidate's goals and objectives for the party if elected to the desired position.
4. Declaration of Ethics and Integrity: A signed declaration affirming the candidate's commitment to abide by the party's ethics and integrity requirements.
5. Curriculum Vitae (CV): A comprehensive CV providing details of the candidate's education, work experience, and leadership engagements.
6. Certificate of good conduct
7. National identity card
8. Relevant academic qualification documents and other documents as the party may require.

RULE 3.14. PROCEDURE FOR ELECTION OF PARTY OFFICIALS:

The procedure for electing members of party officials shall be as follows:

- i. Call for Nominations: The party shall issue a public call for nominations from eligible party members who wish to serve the party.
- ii. Nomination Submission: Interested candidates shall submit their nomination forms along with relevant supporting documents to the party headquarters within the stipulated time frame.
- iii. Verification of Eligibility: The party's verification committee shall review all nominations to ensure candidates meet the eligibility criteria under Rule 3.16



- iv. Publicizing the List of Candidates: A comprehensive list of eligible candidates shall be publicized, including details of their background, qualifications, and positions sought.
- v. Voting Process: Party delegates from the top tier down the party structure shall be provided with the opportunity to vote for their preferred candidates through a secure and transparent voting system. Voting can be conducted physically or electronically to accommodate the geographical spread of Party delegates.
- vi. Counting and Declaration of Results: After the voting process, the votes shall be counted, and the results shall be declared publicly, ensuring transparency and fairness.
- vii. Upon successful completion of the election process, elected party officials shall assume office immediately after the official announcement of the election results. A formal inauguration ceremony shall be conducted, during which the elected officials shall take their oaths of office, affirming their commitment to uphold the party's values and faithfully discharge their duties. The elected party officials' assumption of office shall mark the commencement of their respective terms, as specified in the party's constitution and election guidelines.
- viii. The term of office for party officials shall be five years, with the possibility of renewal once.
- ix. The aforementioned procedure shall be equally applicable to all party officials, including those serving at the national level and throughout the hierarchical structure, including but not limited to the National Executive Committee (NEC) and all other party organs as delineated in the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) constitution and these party election and nomination rules.

RULE 3.15: TIMELINES FOR VOTING FOR PARTY OFFICIALS:

- i. The National Elections Board shall be responsible for conducting elections for party officials.
- ii. The elections shall be held every five years, starting from the year following the general election.
- iii. The National Elections Board shall announce the election date at least six months

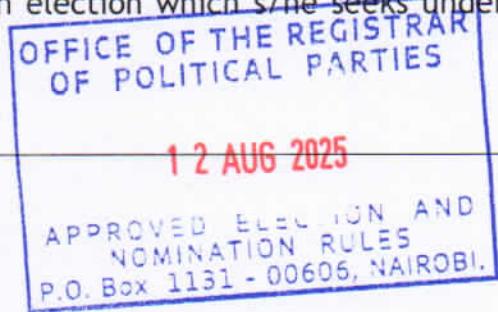
before the election date.

- iv. The National Elections Board shall publish the election guidelines at least three months before the election date.
- v. The National Elections Board shall receive nominations for party officials at least two months before the election date.
- vi. The National Elections Board shall publish the list of candidates at least one month before the election date.
- vii. The National Elections Board shall conduct the elections on the date specified in the announcement.
- viii. The National Elections Board shall announce the results of the elections within seven days after the elections.

RULE 3.16. ELIGIBILITY CRITERIA FOR ELECTION OF PARTY OFFICIALS:

To be eligible for election as a party official, individuals must meet the following criteria:

- i. Must be a registered member of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA for at least two consecutive years.
- ii. Must demonstrate a commitment to the party's principles and objectives.
- iii. Should not have any criminal record or history of engaging in activities contrary to the party's values.
- iv. Must have a track record of integrity, honesty, and impartiality.
- v. For regional representatives, candidates must come from the respective regions they seek to represent.
- vi. For ethnic and marginalized group representatives, candidates must belong to the specific ethnic group or marginalized community they seek to represent.
- vii. The person is a citizen of, or a permanent resident in Kenya,
- viii. The person holds a National Identity Card or such other document of National Identity as may be prescribed by Law and is registered as a voter in some constituency in the Republic of Kenya; and
- ix. The person is qualified to stand for an election which s/he seeks under the



provisions of the relevant Laws of Kenya, the Party Constitution and Regulations by the Independent Electoral and Boundaries Commission (IEBC).

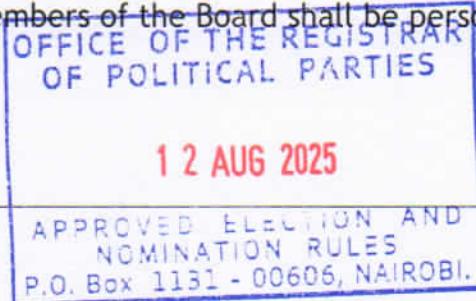
- x. Educational Qualifications: While educational qualifications are not a strict requirement, candidates with a minimum of a diploma or equivalent shall be preferred, as it demonstrates a certain level of education and knowledge.
- xi. The above eligibility criteria also apply to all the party organs outlined in the DEK constitution

RULE 4: PARTY ORGANS RESPONSIBLE FOR ELECTIONS AND NOMINATIONS

- i. The following party organs shall be responsible for elections and nominations in the Party:
 - a. The National Elections Board
 - b. County Elections Board
 - c. National Executive Committee

RULE 4.1: THE NATIONAL ELECTIONS BOARD:

- i. There is established the Party's National Elections Board whose mandate is to plan, organize, direct, and coordinate all party nominations and elections.
- ii. The Board shall consist of not less than five (5) and not more than nine (9) members, including the chairperson and the deputy Chairperson
- iii. The Chairperson shall preside over the NEB meetings, coordinate the board's activities, and ensure the smooth functioning of the electoral process.
- iv. The Chairperson of the Board shall be appointed by the National Executive Committee.
- v. Deputy Chairperson: The Deputy-Chairperson shall assist the Chairperson in their duties and act as the Chairperson in their absence.
- vi. The Deputy Chairperson shall be appointed from among the members of the Board by the Board Members, and he or she shall be of the opposite Gender to the Chairperson.
- vii. The Board members shall be appointed by the National Chairperson of the party on the recommendation of the National Executive Committee.
- viii. The Chairperson, Deputy Chairperson, and Members of the Board shall be persons who are: -



- i. Citizens of Kenya above the age of 18 years
- ii. Reputable, knowledgeable, competent, and impartial
- iii. Persons not holding any other office in the party
- iv. paid-up member of the party
- v. The chairperson shall be a person qualified to hold the office of a judge of the High Court of Kenya
- vi. The membership of the Board shall comply with the two-thirds gender rule as provided for by the Constitution of the Party and the Constitution of Kenya, 2010.
- ix. Members of the Board shall not hold any other elective office in the Party.
- x. The National Executive Director shall be the Secretary to the Board.
- xi. The Members of the National Elections Board shall serve for 5 years and be eligible for reappointment, provided they shall not serve for more than two terms.

RULE 4.1.1. CONDUCT OF BUSINESS OF NATIONAL ELECTIONS BOARD:

- i. The National Elections Board shall, as among its first order of business, formulate rules and procedures for the conduct of its affairs, which shall be subject to the overriding guidelines of the National Executive Committee or the National Chairman.

RULE 4.1.2. REPORTING:

- i. The National Elections Board shall report to the National Executive Committee, which shall consider and, where it deems necessary, act on any report of the Board. Such action or decision shall be dispensed within such reasonable time as provided for by these rules.

RULE 4.1.3. FORWARDING OF LIST OF ASPIRANTS:

- i. Upon receipt of the list of aspirants by the National Elections Board, the Board shall cause the list to be forwarded to the National Executive Committee



RULE 4.1.4. FORMS FOR PROCESSES:

- i. The National Elections Board shall prescribe forms and other documents needed for purposes of nominating Party candidates for elections, and shall supervise the due and speedy issuance and return of those forms as circumstances may warrant.

RULE 4.1.5. NOMINATION CERTIFICATES:

- i. Every Nomination Certificate issued under these rules shall bear the seal of the Party and shall be signed by the National Chairman and the Secretary General and shall only be authentic when it so does.

RULE 4.2. ELIGIBILITY CRITERIA FOR ELECTION TO NEB

- i. Citizenship and Good Standing: Candidates must be Kenyan citizens and registered voters, with a clear record of ethical conduct and integrity.
- ii. Experience and Education: Candidates should hold a bachelor's degree from a recognized university or possess an equivalent qualification, accompanied by relevant experience in electoral matters, governance, law, or related fields.
- iii. Party Membership: Candidates must be active members of the party in good standing for at least 2 consecutive years before their nomination.
- iv. Government Position Restriction: Candidates are prohibited from holding any position within the government or other public offices as per the Constitution of Kenya.
- v. Declaration and Compliance: All candidates must declare their commitment to uphold the Party Code of Conduct and ensure free and fair elections in accordance with the Constitution of Kenya.
- vi. Conflict of Interest: Candidates must disclose any existing or potential conflicts of interest arising from their involvement in other organizations, businesses, or political affiliations.
- vii. Disciplinary Record: Candidates should not have been previously suspended by any disciplinary bodies of the party or any other electoral management body in Kenya.

