THE KENYA AFRICAN NATIONAL UNION
(KANU)

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Election Rules (1988)

KENYA AFRICAN NATIONAL UNION
(KANU)

Election Rules
1988

CONTENTS

		Page
Part I:	Introduction	1
Part II:	Interpretation	1
Part III:	Election Procedures	2
Part IV:	Election Officials	3
Part V:	Election Process	3
Part VI:	Party Offices	4
Part VII:	Finance	6
Part VIII:	General	6

KENYA AFRICAN NATIONAL UNION (KANU)

ELECTION RULES, 1988

Part I: Introduction

1. The Kenya African National Union (KANU), hereinafter referred to as the Party, shall hold elections every two years unless otherwise directed by the Party President.

2. The election of office bearers shall be conducted in a democratic manner, and all eligible Party members shall be free to present themselves for any office, unless otherwise disqualified by the Party on disciplinary grounds.

3. Also disqualified from participating in the elections are Chairmen of Parastatal bodies and Trade Union officials, unless specifically cleared by the Party President.

Part II: Interpretation

4. These Rules may be cited as the Kenya African National Union Election Rules (hereinafter called the Rules), and shall govern the election of Party officials at all levels—

"agent" means a person duly accredited by a candidate as his agent;

"candidate" means a person cleared by the returning officer in accordance with rule 17 herein;

"election" means election of Party officials;

"election officials" means persons appointed in accordance with Part IV of these Rules for purposes of these Rules or any other person officially engaged in election process;

"Party" means the Kenya African National Union (KANU);

"polling station" means any place set aside for voting in accordance with these Rules;

"presiding officer" means a person appointed or designated under these Rules to preside at a polling station;

"register" means a register of delegates compiled in accordance with rule 27 hereof;

"returning officer" means a person designated under these Rules to conduct nominations in his respective area of jurisdiction;

"voter" means any person who is validly registered as a Party member and is in possession of current membership card; and

"voting" means the act of expressing preference in accordance with rule 18 herein.

Part III: Election Procedures

5. Party officials shall be elected at five different levels as follows:

Sub-location / Ward level.

Location level.

Sub-branch / Constituency level.

Branch / District level.

National level.

6. Any validly registered Party member shall be free to participate at sub-locational / ward elections on dates designated by the Party President.

7. The method of election at all levels shall be by queuing.

8. (*a*) Each sub-location shall be represented by twenty (20) delegates, five (5) of whom shall be women and five (5) youth, inclusive of Party officials.

(*b*) Each location shall be represented by twenty (20) delegates, five (5) of whom shall be women and five (5) youth, inclusive of Party officials.

(*c*) Each sub-branch shall be represented by one hundred (100) delegates, inclusive of Party officials.

9. At national level, each sub-branch / constituency shall be represented by twelve (12) delegates, and each branch shall be represented by twenty-four (24) delegates, all inclusive of Party officials, and Members of Parliament.

10. Candidates for national elections shall apply to the Party President forty-eight (48) hours before registering with the National Organizing Secretary.

11. Delegates shall be seated according to provinces during Annual Delegates Conference.

Part IV: Election Officials

12. District commissioners shall be returning officers in respect of all Party elections in their respective areas.

13. The Provincial Commissioner, Nairobi, shall be returning officer for all Party elections including national elections in Nairobi. He shall also facilitate national elections to take place by queuing.

14. The Provincial Commissioner, Nairobi, and the district commissioners shall in turn appoint presiding officers and other election officials.

15. Returning officers shall compile a register of elected *officials* and *delegates* immediately after each election, copy of which shall be forwarded to the following:

Party Headquarters.

Office of the President.

Attorney-General.

Part V: Election Process

16. Those participating in the elections shall be required to produce 1987/88 KANU membership card.

17. All candidates shall produce duly signed certificates from their respective returning officers.

18. At each polling station the following Rules shall apply:

(*a*) Voting shall commence at 11.00 a.m. and shall continue until the presiding officers process all the votes.

(*b*) There shall be no campaign whatsoever within the vicinity of the polling stations.

(*c*) Except for the presiding officer, other election officials, candidates and accredited agents, persons who do not qualify as voters shall not be allowed to enter or to vote in that station; nor will such persons be permitted to remain within a radius of one hundred yards thereof.

