



**KENYA AFRICAN NATIONAL UNION**



**THE KANU CODE  
OF  
DISCIPLINE**

**1986**

**TEN SHILLINGS**



**His Excellency Hon. Daniel T. arap Moi, C.G.H., M.P.,  
President and Commander-in-Chief of the Armed Forces  
of the Republic of Kenya**

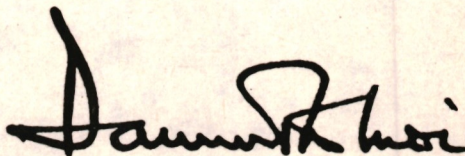
## UTANGULIZI

Chama cha Kenya African National Union (KANU) ndicho chama kinachotawala nchini Kenya. KANU imeaminiwa na jukumu la kuliongoza taifa katika taratibu zake za maendeleo. Uanachama ni wa hiari ya mtu na ni wazi kwa Wakenya wote waliofikia umri wa miaka kumi na nane na zaidi. Kama chama cha umma, ni muhimu kwa chama kuwa chombo chenye nidhamu ili kuwa kielelezo cha uongozi wenye msingi wa uhuru, haki na usawa kwa wote.

Baada ya kutambua haja ya kuunda utaratibu wa kuwa na nidhamu chamani, mkutano wa kila mwaka wa wanachama uliofanywa Julai 1, 1985 uliamua kuunda kamati ya nidhamu ya chama. Kuhusu swala hili, mikutano ilifanyika katika kiwango cha chini kabisa, na Kamati Kuu ya Taifa ilitayarisha mikutano ya chama katika mikoa yote. Mikutano hii iliishia kwa kuwako kwa semina ya KANU ya kitaifa katika Kenya Institute of Administration, ambayo ilihudhuriwa na wawakilishi na maafisa kutoka kila tawi.

Juu ya maswala muhimu ya kitaifa, semina hiyo ilipendekeza kuwako kwa kanuni na sheria za chama na mambo gani yangetambulika kama utovu wa nidhamu. Mapendekezo haya yamechunguzwa, kama inavyotakiwa na katiba ya chama, na nina furaha kusema kwamba Baraza Tawala la Kitaifa limeidhinisha na kupitisha sheria hizi kama "MWONGOZO WA KANU WA NIDHAMU".

Sasa kwa kuwa chama kimeanzisha taratibu zinazopasa katika kukabiliana na wale ambao watakwenda kinyume na nguzo zipasazo za jamii thabiti, ninatoa mwito kwa wanachama wote wa KANU kuunga mkono chama na kujitolea kikamilifu na daima kutaka kudumisha shabaha zake bora—na kuongozwa na chemchemi yetu ya Amani, Upendo na Umoja.



...  
D. T. ARAP MOI,

*Rais.*

**KENYA AFRICAN NATIONAL UNION HEADQUARTERS**  
**P.O. Box 72394**  
**NAIROBI**

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**KAMATI YA TAIFA YA NIDHAMU**

**Utangulizi**

PALE PALIPOKUWA na haja ya kuunda Kamati ya Taifa ya Nidhamu chamani hapa ikitambulishwa kama Kamati ya Taifa ya Nidhamu ili kusikiliza kesi au malalamiko yoyote ya kinidhamu kama zilivyoelezwa chini ya kifungu cha Sheria ya 4 (d) (i), 8 (e) (vi) na 22 (a) na (b) za katiba ya KANU.

NA PALE AMBAPO Kamati ya Taifa ya Nidhamu itabidi kuchukua hatua na kuonekana kuchukua hatua kulingana na Sheria za haki halisi na usawa.

SASA KUMEUNDWA KIRASMI Kamati ya Taifa ya Nidhamu ambapo uanachama, uwezo na taratibu zitakuwa kama zilivyowekwa hapa chini :

**1. Uwezo**

Kamati ya Taifa ya Nidhamu itakuwa na uwezo wa kuisikiliza na kukata shauri juu ya kesi zilizopendekezwa na kamati za matawi/wilaya na nyingine ambazo zimeletwa mbele yake na Rais wa Chama, Kamati Kuu ya Taifa ya KANU, au Baraza Kuu la Taifa la Chama kinachotawala cha KANU, au ombi la mwanachama anayekabiliwa na utovu wa nidhamu.

**2. Wanachama**

(a) Kamati ya Taifa ya Nidhamu itakuwa na wanachama kumi na wanane walioteuliwa na Rais wa Chama kama ifuata-vyo—

(i) wanachama tisa kutoka kundi la kimkoa, na

(ii) wanachama tisa kutoka sehemu nyinginezo.

(b) Kutakuwa na Mwenyekiti na Naibu wa Mwenyekiti wa Kamati ya Taifa ya Nidhamu. Mwenyekiti atateuliwa na

Rais na Naibu wa Mwenyekiti atateuliwa miongoni mwa wanachama wa Kamati ya Taifa ya Nidhamu katika mkutano wake wa kwanza.

- (c) Mkutano wa Kamati ya Taifa ya Nidhamu utaitishwa na Mwenyekiti na akosekanapo na Naibu wa Mwenyekiti, ambaye atasimamia mikutano ya Kamati ya Taifa ya Nidhamu na hakuna mkutano utanziswa au kuendelea bila kuwako kwa Mwenyekiti na au Naibu wa Mwenyekiti.
- (d) Afisa Mkuu wa Chama wa Kenya African National Union (KANU) atakuwa Katibu wa Kamati ya Taifa ya Nidhamu lakini hatakuwa na uwezo wa kupiga kura.