RULE 4.3. RIGHTS OF MEMBERS OF NATIONAL ELECTIONS BOARD (NEB)

Members of the NEB shall have the following rights:

- i. To participate and vote in all NEB meetings and decision-making processes.
- ii. To express their opinions freely without fear of reprisal.
- iii. To access all relevant information and resources required to fulfil their roles effectively.
- iv. To be treated with respect and fairness by fellow NEB members and party leadership.
- v. To enjoy protection from any form of harassment, discrimination, or undue influence in the discharge of their duties.

RULE 4.4. NEB QUORUM

- i. The quorum of both the ordinary and emergency meetings shall be a third (1/3) of the members of the NEB, provided that the same meets the 2/3 gender rule.
- ii. However, in case at least 30 minutes have passed since the meeting was to start and the members present are of one gender, the same shall proceed without any due consideration to sub-article 1 above.
- iii. The chairperson may, with the consent of a majority of members present at a meeting at which a quorum is present, adjourn that meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than business left unfinished at that meeting from which adjournment took place.
- iv. This quorum requirement also applies to the County Elections Board, NEC, and all the party organs outlined in the DEK constitution and these party election and nomination rules.

RULE 4.5. FUNCTIONS OF THE NATIONAL ELECTIONS BOARD

In relation to party nominations, the following shall be the functions of NEB;



- i. **Returning Officers, Presiding Officers, Clerks, Others:** - The National Elections Board shall appoint Returning Officers, Presiding Officers, Clerks, and other officers as necessary for each County and Constituency to perform nomination functions.
- ii. **Chief Agents:** - The National Elections Board shall receive appointment of the Chief Agent of each of the candidates contesting the President, Governor, Senator, National Assembly, County Assembly representative, and Women Representative. Nominations will constitute universal suffrage on a day designated by the National Elections Board and the County Elections Board.
- iii. **Vetting and deployment of ROs, POs, Clerks, others:** - The National Elections Board shall vet for or reject with reasons, persons proposed for appointment as Returning Officers, Presiding Officers, Clerks and other officers and deploy them as necessary to any station or center to perform nomination functions under these rules;
- iv. **Sensitize on Nomination Rules:** - The National Elections Board shall, together with the Returning Officers, sensitize all aspirants on the nomination rules;
- v. **Nomination Guidelines:** - In consultations with the National Executive Committee, formulate guidelines in accordance with and so as not to be in conflict with these nomination Rules to be known as the Nomination Guidelines related to how nomination elections of The Party shall be conducted as far as relates to logistics, and to fill in any lacunae reasonably found to exist in these Rules related to the nominations process.
- vi. **Alternative Dispute Resolution (ADR):** - The National Elections Board shall provide alternative dispute resolution mechanisms;
- vii. **Dialogue between Board and Aspirants:** - The National Elections Board shall facilitate dialogue between the National Elections Board and candidates (aspirants);
- viii. **Presenting List of Candidates (Aspirants):** - The National Elections Board shall present to the National Executive Committee a list of all aspirants contesting Party positions or elections for Parliamentary, Senate, Gubernatorial, and County Assembly positions.
- ix. **Monitor and Report:** - The National Elections Board shall monitor the Nomination process within the Country and provide a report to the NEC within forty-eight (48) hours of the results being announced;
- x. **Receive Results:** - The National Elections Board shall receive Nomination election results for all National Assembly, Senate, Gubernatorial, and County Assembly seats that have been contested; and



- i. **Issue Nomination Certificates:** -The National Elections Board shall be the sole organ charged with the function and responsibility of preparing and issuing Nomination Certificates to the Party Presidential candidate and all other Party candidates upon completion of the nominations and process, including final appeals, such Nomination Certificates being pursuant to the final Party Nominations List and being in accordance with the Party constitution and any other provision of law as provided for under Rule 4.1.5

RULE 4.6 COUNTY ELECTIONS BOARDS

- i. They shall establish a County Election Board in each county to coordinate elections on behalf of the NEB at the county level.
- ii. The County Election Board shall be composed of five members of the Party ordinarily resident in the County who shall be distinguished persons of good moral standing in society and of high integrity, and they shall not be seeking any elective post or nomination.
- iii. The County Election Board shall be under the supervision and the general direction of NEB and shall perform all such tasks and duties as assigned and delegated to them.
- iv. The NEB shall be responsible for the recruitment and deployment of all County Election Board personnel:
- v. The County Election Board shall be composed of the following members:
 - a) Chairperson.
 - b) Secretary and
 - c) Three ordinary members
- vi. The term of office for members of the NEB shall be five years, with the possibility of renewal once.
- vii. The quorum for CEB shall be identical to that of NEB as outlined in rule 4.4 of these elections and nominations guidelines.
- viii. The eligibility criteria for election to the CEB shall be the same as those outlined for the NEB under Rule 4.2 of this Election and Nomination Guideline.

ix. The rights of the CEB members shall be identical to those of the NEB, as described under this election guideline rule 4.3 "Rights of Members of National Elections Board (NEB)" section.

RULE 4.6.1. CONDUCT OF MEETINGS OF THE COUNTY ELECTIONS BOARD:

i. The County Elections Board shall formulate rules and procedures for the conduct of its business at meetings, subject to the overriding guidelines of the NEC.

RULE 4.6.2. REPORTING:

i. The County Elections Board shall report to the National Elections Board, which shall consider and, where necessary at its sole and unfettered discretion act on any report of the County Elections Board in any manner that it deems fit, just and or expedient to the achievements of The Party's interest(s).

RULE 4.6.3. FORMS FOR PROCESSES:

The County Elections Board shall: -

- i. Use such forms and other documents needed for purposes of nominating Party candidates for elections as have been or shall be prescribed by the National Elections Board; and
- ii. Shall supervise the due and expedited issuance and return of those forms as per the Nomination Guidelines and or as circumstances may warrant.

RULE 4.7. FUNCTIONS OF THE COUNTY ELECTION BOARDS

In relation to Party nominations: -

- i. **Sensitize on Nomination Rules:** - The County Elections Board shall, together with the Returning Officers, augment the efforts of the National Elections Board towards sensitization of all aspirants on the nomination rules, in relation to nominations at the County level;
- ii. **Nomination Guidelines:** - Augment the efforts of the National Elections Board at the County level towards ensuring that the Nomination Guidelines are implemented efficiently;



- iii. **Alternative Dispute Resolution (ADR):** - Encourage Disputing Party's aspirants to seek and exhaust alternative dispute resolution mechanisms and reconciliation, in relation to nominations at the County level;
- iv. **Dialogue between Board and Aspirants:** - Augment the efforts of the National Elections Board towards facilitating dialogue between the National Elections Board and candidates, in relation to nominations at the County level;
- v. **Preparation of County List of Aspirants:** - Each County Elections Board shall present to the National Elections Board a list of all candidates contesting Party positions or elections for Parliamentary, Gubernatorial, Senatorial, and County Assembly positions for its County, and present the County List of Aspirants to the National Elections Board within the deadline set in the Nomination Guidelines.
- vi. **Monitor and Report:** - Augment the efforts of the National Elections Board in monitoring the Nomination process within the County, and where so called upon by the National Executive Committee or the National Elections Board, provide a report to the National Elections Board within forty-eight (48) hours of the results being announced;
- vii. The powers and functions of the National Elections Board may be delegated outsourced, or subcontracted to any entity which the National Executive Committee may deem necessary to achieve the objective of a free fair and credible nomination

RULE 4.8: THE NATIONAL EXECUTIVE COMMITTEE

- i. The National Executive Council shall be the executive organ of the Party and shall be composed of the following members:
 - a) All the National Party Officials; and
 - b) The Party's Executive Director, who shall be an ex-officio member.
- ii. The National Executive Council shall be constituted by the National Delegates Committee and shall hold office for a term of five years and are eligible for re-appointment at the expiry of their term, to serve for a further term of five years.
- iii. The NEC shall set a specific timeframe for the nomination process, during which members can submit their nominations for various positions.



- iv. The election and nomination procedures shall be similar to those of party officials outlined in Rule 3 of these election and nomination guidelines.
- v. Only registered members of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA shall be eligible to participate in the elections.
- vi. All candidates for positions within the NEC and other political party organs must meet the specified qualifications and criteria outlined in Rule 3.8 of this guideline.
- vii. The quorum for meetings of the National Executive Committee (NEC) and other party organs outlined in the party constitution shall be governed by the provisions outlined in Rule 4.4 of this DEK election and nomination rules.

RULE 4.9. FUNCTIONS OF NATIONAL EXECUTIVE COMMITTEE

- i. The NEC shall, in general, be responsible for the following functions concerning elections:
 - a) Receiving Party Nominations Lists and considering the various Provisional Party Nomination Lists from the National Elections Board; and
 - b) Giving overriding directions and guidelines, and the final determination and or approval of the National Assembly, Gubernatorial, Senate, and County Assembly Nomination Lists; and
 - c) Review Candidate suitability,
 - d) Consider objections in respect of any candidate and, on its motion, to review the suitability of any person presented for Party nomination before or after the nomination on the ground that the candidature of such person(s) is not in compliance with these Rules.