(*d*) All voters shall hold their KANU membership card in such a manner as to display the Party stamps clearly affixed thereon.

(*e*) Voters shall remain orderly and in a straight line throughout the voting.

(*f*) No voter once in line shall be permitted to cross over to another line after the processing of votes has commenced.

19. Voting in respect of each election shall be processed by adding up the total number of voters behind each candidate.

20. Presiding officer shall:

(*a*) Process the votes by counting the voters in each line in a loud and audible voice, and thereafter declare the results on the spot.

(*b*) Record the total number of voters on each line on a certificate which shall be countersigned by the candidate or his duly accredited agent.

(*c*) Issue the leading candidate or his accredited agent with a copy of the certificate.

21. As soon as all votes have been processed, the presiding officers shall submit all the returns including the list of delegates to their respective returning officers.

22. All voters shall disperse as soon as the processing of votes has been completed.

Part VI: Party Offices

23. The following posts shall be contested at sub-locational/ward, locational and sub-branch/constituency elections:

Chairman.

Vice-Chairman.

Secretary.

Assistant Secretary.

Treasurer.

Assistant Treasurer.

Women leader.

Youth leader.

Delegates.

24. The following posts shall be contested at branch level:

Chairman.

Vice-Chairman.

Secretary.

Assistant Secretary.

Treasurer.

Assistant Treasurer.

Organizing Secretary.

Women Leader.

Youth Leader.

25. The following posts shall be contested at the national elections:

President.

Vice-President.

National Chairman.

Secretary-General.

National Treasurer.

Assistant National Treasurer.

Assistant Secretary-General.

National Organizing Secretary.

Assistant National Organizing Secretary.

26. Candidates vying for the national offices mentioned above shall have to be proposed and seconded by any delegate at the conference floor.

27. The Party National Executive Officer shall on receipt of a register of delegates from all returning officers, compile a list of delegates for the national conference.

28. Only valid delegates whose names appear on the register compiled by the National Executive Officer shall be cleared to participate in the national elections.

29. All branch chairmen shall arrange transport for delegates to and from Nairobi as well as provide accommodation for the same.

30. Candidates for national offices shall register with returning officer not later than forty-eight (48) hours before the elections.

Part VII: Finance

31. The Party shall meet all operational costs of the election process including printing and supervision.

Part VIII: General

32. Without prejudice to the generality of the foregoing, the Party President may vary these Rules or issue such orders of these Rules as he may in his sole discretion deem appropriate.

KENYA AFRICAN NATIONAL UNION ELECTIONS

CERTIFICATE OF PRESENTATION

(*Under Rule* 17)

This is to certify that ....

....

bearer of ID Card No. ....

Party Life Membership Certificate No. ....

has met all the requirements to contest Party elections at ....

.... level.

Signed: ....
Presiding Officer

.... District.

KENYA AFRICAN NATIONAL UNION ELECTIONS

CERTIFICATE OF DECLARATION OF RESULTS

(*Under Rule* 20)

I, ... Presiding Officer

certify that ....

candidate for .... elections

has obtained .... votes and accordingly stands elected in respect of the above-mentioned elections.

Other candidates:	Votes Scored:
....	....
....	....
....	....
....	....
....	....
....	....

Signed: ....

Presiding Officer

.... Polling Station.

YALIYOMO

		Ukurasa
Sehemu ya Kwanza:	Utangulizi	1
Sehemu ya Pili:	Maelezo	1
Sehemu ya Tatu:	Taratibu ya Uchaguzi ...	2
Sehemu ya Nne:	Maafisa wa Uchaguzi ...	3
Sehemu ya Tano:	Taratibu ya Uchaguzi ...	3
Sehemu ya Sita:	Viti wa Chama	5
Sehemu ya Saba:	Malipo	6
Sehemu ya Nane:	Kwa Jumla	6

KENYA AFRICAN NATIONAL UNION (KANU)

KANUNI ZA UCHAGUZI, 1988

Sehemu ya Kwanza: Utangulizi

1. Kenya African National Union (KANU), inayotajwa humu kama Chama, kitakuwa kikifanya uchaguzi kila baada ya miaka miwili, ila itakapoamriwa vyengine na Rais wa Chama.