RULE 4.10. RIGHTS OF THE NATIONAL EXECUTIVE COMMITTEE

The NEC shall enjoy the following rights in relation to elections

- i. Right to Set Policies: The NEC has the right to formulate and approve election and nomination policies, ensuring they align with the party's values, principles, and constitution.
- ii. Right to Oversee Elections: The NEC shall exercise its authority to oversee all internal party elections and nominations, ensuring they are conducted in a free, fair, and

transparent manner.

- iii. Right to Veto: The NEC retains the right to veto any candidate or nomination decision that does not comply with the party's rules or meets the eligibility criteria.
- iv. Right to Disqualify: The NEC can disqualify any candidate found to be in violation of the party's code of conduct, electoral guidelines, or engaging in unethical practices.

RULE 5: DEK PARTY LIST

- i. The preparation for the National Assembly and Senate Party list shall be in accordance with the Constitution and Elections Act of Kenya and shall reflect the ethnic diversity of Kenya, democratic principles of promotion of gender equality, mainstreaming of the rights of SIGs, and meritocracy.
- ii. The procedures to be employed in identifying the candidates for nomination shall require that all persons seeking to apply for nomination as a Member of the National Assembly, Senator, and County Assembly representative who become unsuccessful in the nomination shall be prioritised in preparing the party list
- iii. The party shall also draw names from distinguished party members of good standing, and only persons with demonstrable active contribution to the party shall qualify to be on the party list.

RULE 5.1 PROCEDURE FOR ISSUANCE OF NOTICE FOR CANDIDATE NOMINATION TO PARTY

LISTS:

- i. The DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) shall issue a public notice regarding the nomination process for candidates to the party lists at least 60 days before the scheduled election date.
- ii. The notice shall provide detailed information on the nomination process, eligibility criteria, required documents, and timelines for submission.
- iii. This notice shall be widely disseminated through official party channels, including the party's website, social media platforms, and local media outlets.

RULE 5.2 PROCEDURE FOR APPLICATION FOR NOMINATION TO PARTY LISTS:

- i. DEK nomination application window shall be open for 21 days. Interested candidates shall obtain a nomination application form from the DEK Secretariat or the designated



party officials and make an application to NEB in the prescribed manner.

- a) The application form shall require candidates to provide relevant personal information, political experience, and a declaration of adherence to the party's principles and values.
- b) Candidates shall submit to NEB the completed application form, along with any necessary supporting documents, to the DEK Secretariat within the stipulated timeframe.
- c) Pay a nomination fees- In accordance with the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) Election and Nomination Rules, the nomination fee required for candidates seeking inclusion in the party list shall be commensurate with the nomination fee applicable to candidates contesting for membership in the National Assembly and the Senate, as stipulated by the prevailing electoral laws and regulations.

RULE 5.3. TIMELINES FOR NOMINATION OF CANDIDATES TO PARTY LISTS:

- i. The nomination period shall start immediately after the closure of the application window and extend for a minimum of 21 days.
- ii. The party shall adhere to the timelines prescribed by the Independent Electoral and Boundaries Commission (IEBC) for submission of the final party list.

RULE 5.4. QUALIFICATION AND DISQUALIFICATION OF MEMBERS TO PARTY LISTS:

In strict compliance with the DEMOCRATIC DEVELOPMENT PARTY OF KENYA (DEK) Election and Nomination Rules, the qualification and disqualification criteria applicable to candidates seeking nomination to the party lists are identical to those prescribed for candidates vying for membership in the National Assembly and the Senate, as provided by the pertinent laws and regulations of the Republic of Kenya.

RULE 5.5. VETTING PROCEDURE FOR CANDIDATES:

- i. The vetting process for nomination of members to party lists candidates shall be conducted in strict accordance with the guidelines and criteria outlined in Rule 7 of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA's election guidelines.
- ii. The DEK election board shall establish a vetting committee composed of competent and impartial party members to scrutinize the eligibility of candidates. The vetting

committee should aim to conclude its review of all candidates within 10 days after the nomination period ends

- iii. The vetting committee shall thoroughly review the applications, qualifications, and conduct of candidates to ensure compliance with party rules and electoral laws.
- iv. The committee's decisions on the eligibility of candidates shall be communicated in writing to each candidate.

RULE 5.6. PROCEDURE FOR NOMINATION TO PARTY LISTS:

- a) Upon completion of the vetting process, the DEK shall compile the final party list, ranked in order of priority based on the vetting results.
- b) The final party list shall be submitted to the Independent Electoral and Boundaries Commission (IEBC) within the legally prescribed period.
- c) The party shall publish the final party list on its official platforms to inform the public and party members about the nominated candidates.

NOMINATION OF PARTY CANDIDATES

RULE 6. POSITION OPEN TO ASPIRING CANDIDATES AND ANNOUNCEMENT OF VACANT POSITIONS

- i. Upon a resolution by the NEC, the NEB shall advertise and receive applications in forms prescribed in these Rules for Party Elections for nominations for the positions of President, Members of the Senate, Governors, Members of the National Assembly, Members of the County Assembly, and County Woman Representative.

RULE 7. VETTING OF CANDIDATE

- i. The NEB shall establish candidates vetting committees, subject to approval of the NEC and which shall be constituted at least six (6) months to the nominations and which shall be responsible for vetting of candidates in accordance with the constitution of the Republic of Kenya, The Political Parties Act, 2011, the Elections Act 2011, the County Government Act 2012, the Party Constitution and Party Election and Nomination Rules.
- ii. In vetting a candidate, the NEB shall take into account the following:
 - a) The contribution of the candidate to the Party activities and ideology;

- b) Demonstrated loyalty to the party, its leadership, and organs;
- c) Ability to represent the area for which the candidate seeks nomination.
- d) Ability to articulate and propagate Party policies and ideology.

iii. On the day and time specified by the National Elections Board for Vetting, all candidates/proxies shall present themselves before their respective returning officers with the following documents;

- a) A national Identity Card
- b) Party Membership Card
- c) Voter's Card
- d) Nomination Fees Receipt
- e) Three (3) current passport-sized coloured photographs with their full names printed and signed on the back.

RULE 8: QUALIFICATION FOR NOMINATION

i. No person shall be qualified to be a party candidate in any election unless that person meets the following eligibility criteria and has the following qualifications:

- a) The person must be conversant with, support, and subscribe to the party's ideology, philosophy, mission, and values;
- b) The person is validly a current registered and subscribing member of the party in any Party branch and his/her name appears in the National Register of the party members;
- c) The person is a citizen of, or a permanent resident in, Kenya.
- d) The person holds a National Identity Card or such other document of National Identity as may be prescribed by Law and is registered as a voter in some constituency in the Republic of Kenya; and
- e) The person is qualified to stand for an election which s/he seeks under the provisions of the relevant Laws of Kenya, the Party Constitution and Regulations by the Independent Electoral and Boundaries Commission (IEBC).

RULE 9: DISQUALIFICATION FROM NOMINATION FOR ASPIRING CANDIDATES

i. A person is not qualified for nomination as a DEMOCRATIC DEVELOPMENT PARTY OF



KENYA candidate if the person-

- a) Owes allegiance to a foreign state; or
- b) Is a state officer, or is acting in any State office; or
- c) Is subject to a sentence of imprisonment exceeding six months imposed on him by a court of competent authority or some other sentence imposed on him by such a court unless all possibility of appeal or review of the relevant sentence or decision has not been exhausted; or
- d) Is of unsound mind; or
- e) Is in violation of Chapter 6 of the Constitution of Kenya, or any other law on Integrity
- f) Is an undischarged bankrupt under the laws of Kenya; or
- g) Has not paid the prescribed nomination fees as determined by NEC; or
- h) Has not produced all necessary identification documents stipulated in these Rules or any other law; or
- i) Is by his act of admission, under acknowledgement of allegiance, obedience, or adherence to another political party.

RULE 10: PROCEDURE OF APPLYING FOR NOMINATION

- i. The party may nominate presidential, gubernatorial, parliamentary, and county assembly candidates for General and by-elections
- ii. **Party Affirmative/Marginalized Groups Procedure:**
 - a. The DEK shall actively promote inclusivity and representation of affirmative and marginalized groups within its leadership by adopting special measures.
 - b. To encourage aspiring candidates from these groups, the party shall establish affirmative action guidelines, reserving a certain percentage of positions for candidates representing these groups.
 - c. The party shall prioritize outreach and engagement initiatives to identify and encourage potential candidates from affirmative and marginalized groups to come forward and contest for party nominations.
- iii. In accordance with the General Elections Calendar as provided for in Law and published by IEBC, or in the event of a by-election, the board shall cause to be published, a notice inviting and requiring members to make recommendations and

interested persons to apply for nomination as party candidates in either general or by- elections, provided that the recommendations and applications in writing shall be made to the National Nominations and Elections Board;

- iv. The Branch Executive Committee may receive such applications at the local level on behalf of the Board, provided the officials are not interested parties in the nomination exercise;
- v. Upon receipt of the recommendations/applications, the Branch Executive Committee shall forthwith transmit all such recommendations and/or applications to the Board;
- vi. The Board shall tabulate the recommendations and or applications and indicate the gender of each aspirant;
- vii. The Board shall then cause a list of all the applicants to be appropriately published and displayed both in print and on the Party's website;
- viii. The Board shall prepare the final list of the recommended candidates and applicants and submit the same to the NEC;
- ix. If the NEC shall be satisfied with the list, it shall endorse and certify the list and submit it board;
- x. Where two or more aspirants show interest in contesting for the party ticket for any position, the board shall employ one of the following methods to determine the party candidate;
 - a) Build consensus among the aspirants to support one of them;
 - b) Undertake independent research or opinion polling to determine the most popular candidate;
 - c) In the event the candidates are not able to agree on any of the above, the board shall proceed to conduct a free, fair and democratic nomination exercise;
- xi. The date, Venue, and officials overseeing the nomination exercise at the national, county, constituency and ward levels shall be published within a reasonable time to ensure transparency;
- xii. Unless otherwise decided by the Board or its appointed officers in consultation with party aspirants, voting during nominations shall be done at the polling station level;
- xiii. The board shall have the power to recruit returning officers, presiding officers,

clerks and other officials for the smooth and democratic running of the nomination exercise, provided such recruitment is done transparently and not to the advantage of one aspirant;

- xiv. Only card-bearing members of the party, whose names appear in the party register, shall be eligible to vote;
- xv. Each such member of the party shall have one vote and shall cast the same by secret ballot;
- xvi. Every candidate for nomination shall have the right to appoint two agents at the election and the counting of the votes;
- xvii. 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;
- xviii. The Presiding Officer shall announce the results at the polling station, and all the candidates and or their agents present will confirm the result by endorsing and signing the tally of votes cast on a form to be provided;
- xix. The results shall then be relayed to a constituency tallying centre in respect of Member of Parliament and MCA and to a County Tallying Centre in respect of Women Representative, Senate and Governor positions for tallying, provided the venues for the tallying will have been made public in advance;
- xx. Upon tallying and verification of the votes by the candidates and or their agents, the relevant returning officer shall announce the results and declare the candidate in whose favour the most votes have been cast to be the winner;
- xxi. If any candidate and/or agent refuses/fails to certify the totals as correct the presiding or returning officer, as the case may be, shall make note of such refusal and record the grounds for refusal and certify and sign the results provided a returning officer may announce the results even where a candidate disputes them awaiting appeal;
- xxii. After the declaration of the winner, the returning officer shall relay the results, the signed tallying form, any objections, and a personal report of the entire exercise to the chairperson of the board;



- xxiii. If satisfied that the nomination has been conducted in accordance with these rules, the party constitution, and the rules of natural justice, the Election Board shall endorse and confirm the nomination of the candidate and relay the same to the NEC for consideration under Rule 16.1.3;
- xxiv. Upon NEC being satisfied with the exercise and results thereof, the board will proceed to issue a nomination certificate to the winner as provided for under these rules for submission to IEBC;
- xxv. These nomination rules can be amended and re-filed with the Registrar of political parties, after being adopted by the NEC before the date of the nomination exercise. The amended rules would automatically replace the old rules and would be applicable in all processes and litigations.

RULE 10.1. TIMELINES FOR IDENTIFICATION OF ASPIRING CANDIDATES FOR PARTY NOMINATIONS:

- i. The party shall be responsible for identifying aspiring candidates for party nominations.
- ii. The identification process shall commence at least six months before the party nomination date.
- iii. The Party shall publish the identification guidelines at least three months before the identification process commences.
- iv. The party shall receive applications from aspiring candidates at least two months before the identification process commences.
- v. The party shall publish the list of aspiring candidates at least one month before the identification process commences.
- vi. The party shall conduct the identification process on the date specified in the guidelines.
- vii. The party shall announce the results of the identification process within seven days after the identification process.
- viii. The party shall adhere to the timelines prescribed by the Independent Electoral and Boundaries Commission (IEBC) and other pertinent laws governing political parties.

RULE 11: DIRECT NOMINATION

- i. The National Executive Council, as the highest decision-making body within the DEK,



shall be mandated to nominate candidates through the direct nomination process.

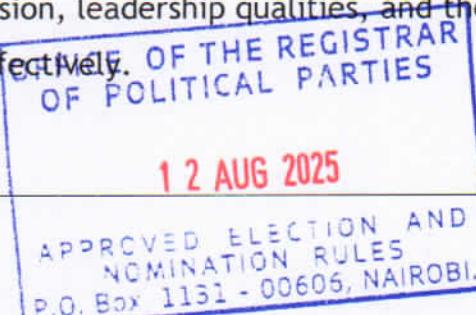
- ii. The nominated candidates shall be subject to ratification by the National Delegates committee, ensuring that the decision to directly nominate candidates is collectively endorsed.
- iii. The party can give direct nominations to certain candidates on submissions to the NEC based on objective criteria of promoting the core values of the party and on the viability of the candidate to win.
- iv. For avoidance of doubt, direct nominations may not be given to defeat democratic principles, but shall act as a way of promoting core party principles like gender mainstreaming and promotion of representation of Special Interest Groups.

RULE 11.1 CIRCUMSTANCES UNDER WHICH DIRECT NOMINATION MAY BE APPLIED:

- i. Exceptional Merit: Direct nomination may be applied when the DEK identifies candidates of exceptional merit, expertise, and experience, whose contributions and skills can significantly benefit the party and the nation.
- ii. Unopposed Candidacy: In cases where only one candidate expresses interest in contesting a specific position within the party list, and such candidacy is unopposed, direct nomination may be considered.
- iii. Underrepresented Groups: To ensure diversity and inclusivity, direct nomination may be applied to address the underrepresentation of specific groups, such as women, youth, persons with disabilities, and marginalized communities.
- iv. Urgent Vacancies: In situations where a sudden vacancy arises and the party requires an immediate replacement, direct nomination may be expedited to maintain continuity

RULE 11.2. PROCEDURE FOR IDENTIFICATION OF CANDIDATES FOR DIRECT NOMINATION:

- i. Identification Committee: The DEK shall establish an Identification Committee, composed of experienced and impartial party members, to assess potential candidates for direct nomination.
- ii. Criteria: The Identification Committee shall employ transparent criteria, aligned with the party's values, to evaluate candidates for direct nomination. These criteria may include qualifications, dedication to the party's vision, leadership qualities, and the ability to represent the interests of the people effectively.



iii. Public Input: The Identification Committee may seek public input and engage with party members to gather insights and feedback on potential candidates, enhancing the transparency and democratic nature of the direct nomination process.

RULE 11.3. DEVOLVEMENT OF THE NOMINATION BODY:

- i. County Level: The NEC shall devolve the direct nomination process to the County Executive Committees (CECs) for the identification and nomination of candidates at the county level.
- ii. Constituency Level: The County Executive Committees shall devolve the direct nomination process to the Constituency Executive Committees (Constituency ECs) for the identification and nomination of candidates at the constituency level.
- iii. Ward Level: The Constituency Executive Committees shall further devolve the direct nomination process to the Ward Executive Committees (Ward ECs) for the identification and nomination of candidates at the ward level.

RULE 12: NOMINATION OF PRESIDENTIAL CANDIDATE

- i. For any person to be nominated by the Party as the Presidential candidate, s/he must meet the following criteria;
 - a. Is a Kenyan by birth?
 - b. Is qualified to stand for election as a member of parliament
 - c. Is a member of the party;
 - d. Has paid the prescribed fee for the presidential aspirants by the deadline set by the National Executive Committee;
 - e. Satisfies the constitutional and statutory requirements;
 - f. Has signed the Undertaking for Party Code of Conduct; and
 - g. The member's nomination has been endorsed in writing by at least one thousand (1,000) members from at least twenty-four (24) counties
- ii. Persons seeking nomination as the Presidential candidate for the Party shall be required to provide the following:
 - a) A clearance certificate from the Kenya Revenue Authority (KRA)
 - b) A clearance certificate from the Ethics and Anti-Corruption Commission (EACC)
 - c) Certificate of good conduct;

- d) A certified proof of the applicant's National Electoral Card;
- e) A Certified copy of the applicant's Identity Card;
- f) A Certified proof of the name of the branch to which the applicant belongs;
- g) Non-refundable fee of Ksh. 1,000,000/= paid to DEMOCRATIC DEVELOPMENT PARTY OF KENYA by a Bankers Cheque or deposited in the Party's account; and Ksh. 500,000/- for special groups that include women, youth and people with disability.
- h) Be a holder of a university degree from a recognized university
- i) Any other documents as maybe required by law.

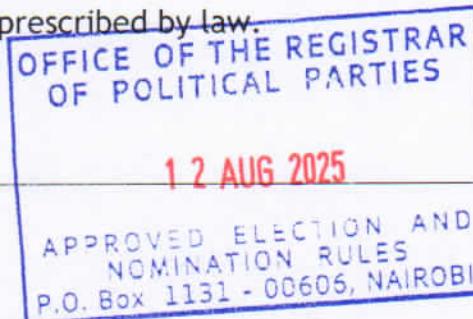
iii. The disqualification of aspiring candidates from nomination as a presidential candidate shall be subject to the same grounds for disqualification as stipulated in Rule 9 of the DEK's internal guidelines in the nomination process.