2. Uchaguzi wa maafisa wa Chama utafanywa kwa njia ya kidemokrasia, na kila mwanachama mwenye haki ya kupiga kura, atakuwa na uhuru wa kugombania uchaguzi wa kiti cho chote chamani, ila iwapo atakuwa amezuiliwa kufanya hivyo kwa sababu za kinidhamu.

3. Pia watakaozuiliwa kushikiri katika uchaguzi ni wenyeviti wa mashirika ya umma na wale maafisa wa vyama vya wafanyikazi, ila iwapo wataruhusiwa na Rais wa Chama kushiriki.

Sehemu ya Pili: Maelezo

4. Kanuni hizi zinaweza kuitwa Kanuni za Uchaguzi wa Maafisa wa Chama cha KANU (baadaye humu zitaitwa Kanuni), na zitahusika na uchaguzi wa maafisa wa Chama wa ngazi zote—

"ajenti" maana yake ni mtu ambaye amechaguliwa na mgombea-uchaguzi kama mwakilishi wake;

"mgombea-uchaguzi" maana yake ni mtu aliyeruhusiwa na msimamizi wa uchaguzi kwa kufuatana na kanuni nambari 17 iliyomo humu;

"uchaguzi" maana yake ni uchaguzi wa maafisa wa Chama;

"maafisa wa uchaguzi" maana yake ni watu walioteuliwa chini ya Kanuni chini ya sehemu ya nne ya Kanuni hizi kwa madhumuni ya Kanuni hizi, au mtu ye yote ambaye kwa njia rasmi anahusika na utaratibu wa uchaguzi;

"Chama" maana yake ni Kenya African National Union;

"kituo cha uchaguzi" maana yake ni mahali palipotengwa kwa ajili ya upigaji-kura kwa mujibu wa Kanuni hizi;

"mkuu wa kituo" maana yake ni mtu aliyeteuliwa au kukabidhiwa chini ya Kanuni hizi kusimamia kituo cha uchaguzi;

"rejista" maana yake ni orodha ya wajumbe iliyotayarishwa chini ya kanuni nambari 27 iliyomo humu;

"msimamizi uchaguzi" maana yake ni mtu aliyepewa kazi chini ya Kanuni hizi kuendesha uteuzi katika eneo lililo chini ya mamlaka yake;

"mpigaji-kura" maana yake ni mtu ambaye jina lake limeandikishwa kama mwanachama wa Chama, na ambaye anamiliki kadi ya uanachama; na

"upigaji-kura" maana yake ni kitendo cha mtu kuchagua mwenyewe kwa kufuatana na kanuni nambari 18 iliyomo humu.

Sehemu ya Tatu: Taratibu ya Uchaguzi

5. Maafisa wa Chama watachaguliwa katika ngazi tano mbali mbali kama ifuatavyo:

Ngazi ya wadi.
Ngazi ya tarafa.
Ngazi ya mawakilisho.
Ngazi ya tawi/wilaya.
Ngazi ya kitaifa.

6. Mwanachama ye yote aliyejiandikisha barabara atakuwa huru kushiriki kwenye uchaguzi wa lokesheni ndogo/wadi katika tarehe itakayoteuliwa na Rais wa Chama.

7. Njia ya uchaguzi kwenye ngazi zote itakuwa ni kwa kupiga mlolongo.

8. (*a*) Kila lokesheni ndogo itawakilishwa na wajumbe ishirini (20), watano (5) wao wakiwa ni wanawake na vijana watano (5), pia wakiwemo maafisa wa Chama.

(*b*) Kila lokesheni itawakilishwa na wajumbe ishirini (20), watano (5) wakiwa wanawake na vijana watano (5), pia wakiwemo maafisa wa Chama.

(*c*) Kila tawi dogo litawakilishwa na wajumbe mia moja (100) wakiwemo maafisa wa Chama.

9. Kwenye ngazi ya kitaifa, kila tawi dogo litawakilishwa na wajumbe kumi na mbili (12), na kila tawi litawakilishwa na wajumbe ishirini na nne (24), wakiwemo maafisa wa Chama, na Wabunge.

10. Wagombea-uchaguzi wa chaguzi wa kitaifa watapeleka maombi yao kwa Rais wa Chama masaa arubaini na nane (48) kabla ya kujiandikisha kwa Katibu wa Mipango wa Kitaifa.