RULE 13. NOMINATION OF COUNTY GOVERNOR

- i. The Board shall make an advertisement in the local daily to call for candidates to offer themselves for the DEK Governorship nomination exercise;
- ii. Registration of interested candidates shall be done at the National Secretariat in a prescribed form, accompanied by registration fees as determined by the Board;
- iii. A person applying to be considered for nomination as a County Governor must possess all the relevant qualifications as per the Constitution of Kenya 2010, the Elections Act, the party Constitution and all other relevant provisions of the Law;

RULE 13.1: QUALIFICATIONS FOR NOMINATION AS A GOVERNOR CANDIDATE:

- i. A person shall qualify for nomination as a candidate for gubernatorial election where;
 - a) Be a member of DEK for a period not less than three (3) months before nomination.
 - b) Be a Kenyan citizen and a holder of a National Identity card or a Kenyan passport as may be prescribed by law.



- c) Be a registered voter.
- d) Be conversant with and subscribe to the party ideology, philosophy, mission, and values.
- e) Be qualified to stand in an election which he seeks under Chapter Six of the National Constitution.
- f) Sign the party code of conduct and abide by the party pledge of commitment.
- g) Pay a non-refundable fee of Ksh. 500,000/= paid to DEMOCRATIC DEVELOPMENT PARTY OF KENYA by a Bankers' Cheque or deposited in an account opened for this purpose, provided that the nomination fee shall be Ksh. 250,000/- for special groups that include women, youth, and people with disability.

ii. A person seeking nomination as a candidate for governor shall submit the following documents to the Board for clearance:

- a) Well updated Curriculum vitae in the prescribed form
- b) Valid certificate of good conduct
- c) Submit a clearance certificate from the Kenya Revenue Authority (KRA)
- d) Submit a clearance certificate from EACC
- e) Valid University degree certificate recognized in Kenya
- f) Any other documents that may be required by law.

iii. The disqualification of aspiring candidates from nomination as a governor candidate shall be subject to the same grounds for disqualification as stipulated in Rule 9 of the DEK's internal guidelines in the nomination process.

RULE 14: NOMINATION OF CANDIDATES FOR MEMBERS OF THE NATIONAL ASSEMBLY

i. A person shall have to meet the following criteria to be cleared to run on a DEK ticket as a candidate for election as a Member of the National Assembly:

- a) Be a member of DEK for not less than 3 months before the date of nomination;
- b) Be a citizen of Kenya and a holder of a National Identity card or a

Kenya passport as may be prescribed by law.

- c) Be eighteen years and above.
- d) Be conversant with, support, and subscribe to the party ideology, philosophy, mission, and values.
- e) Sign the party code of conduct and abide by the party pledge of commitment
- f) Pay a non-refundable fee of Ksh. 100,000/= paid to DEMOCRATIC DEVELOPMENT PARTY OF KENYA by a Bankers Cheque or deposited in an account opened for this purpose, and Ksh. 50,000/- for special groups that include women, youth, and people with disability.

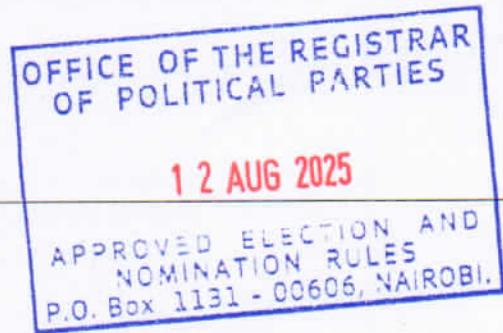
ii. A person shall be required to submit the following documents to the Board for further verification.

- a) Updated Curriculum vitae.
- b) Certificate of good conduct.
- c) Submit a clearance certificate from KRA.
- d) Submit a clearance certificate from EACC.
- e) A valid degree certificate from a recognized institution.
- f) Any other documents as maybe required by law.

iii. The disqualification of aspiring candidates from nomination as a member of the National Assembly shall be subject to the same grounds for disqualification as stipulated in Rule 9 of the DEK's internal guidelines in the nomination process.

RULE 15: NOMINATION OF SENATOR

i. Each applicant for Senate nomination in DEK shall meet similar conditions as those of a Member of the National Assembly candidate, except that the Senate candidate shall be nominated by at least 1000 registered voters in each of the constituencies of the County he's seeking to represent.



RULE 16: NOMINATION OF A MEMBER OF THE COUNTY ASSEMBLY

- i. There shall be a nomination of persons seeking the Party's ticket for election as Members of the County Assembly.
- ii. Candidates shall apply in writing upon notice by the Board
- iii. Candidates applying for such nominations will be required to have the following qualifications:
 - a) Be a member of DEK for a period of not less than three (3) months prior to the date of nomination;
 - b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law;
 - c) Be 18 years of age and above.
 - d) Be conversant with, support, and subscribe to the party ideology, philosophy, mission, and values.
 - e) Demonstrate commitment to the party.
 - f) Sign the Party Code of Conduct and abide by the Party Pledge of Commitment.
 - g) Pay nomination fees in the amount of Ksh. 15,000/= and ksh. 10,000 special interest groups such as the youth, women, and people with disability.
- iv. A person applying for such nomination shall supply the Board with the following documents:
 - a) Updated Curriculum Vitae in a prescribed form;
 - b) A valid Certificate of Good Conduct.
 - c) Clearance certificate from KRA.
 - d) Clearance certificate from EACC.
 - e) A proof that the person holds a post-secondary school qualification recognised in Kenya.
 - f) Any other documents as maybe required by law.
- v. The disqualification of aspiring candidates from nomination as a member of the County Assembly shall be subject to the same grounds for disqualification as

stipulated in rule 9 of the DEK's internal guidelines in the nomination process.

RULE 17: NOMINATION OF WOMEN'S REPRESENTATIVE

- i. Persons seeking nomination as Candidates for the position of Woman Representative shall meet the following requirements:
 - a) Be a member of DEK for a period of not less than three (3) months prior to the date of nomination
 - b) Be a citizen of Kenya and a holder of a National Identity card or a Kenya passport as may be prescribed by law.
 - c) Be a registered voter in any part of the country.
 - d) Be 18 years of age and above.
 - e) Be conversant with, support, and subscribe to the party ideology, philosophy, mission, and values.
 - f) Demonstrate commitment to the party.
 - g) Sign the Party Code of Conduct and abide by the Party Pledge of Commitment.
 - h) Pay a non-refundable fee of Ksh. 100,000/= paid to DEMOCRATIC DEVELOPMENT PARTY OF KENYA by a Bankers Cheque or deposited in an account opened for this purpose, and Ksh. 50,000/- for special groups that include youth and people with disability.
- ii. A person seeking nomination for Women Representative shall furnish the Board with the following documents:
 - a) Updated Curriculum Vitae.
 - b) Certificate of good conduct.
 - c) Clearance from KRA.
 - d) Clearance from EACC.
 - e) Proof of a post-secondary school qualification recognised in Kenya; and
 - f) Any other documents as may be required by law.
- iii. The disqualification of aspiring candidates from nomination as a women representative shall be subject to the same grounds for disqualification as stipulated in Rule 9 of the DEK's internal guidelines in the nomination process.

RULE 18: NOTICE OF ELECTIONS AND NOMINATIONS

- i. National Elections Board shall issue a notice of not less than Twenty-One (21) days with respect to all Party elections due, and it shall publish such notice in at least one daily newspaper with national circulation;
- ii. The announcement shall contain precisely the vacancy, qualifications and all needed documentation from any interested applicants
- iii. Such notices shall also be circulated via the electronic media and the Party's official website.

RULE 19. BRANCH ELECTIONS

- i. The Board, in liaison with the County Elections Board, shall conduct elections to fill vacancies in the Branch
- ii. The NEB shall conduct Party Elections in the following organs of the Party:
Mainstream:
 - (a) Branch Executive Committees.
 - (b) Sub-Branch Executive Committees.
 - (c) Polling Station Steering Committees

RULE 20: SUB-BRANCH ELECTION

- i. Delegates elected at the Polling station Steering Committees shall form the Ward Electoral College to elect the Ward Management Committee.
- ii. On the date designated for the Sub-Branch Steering Committee elections, delegates shall assemble at Polling Stations within the Ward as shall be designated and published by the NEB at least fourteen days before the elections and thereat vote by secret ballot.
- iii. The Presiding Officer shall tally and announce the results thereof and submit to the constituency Returning Officer.

RULE 21. POLLING STATION ELECTIONS

- i. On the date designated for the Polling Station Steering Committee elections, all DEK members shall assemble at the Polling Stations and vote by secret ballot or any other method approved by the delegates in session.
- ii. The Presiding Officer shall tally and announce the result thereof and thereafter submit

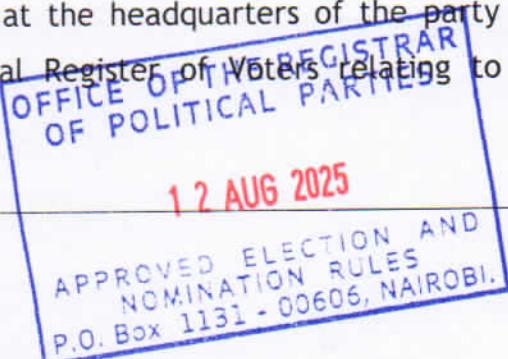


RULE 22. PRINCIPAL REGISTER OF PARTY VOTERS

- i. The National Elections Board shall prepare the DEMOCRATIC DEVELOPMENT PARTY OF KENYA Principal Register of Voters, which shall comprise:
 - a) Ward register in respect of every ward;
 - b) Constituency register in respect of every constituency;
 - c) County register in respect of every county; and
- ii. The Party Principal Register of Voters shall contain the voters' details; party membership numbers, and such information as shall be determined by the National Executive Committee.

RULE 22.1: VOTER REGISTRATION AND AMENDMENT OF PARTY VOTERS REGISTER:

- i. Registration of party voters and revision of the register of voters under these regulations shall be carried out at all times, PROVIDED THAT registration of party voters shall close one month or such other time as the NEC determine, but before the date on which parties are required to submit party membership lists to the IEBC.
- ii. Any person who has attained the age of eighteen years and is a holder of a national identity card or a Kenyan passport and whose name is in the party membership register can vote.
- iii. All applicants for registration under this section shall be registered in the appropriate register by the Board.
- iv. The Board shall cause the Principal Register and constituent registers of Voters to be opened for 14 days after the date of closing of registration of voters, for inspection by applicants during official working hours for the purpose of confirming and rectifying the particulars therein.
- v. The Board shall, upon expiry of the period for inspection specified above, compile the amendments to the register of voters and publish a notice at the County offices of the Party to the effect that such compilation has been completed; and
- vi. The Principal Register of Voters shall be kept at the headquarters of the party and copies of the constituent part of the Principal Register of Voters relating to the



respective electoral areas described in these Rules shall be kept at all the County offices of the party.

RULE 23: NOMINATION DAY PROCESS

- i. The National Elections Board shall announce the Nomination Day or days, which shall be no more than thirty days before the day by which parties are required by law to have nominated candidates.
- ii. The National Elections Board shall ensure that all electoral materials necessary for the conduct of the nomination process under these rules shall reach the designated polling centres twelve (12) hours before the commencement of the nomination process, unless unable to do so for reasons or circumstances beyond their control.
- iii. In the event that materials do not reach polling centres within the stipulated period, the National Elections Board shall communicate the same to the National Executive Committee, which shall give directions on the actions to be taken.
- iv. Each Returning and Presiding Officer shall sign a certificate of receipt of materials received for the conduct of nominations within their jurisdiction.

RULE 23.1: ONLY PARTY VOTERS TO ENTER NOMINATIONS POLLING STATIONS:

- i. Except for the Presiding Officer, other election officials, Administration and security Officers, candidates and accredited agents, and or persons necessarily assisting voters with special needs, persons who do not qualify as voters shall not be allowed to enter or to vote in that Centre; and
- ii. Such persons will not be permitted to remain within a radius of six hundred meters (600) of the polling station thereof.

RULE 23.2: STRICTLY NO VIOLENCE:

- i. Any candidate who on nomination day either by himself, his agents or supporters engages, permits or condones any acts of violence, whatsoever and howsoever, may be disqualified.
- ii. The Presiding Officer shall record and report on such behaviour within the Polling Centre and the decision made thereof.



RULE 23.3: ADMISSION AND EXPULSION OF CANDIDATES' AGENTS TO POLLING STATIONS:

- i. The Presiding Officer shall admit to the Polling Centre at least one agent of each candidate, but he may refuse admission to a person claiming to be an agent for a candidate if that person does not produce a letter of appointment as agent signed by the candidate, in the prescribed form.
- ii. The Presiding Officer shall also order expulsion of a person who misbehaves in a Polling Centre, or fails to obey the lawful instructions or orders of the Presiding Officer;
- iii. A person so removed under such circumstances shall not re-enter the Polling Centre during the continuance of the poll without the permission of the Presiding Officer.
- iv. The Presiding Officer may also aid the removal of a person or any gathering of persons which appears to him to be preventing free access to and from the Polling Centre or to be intimidating or interfering with delegates, and any such orders shall be sufficient for a Presiding Officer or any other person authorized to affect the necessary action.

RULE 24. VOTING PROCEDURE

- i. Unopposed candidates who are fully qualified for positions applied for will be declared duly elected to positions applied for on the election day if they are not challenged by any qualified candidate/s for the same posts.
- ii. Voting shall be strictly by secret ballot, and the person obtaining the highest number of votes for any office shall be declared the winner.
- iii. The returning officer shall require all contestants for an office to confirm the results in writing by signing the Election Returns form. Provided that where a contestant declines or refuses or otherwise fails to sign the form, the Returning Officer shall make a note of that fact and countersign on the form.
- iv. Any person who, having been elected to an office in either the polling centre committee, Executive Committee, or Sub-Branch Executive Committee who subsequently contests and wins and is elected into an office in a higher Party structure shall relinquish the office previously elected, which shall become vacant immediately.
- v. Consequently, a By-election shall be held within 60 days to fill the vacancy arisen.
- vi. No person shall use bribery, intimidation, coercion, violence or other means under

influence in the election to any office, and any person who does so shall be disqualified by the Returning Officer.

RULE 25: COUNTING OF VOTES

- i. The returning officer shall make arrangements to start counting of votes immediately after 5:00 p.m. or at the close of polls in a given polling station, whichever comes earlier.
- ii. Counting of votes shall occur in the full view of all agents
- iii. Tabulation of such votes shall be made in a transparent manner understandable to all agents
- iv. Counting of votes will take place at the polling station, in the presence of candidates or their appointed agents.

RULE 25.1: RESTRICTION ON ACCESS TO POLLING STATIONS DURING VOTE COUNTING:

- i. At the time of tallying of votes, except for the Presiding Officer, other election officials, security officers, candidates, and agents, no person shall be allowed to enter the place of counting of votes in that polling station;
- ii. All ineligible persons shall be required to keep a distance of at least 500 metres from the polling station

RULE 25.2. PROCEDURE BEFORE COUNTING OF VOTES:

- i. Before the commencement of the counting of votes begin, the Presiding Officer shall-
 - a) Explain to all persons present the purpose and procedure of the counting exercise;
 - b) Employ, design, or put in place a system to ensure that no vote is counted more than once;
 - c) In consultation with the County Elections Board, ensure strict observance of these rules to ensure free and fair nominations.

RULE 25.3: PROCEDURE AFTER COUNTING OF VOTES:

- i. The Presiding Officer, on completion of the counting of votes, shall-
 - a) Record the results on the prescribed certificate.



- b) Immediately require each candidate or his agent to countersign the certificate;
- c) Every refusal by a candidate or agent to countersign the certificate shall be made in the prescribed manner.
- d) Immediately issue each candidate or his agent with a copy of the duly signed certificate.

RULE 25.4: RESULT CERTIFICATE:

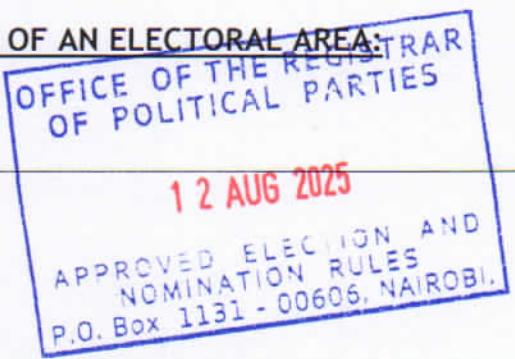
- i. The Presiding Officer shall submit the original signed Result Certificate to the respective Returning Officer.

RULE 26. DUTIES OF ELECTION OFFICIALS

RULE 26.1. DUTIES OF RETURNING OFFICER OF ELECTORAL AREA:

- i. The Returning Officer for each Electoral Area shall, on receipt of the Result Certificate from each Polling Centre,
 - a) Tally the results and record the results on the prescribed form; and
 - b) Require each Presiding Officer to witness the entry of his Polling Centre results on the Nomination Result Certificate.
 - c) The Returning Officer shall add up the nomination figures, sign the preliminary Nomination Result Certificate, request the agents to sign, and announce the results for the electoral area.
 - d) The Returning Officer shall issue the winning candidate a Preliminary Certificate
 - e) Preliminary Certificate shall merely be *prima facie* evidence of the results and shall not be a Certificate of Nomination by the Party.
 - f) The records referred to and or produced under this Rule will specify the names and positions, and votes received by each candidate.
 - g) The Returning Officer shall submit all the records of the nomination exercise to the National Elections Board in due course as directed by the National Elections Board.