11. Wajumbe watakaa vitini kwa kuambatana na mikoa yao wakati wa Mkutano Mkuu wa kila mwaka wa Wajumbe.

Sehemu ya Nne: Maafisa wa Uchaguzi

12. Wakuu wa wilaya watakuwa wasimamizi wa uchaguzi wanaohusika na uchaguzi wote wa Chama katika maeneo yaliyo chini ya mamlaka yao.

13. Mkuu wa Mkoa wa Nairobi atakuwa msimamizi wa uchaguzi wote wa Chama, zikiwemo chaguzi za kitaifa katika Nairobi. Yeye pia atatayarisha chaguzi za kitaifa zitakazofanyika kwa kupiga mlolongo.

14. Mkuu wa Mkoa wa Nairobi, na wakuu wa wilaya kwa upande wao watateua wakuu wa vituo vya upigaji-kura, pamoja na maafisa wengineo wa uchaguzi.

15. Wasimamizi uchaguzi wataandika orodha ya *maafisa* waliochaguliwa na *wajumbe* mara tu baada ya kufanyika uchaguzi, na nakala zitapelekwa kwa:

Makao Makuu ya Chama.

Afisi ya Rais.

Mkuu wa Sheria.

Sehemu ya Tano: Taratibu ya Uchaguzi

16. Wale watakaoshiriki kwenye uchaguzi watatakiwa kuonyesha kadi zao za uanachama wa KANU za mwaka 1987/88.

17. Wagombea-uchaguzi wote wataonyesha hati zao zilizotiwa sahihi na maafisa wao wanaohusika.

18. Katika kila kituo cha uchaguzi Kanuni zifuatazo zitatumika:

(*a*) Upigaji-kura utaanza saa tano asubuhi, na kuendelea hadi wakuu wa vituo vya upigaji-kura watakapokuwa wameshamaliza kuzishughulikia kura zote.

(*b*) Hapana kampeni yo yote itakayoruhusiwa karibu na vituo vya upigaji-kura.

(*c*) Isipokuwa wasimamizi wa uchaguzi na maafisa wengineo wa uchaguzi, wagombea-uchaguzi na maajenti wao wanaokubalika, watu ambao si wapigaji-kura hawataruhusiwa kuingia au kupiga kura katika kituo hicho wala watu kama hao hawataruhusiwa kubaki katika eneo duara la yadi mia moja.

(*d*) Wapigaji-kura wote wataziinua kadi zao za uanachama wa KANU kwa namna ambayo zitaonyesha wazi wazi stampu za Chama zitakazokuwa zimeambatanishwa humo.

(*e*) Wapigaji-kura wanatakiwa kuwa watulivu na kupiga mstari wakati wote wa upigaji-kura.

(*f*) Hapana mpigaji-kura ambaye ataruhusiwa kuvuka na kwenda kuunga mstari mwingine baada ya kuanza shughuli ya kuhesabu kura.

19. Upigaji-kura wa kila uchaguzi utafanywa kwa kuhesabu jumla ya idadi ya wapigaji-kura walio nyuma ya kila mgombea-uchaguzi.

20. Wakuu wa vituo vya upigaji-kura:

(*a*) Watazihesabu kura zote katika kila mstari kwa sauti ya juu inayoweza kusikika, na baadaye kutangaza matokeo papo hapo.

(*b*) Watarekodi jumla ya idadi ya wapigaji-kura katika kila mstari kwenye cheti kitakachotiwa sahihi na mgombea-uchaguzi au mwakilishi wake anayekubalika.

(*c*) Watampa mgombea-uchaguzi mwenye idadi kubwa zaidi ya kura, nakala ya cheti hicho.

21. Mara tu baada ya kura zote kuhesabiwa, wakuu wa vituo vya upigaji-kura watapeleka matokeo yote, pamoja na orodha ya wajumbe kwa mkuu wa kituo wao wanaohusika,

22. Wapigaji-kura wote watakwenda makwao mara tu baada ya kumalizika kuhesabiwa kwa kura.

Sehemu ya Sita: Viti vya Chama

23. Viti vifuatavyo vitagombaniwa kwenye uchaguzi wa wadi ndogo/wadi, tarafa na tawi ndogo/mawakilisho na kwenye uchaguzi wa:

Mwenyekiti.