RULE 26.2. DUTIES OF PRESIDING OFFICER OF AN ELECTORAL AREA:



the following:

- i. Polling Station Setup: Ensuring that the designated polling station within the electoral area is appropriately set up and equipped with all necessary materials and facilities for the conduct of the election.
- ii. Voter Verification: Verifying the identity and eligibility of voters in accordance with the electoral regulations and ensuring that only qualified voters are allowed to cast their ballots.
- iii. Order and Security: Maintaining order and security at the polling station to create a conducive and peaceful environment for voters to exercise their right to vote freely.
- iv. Assisting Voters: Providing guidance and assistance to voters, if required, to facilitate the voting process and address any queries or concerns they may have.
- v. Ballot Distribution: Ensuring the proper distribution of ballot papers to eligible voters and safeguarding the integrity of the ballot boxes.
- vi. Vote Counting: Overseeing the counting of votes at the polling station and ensuring accuracy and transparency in the tabulation process.
- vii. Results Compilation: Compiling and recording the election results from the polling station and preparing the necessary documentation for transmission to higher-level election officials.
- viii. Resolution of Issues: Addressing any disputes or challenges that arise during the voting and counting process in consultation with relevant authorities and ensuring proper resolution.
- ix. Public Communication: Disseminating information about the voting process, results, and any pertinent updates to the public and party agents in a transparent and timely manner.
- x. Election Documentation: Safeguarding all election-related documents, including ballots, voter registers, and official records, and ensuring their secure transport to higher-level election authorities.
- xi. Reporting: Preparing and submitting comprehensive reports on the conduct and results of the election in the electoral area to the relevant election management body.

RULE 26.3. DUTIES OF POLLING STATION CLERKS:

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OFFICE OF THE REGISTRAR
OF POLITICAL PARTIES

12 AUG 2025

APPROVED ELECTION AND
NOMINATION RULES
P.O. BOX 1131 - 00606, NAIROBI.

The duties of Polling Station Clerks shall include, but not be limited to, the following:

- i. Preparation of Polling Station: Assisting the Presiding Officer in setting up the polling station before the commencement of voting, ensuring that all necessary materials and equipment are in place.
- ii. Voter Check-in: Assisting with the verification of voters' identities and eligibility using the voter register and ensuring that only qualified voters are allowed to cast their ballots.
- iii. Issuance of Ballots: Distributing ballot papers to eligible voters in an orderly and efficient manner, while maintaining the secrecy of the voting process.
- iv. Assisting Voters: Providing necessary guidance and assistance to voters during the voting process, answering their queries, and ensuring they understand the voting procedure.
- v. Maintaining Order: Assisting the Presiding Officer in maintaining order and decorum at the polling station, ensuring a peaceful and conducive environment for voting.
- vi. Ballot Box Management: Ensuring that the ballot box is secure and sealed before voting begins and monitoring it throughout the voting process to prevent tampering.
- vii. Vote Counting: Assisting the Presiding Officer with the counting of votes once the voting period concludes, ensuring accuracy and transparency in the tallying process.
- viii. Recording Results: Accurately recording the vote counts and documenting the results as per the prescribed format provided by the election management body.
- ix. Documentation and Reporting: Properly documenting all election-related activities and incidents at the polling station and submitting relevant reports to the Presiding Officer.
- x. Collaboration with Party Agents: Collaborating with party agents and other election officials present at the polling station to address any issues or discrepancies that may arise during the voting and counting process.

RULE 27: RIGHT TO APPEAL AGAINST RESULTS

- i. Any Candidates taking part in the elections and who are dissatisfied with the results shall be entitled to appeal to the National Elections Appeal Tribunal within 72 hours (3 Days) of the nomination results being announced by the Returning Officer.

RULE 28: PARTY NOMINEE TO BE ISSUED WITH CERTIFICATE

National Elections Board not more than 48 hours after the announcement of the results or after an appeal contesting the nomination results has been resolved unless the Board is unable to do so for reasons or circumstances beyond their control

RULE 29. MATERIAL TO BE SEALED AND KEPT IN SAFE CUSTODY

- i. The election materials shall be sealed and preserved by the Returning Officer for onward transmission to the National Elections Board Office.

RULE 30. PROCEDURE WHERE CANDIDATES TIE

- i. In the event that there is a tie in the votes cast during the nomination process for any position, the candidates who received the greatest number of votes shall be subjected to a fresh election. Such a fresh election must be held within seven days after the original election.

RULE 31: ELECTORAL AND NOMINATION DISPUTE RESOLUTION COMMITTEE

- i. There is hereby established the Dispute Resolution Committee under Article 10.1 of the Party Constitution, whose mandate is to receive, hear, and determine disputes resulting from internal party elections or nominations.
- ii. The internal Electoral and Nomination dispute resolution committee shall consist of the following organs:
 - a. Sub-branch dispute resolution Committees, which shall be responsible for resolving electoral and nomination disputes arising at the ward level or involving ward officials or members;
 - b. The branch dispute resolution committee, which shall be responsible for resolving electoral and nomination disputes arising at the branch level or involving branch officials or members;
 - c. The county dispute resolution committee, which shall be responsible for resolving electoral and nomination disputes arising at the county level or involving county officials or members;
 - d. The national dispute resolution committee, which shall be responsible for resolving electoral and nomination disputes arising at the national level or

involving national officials or members, or any other disputes referred to it by the lower organs or by the National Executive Committee

- iii. The Dispute Resolution Committee will be appointed by the National Executive Committee and will comprise nine (9) respected and knowledgeable persons of high integrity who do not hold any elective party position.
- iv. The membership of the committee shall ensure that at least one third of the membership is of either gender.
- v. Notwithstanding any other provisions of this Constitution, the quorum of the committee shall be a third (1/3) of its membership.
- vi. The members of the Dispute Resolution Committee shall hold office for five years, renewable only once.
- vii. NEC shall ensure that the committee members represent regional diversity;
- viii. Procedure for Lodging a Dispute or Appeal;
 - a) Filing the Dispute: Any member of DEK who seeks to file a dispute or appeal shall submit a formal written complaint or appeal to the Election and Nomination Dispute Resolution Committee (DRC) within 14 days from the occurrence of the event in question.
 - b) Documentation: The party member lodging the dispute or appeal shall provide supporting documentation and evidence relevant to the case, ensuring clarity and efficiency in the resolution process.
 - c) Acknowledgment of Receipt: The Dispute Resolution Committee shall acknowledge the receipt of the dispute or appeal within five business days of submission.
 - d) Investigation and Mediation: The DRC shall conduct a thorough investigation into the matter and may facilitate mediation between the parties involved, aiming to achieve an amicable resolution.
 - e) Decision and Communication: Following a comprehensive review, the DRC shall make a determination on the dispute or appeal within 30 days from the date of receipt. The decision shall be communicated in writing to the concerned parties and the relevant party structures.
- ix. Appeal to the National Executive Council (NEC): In instances where the dispute resolution process at the lower party structures does not yield a satisfactory

outcome, the concerned parties may escalate their appeal to the National Executive Council (NEC) for final adjudication.

- x. The Appeals and Dispute Resolution committee shall have a chairperson who shall be a person of high personal and moral integrity and whose immediate relatives shall not be a contestant or contestants on the nomination.
- xi. Any person aggrieved by the decision of the Election Board may, after the declaration of the winner, lodge an appeal/or complaint within 14 days, in writing, citing grounds and attaching evidence in support of the appeal/complaint.
- xii. A person preferring an appeal to the National Appeals and Dispute Resolution Committee shall pay such fees as may be prescribed by the panel from time to time;
- xiii. Any person who presents a petition to challenge the Party nomination process shall deposit a non-refundable fee of Kenya shillings. Fifty thousand (Ksh. 50,000) only, in addition to the fees as shall be prescribed herein above.
- xiv. After lodging the appeal and fulfilling the requirements, the person preferring the appeal shall be entitled to be heard by the Panel and may be allowed to call any witnesses in support of their case;
- xv. All appeals filed for determination shall be determined within 72 hours;
- xvi. The decision of the Appeals and Dispute Resolution Panel shall be final.

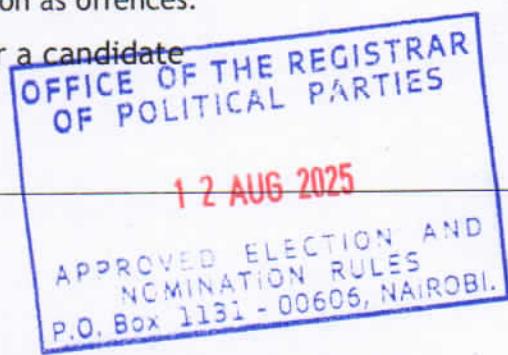
RULE 32: ELECTIONS RETURNS

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

RULE 33: NOMINATION AND ELECTION OFFENCES

In addition to the law on election offences in the country, the Part shall consider the following conduct by or on behalf of candidates for election and nomination as offences:

- a. Soliciting or receiving bribes to encourage voting for a candidate



- b. Hate speech targeting the opposing side;
- c. Carrying another person's membership card.
- d. Destruction of nomination and election materials of the opposing candidate.
- e. Use of another person's membership card to vote.
- f. Prevention, obstruction, or barring of a person from voting.

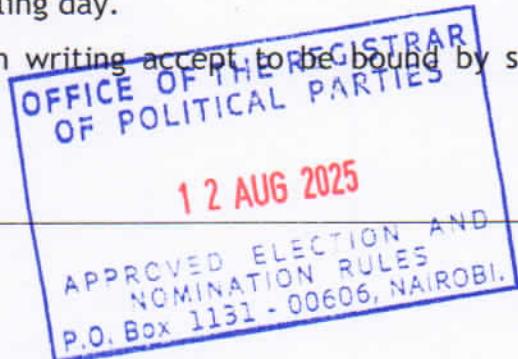
The Party shall run a zero tolerance to election nomination offences and shall punish any offending action according to the law.