Makamu-Mwenyekiti.

Katibu.

Katibu Msaidizi.

Mweka Hazina.

Msaidizi wa Mweka Hazina.

Kiongozi wa Wanawake.

Kiongozi wa Vijana.

Wajumbe.

24. Viti vifuatavyo vitagombaniwa katika ngazi ya tawi kwenye uchaguzi wa:

Mwenyekiti.

Makamu-Mwenyekiti.

Katibu.

Katibu Msaidizi.

Mweka Hasina.

Msaidizi wa Mweka Hazina.

Katibu wa Mpango.

Kiongozi wa Wanawake.

Kiongozi wa Vijana.

25. Viti vifutavyo vitapiganiwa kwenye uchaguzi wa kitaifa. Kiti cha:

Rais.

Makamu-Mwenyekiti.

Mwenyekiti wa Kitaifa.

Katibu-Mkuu.

Mweka Hazina wa Kitaifa.

Msaidizi wa Mweka Hazina wa Kitaifa.

Msaidizi wa Katibu Mkuu.

Katibu wa Mipango ya Kitaifa.

Katibu wa Mipango ya Kitaifa Msaidizi.

26. Wagombea-uchaguzi wanaotaka kupigania viti vya kitaifa vilivyotajwa hapo juu, watahitaji kupendekezwa majina yao, na kuungwa mkono na mjumbe ye yote kwenye ukumbi wa mkutano.

27. Afisa Mtendaji wa Kitaifa wa Chama baada ya kupokea orodha ya wajumbe kutoka kwa wasimamizi-uchaguzi, atatayarisha orodha ya wajumbe wa Mkutano Mkuu wa Kitaifa.

28. Wale wajumbe ambao majina yao yatakuwemo kwenye orodha iliyokwisha tayarishwa na Afisa Mtendaji wa Kitaifa ndio peke yao watakaoruhusiwa kushiriki kwenye uchaguzi wa kitaifa.

29. Wenyeviti wote wa matawi watatayarisha usafiri kwa wajumbe kwenda na kutoka Nairobi, na kuwapatia malazi ya hao wanaohusika.

30. Wagombea-uchaguzi wa viti vya Nairobi watajiandikisha majina yao kwa Msimamizi Uchaguzi, Nairobi, kabla ya masaa arobaini na nane (48) ya kuanza uchaguzi.

Sehemu ya Saba: Malipo

31. Chama kitalipia matumizi ya uendeshaji wa shughuli za uchaguzi, hizi zikiwa pamoja na uchapishaji na usimamizi.

Sehemu ya Nane: Kwa Jumla

32. Bila kuathiri ujumla wa Kanuni zilizotajwa, Rais wa Chama anaweza kuzirekibisha Kanuni hizi, au kutoa maagizo kwa ajili ya utekelezaji bora ya Kanuni hizi, yeye atakapohisi kuwa inastahili kufanya jambo kama hilo.

KENYA AFRICAN NATIONAL UNION

CHETI CHA KUJIWASILISHA

(*Chini ya Kanuni Nambari* 17)

Cheti hiki kinathibitisha kwamba ....

....

mwenye kitambulisho nambari ....

Nambari ya Cheti cha Uanachama wa Maisha ....

.... ametimiza mahitaji yote ya

kupigania kura ya Chama ya ngazi ya ....

Sahihi: ....

Msimamizi Uchaguzi

Wilaya ya ....

KENYA AFRICAN NATIONAL UNION

HATI YA KUTANGAZWA KWA MATOKEO

(*Chini ya Kanuni Nambari* 20)

Mimi, ... Mkuu wa Kituo

cha upigaji-kura ninathibitisha kwamba ....

.... mgombea-uchaguzi

wa uchaguzi wa .... amepata

kura .... na kwa hivyo amechaguliwa katika uchaguzi uliotajwa juu.

Wagombea uchaguzi wengine	Kura walizopata
....	....
....	....
....	....
....	....
....	....

Sahihi: ....

Mkuu wa Kituo cha Upigaji-kura

Kituo cha Kupiga Kura ....

GPK (L)