RULE 34: CONSEQUENCES OF CONDUCTING ELECTION AND NOMINATION MALPRACTICES

- i. The National Elections Board shall be responsible for enforcing sanctions and penalties for election and nomination malpractices.
- ii. Upon hearing and conviction of the Board that a person is guilty of any of the following offenses, the Board shall proceed to administer the following sentences;
 - a) Written warning;
 - b) Fines as may be just in the circumstances;
 - c) Disqualification;
 - d) Disbursement from seeking future elective through and within the party
 - e) Any other sentences as outlined in the Election Offenses Act or any other law.

RULE 35. CAMPAIGN GUIDELINES

- i. The NEB shall, from time to time or upon advertisement of vacancies in any elective or nominative position in the Party, publish Campaign regulations specific to such elections or nominations, provided that such regulations shall comply with the general requirements as follows;
- ii. That the NEB shall give not less than fourteen (14) days to all respective candidates to campaign for the various positions vied for.
- iii. That no campaigns shall be permitted on the polling day.
- iv. That every candidate cleared shall expressly in writing accept to be bound by such



- campaign guidelines; and
- v. That such guidelines shall be precise, legal, and prescribe penalties for any breach.

RULE 36. GENERAL DUTIES AND RESPONSIBILITIES OF PARTY MEMBERS DURING NOMINATIONS AND ELECTIONS

- i. Members shall have an obligation to report election offenses as soon as possible to the designated IEBC Security Officer's desks, NEB, or the nearest Police Station.
- ii. Conduct campaigns peacefully and ALWAYS adhere to the laws, rules, and regulations guiding elections in Kenya.
- iii. Participate in the election by coming out to vote.
- iv. Uphold and respect divergent views.
- v. Obey these Rules and avoid engaging in any offences and malpractice.

RULE 37. AMENDMENT/REVIEW

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

RULE 38. GENERAL PROVISIONS

- i. All documents relating to a nomination shall be declared and forwarded by the Presiding Officer to the Party Headquarters and shall then, unless the Party Chairman otherwise directs, be destroyed after not less than six (6) months from the date of such nomination.
- ii. Documents retained under these Rules, other than ballot papers, shall be made available for inspection by any member of the Party upon a request made by him at such time and subject to such conditions as may be decided by the Party Headquarters.
- iii. An Officer, clerk, or other person having a duty to perform under these Rules and who, without reasonable cause, contravenes the same by an act or omission of these Rules shall be liable to disciplinary action by the Board.

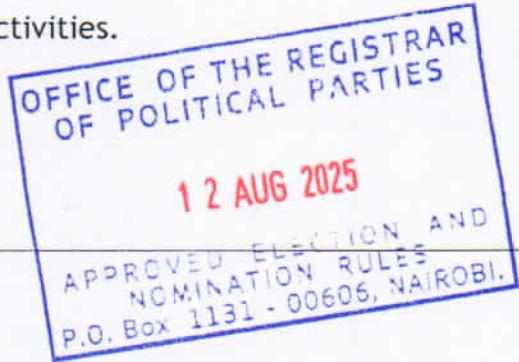


FIRST SCHEDULE PPA

CODE OF CONDUCT FOR THE PARTY

We, the Party Officials of the DEMOCRATIC DEVELOPMENT PARTY OF KENYA, whose signatures are subscribed hereto, do hereby solemnly declare that—

1. Our political party shall, pursuant to Articles 91 and 92 of the Constitution and section 8 of this Act, subscribe to and observe this code of conduct.
2. This code of conduct shall regulate the behavior of members and office holders of political parties, aspiring candidates, candidates, and their supporters, promote good governance, and eradicate political malpractices.
3. Political competition and co-operation shall be regulated under this code of conduct based on the rule of law and universally accepted best practices.
4. Our political party shall—
 - (a) promote policy alternatives responding to the interests, the concerns, and the needs of the citizens of Kenya;
 - (b) respect and uphold the democratic process as they compete for political power to implement their policies;
 - (c) promote consensus building in policy decision making on issues of national importance;
 - (d) develop and implement measures for the progressive realization of representation and participation of the special interest groups in decision-making organs; and
 - (e) Implement the affirmative action programs, policies, and strategies relating to political representation contemplated under Article 27(6) of the Constitution.
5. Our political party shall—
 - (a) respect the right of all persons to participate in the political process, including youth, minorities, and marginalized groups;
 - (b) respect and promote gender equity and equality, human rights and fundamental freedoms; and
 - (c) be tolerant and inclusive in all their political activities.

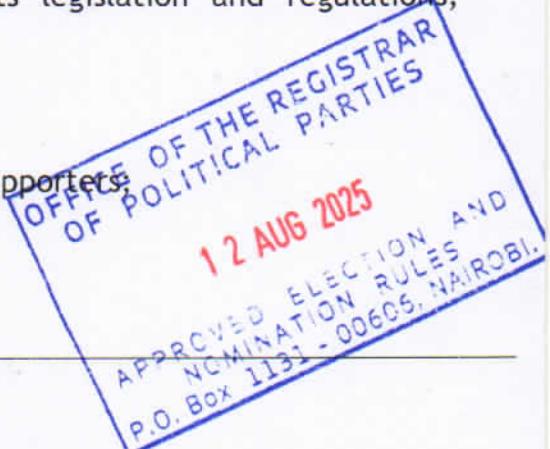


6. Our political party shall—

- (a) respect, uphold, and defend the Constitution of Kenya;
- (b) respect and uphold this Act and any other written law relating to elections and political parties;
- (c) respect, uphold, and defend their respective political party constitutions, political party election rules, political party nomination rules, and any other political party rules and regulations developed and agreed upon in accordance with this code of conduct;
- (d) respect, uphold, and promote human dignity, equity, social justice, inclusiveness, non-discrimination, and protection of the marginalized;
- (e) respect, uphold, and promote human rights and the rule of law;
- (f) promote national patriotism and national unity;
- (g) respect, uphold, and promote democratic values and principles, performing inclusive participation of party members and accountable representation in governance for the development of the country;
- (h) respect, uphold, and promote good governance, integrity, respect, tolerance, transparency, and accountability;
- (i) promote cooperation in the political competition;
- (j) promote sharing and devolution of power and resources;
- (k) respect, uphold, and promote democratic practices through regular free, fair, and credible elections within the political party and among others, have a democratically elected governing body and political party organs;
- (l) respect, uphold, and promote democratic practices through free, fair, and credible political party nominations;
- (m) respect, uphold, and promote leadership and integrity as prescribed in the constitution of Kenya; and
- (n) perform transparency and accountability in all its legislation and regulations, structures, procedures, and performance.

7. Our political party shall not—

- (a) engage in or encourage violence by its members or supporters;



- (b) engage in or encourage any kind of intimidation of opponents, any other person, or any other political party;
- (c) engage in influence peddling, bribery, or any other form of corruption;
- (d) accept or use illicit or illegal money;
- (e) accept or use public resources other than those allocated to the political party through the political party fund;
- (f) advocate hatred that constitutes ethnic incitement, vilification of others, or incitement to cause harm;
- (g) obstruct, disrupt, break up, or in any other way whatsoever interfere with a meeting, rally, or demonstration of another political party or its leadership;
- (h) establish or maintain a para-military force, militia, or similar organization, or have any links with such organizations; and
- (i) Use state resources for partisan campaigns.

8. Our political party shall promote inter-party relations by—

- (a) ensuring free competition among political parties in respect of different political views and principles;
- (b) fostering trust and confidence through mechanisms for co-operation;
- (c) managing and mitigating political differences through constructive dialogue, enhancing harmony among the parties; and
- (d) promoting national reconciliation and building national unity.

This declaration is made to the best of our knowledge, information, and belief.

Dated this day of 20

Names and signatures of three-party officials:

1. Name

Signature

ID/Passport No.



2. Name

Signature

ID/Passport No.

3. Name

Signature

ID/Passport No.

In the presence of



FOURTH SCHEDULE PPA

OATH OF A MEMBER OF THE DISCIPLINARY COMMITTEE

I having been appointed Chairman (member) of the Disciplinary Committee do swear that I will without fear or favour, affection or ill-will discharge the functions and duties of the Office of the chairman (member) of the Disciplinary Committee, and that I will not, directly, reveal 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 This..... Day of 20

By the Said] (Name)

BEFORE ME:

COMMISSIONER

FOR

OATH



SCHEDULE 3

DEMOCRATIC DEVELOPMENT PARTY OF KENYA NOMINATION RULES

A NON-REFUNDABLE LIFE MEMBERSHIP AND NOMINATION FEES:

DESCRIPTION	MCA	MEMBER OF PARLIAMENT	WOMEN REP	SENATOR	GOVERNOR	PRESIDENT
Life Membership Fees (Ksh.)	15,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
Nomination Fees (Ksh.)	15,000.00	100,000.00	100,000.00	100,000.00	500,000.00	1,000,000.00
Nomination Fees- Special Interest Groups (Ksh.)	10,000.00	50,000.00	50,000.00	50,000.00	250,000.00	500,000.00

CHAIRMAN
NATIONAL ELECTIONS BOARD SUB-BRANCH.