### **3. Uhalali wa Mkutano**

Mkutano wa Kamati ya Taifa ya Nidhamu ili kuhalalika utahitaji thuluthi mbili za wanachama, idadi ambayo itakuwa imemjumlisha Mwenyekiti na au Naibu wa Mwenyekiti.

### **4. Mwongozi wa Hatua za Nidhamu**

(I) Mwanachama yeyote wa KANU mwenye kuvunja kanuni na sheria zozote au asiyetekeleza maamuzi na maagizo ya chama au anayetusi au kukashifu wadhifa wa kazi yake kwa njia inayotia doa KANU atachukuliwa hatua za kumwadhibu kulingana na uamuzi wa kamati maalum inayohusika na kamati anayotumikia au kwa kamati ya ngazi ya juu zaidi ya KANU.

(II) Mwanachama wa KANU atakuwa na haki ya kukata rufani kwa kamati ya ngazi ya juu zaidi ya hiyo inayohusika ya KANU.

(III) Baadhi ya mambo ambayo yatachukuliwa kuwa utovu wa nidhamu chamani ni kama vile:

- (a) Kuhujumu au kuchimba Rais wa KANU, Rais wa Taifa, Katiba ya KANU, Katiba ya Jamhuri ya Kenya, Serikali ya KANU, KANU na harakati zake zote.
- (b) Kwa wasio wanachama wa KANU wanaoishi Kenya na walio chini ya ulinzi wa Serikali ya KANU, wenye haki walizopewa na Serikali ya KANU na wanaoonyesha utovu wa heshima na adabu, chuki na kukiçhimba au kukiendea

kinyume Chama cha KANU. Mwanachama wa KANU, Uongozi wa KANU, mashirika ya KANU, Serikali ya KANU, vituo vya kidemokrasia, au kuzorotesha juhudi za Chama cha KANU.

- (c) Kutumia vibaya jina la Rais au majina ya maafisa wakuu ili kuwatisha wenzao au kujipatia manufaa ya kibinafsi.
- (d) Uvunjaji wa sheria au kanuni zozote za katiba ya KANU.
- (e) Kufuata nyendo au kutenda tendo ambalo litafanya chama kipate sifa mbaya au tendo lile ambalo litaharibu sifa njema za KANU.
- (f) Kutofuata agizo lolote la halali lililoandikwa au amri kutoka KANU au shirika lolote la chama.
- (g) Mwanachama akiwa katika hali ya ulevi katika mkutano wa KANU au katika shughuli yoyote rasmi au ya kiserikali, au akiwa mtumishi anayehudumia watu akiwa katika hali ya ulevi wakati wowote anapokuwa kazini.
- (h) Kuhusika katika visa vyovyote vya uovu au ufisadi ambavyo vyaweza kuikashifu KANU au kuhusika na tendo lolote la hongo au rushwa.
- (i) Kufichua habari za siri za KANU na mashirika yake bila kupewa kibali.
- (j) Kueneza uvumi au habari za uwongo zenye kuharibu sifa za KANU au Jamhuri ya Kenya au mwanachama wa KANU, au kwa afisa wake yeyote.
- (k) Kutoa habari zenye kudanganya au kupotosha wananchi.
- (l) (i) Kuwavunjia heshima maafisa na wanachama katika mkutano wowote wa KANU.  
(ii) Kutumia lugha mbaya au ya kutusi juu ya mwanachama mwingine wa KANU au kumwekea nia mbaya mwanachama mwingine.
- (m) Kujipa mamlaka au cheo ambacho hujapewa kikazi au kwa kuteuliwa.
- (n) Kukosa kwa makusudi kwa maafisa wake kuhudhuria mkutano ya KANU
- (o) Kuchapisha au kusababisha kuchapishwa kwa habari au taarifa zozote za kashfa ambazo kwa maoni ya Kamati kuu ya

tawi au makao makuu ya chama au kamati yake au baraza, ni shambulió kwa KANU au wanachama wake au maafisa wake.

- (p) Kukusanya michango au pesa kwa jina la KANU bila idhini au kutotoa risiti unapotakikana kufanya hivyo.
- (q) Kugeuza kwa manufaa yako kibinafsi, zawadi au mchango wowote uliopokewa kwa niaba ya KANU, mashirika yake au kundi la wanaohusika na KANU.
- (r) Tabia ya mwakilishi au afisa wa KANU kuchelewachelewa au kukosa kuhudhuria mikutano ya chama, au sherehe rasmi kwake au kwa niaba yake, au sherehe zozote nyingine za kitaifa.
- (s) Mwanachama kumwendea kinyume au kumchimba mwenziwe, mwakilishi au afisa wa KANU.
- (t) Mwanachama anayetumia afisi yake kueneza upendeleo wa kidugu, utengano na ukabila kazini, au katika kujiendeleza kibinafsi.
- (u) Kutoa ahadi za uwongo pamoja na kuandika hundi bandia katika mkutano mmoja au zaidi wa hadhara au Harambee ili kujipa uwezo wa kisiasa.
- (v) Kuunga mkono au kuunda makundi ya utengano kwa mbinu au njia zozote zile.
- (w) Kushirikiana na wageni ama wahalifu, au kikundi katika shughuli zozote ambazo zaweza kutatiza usalama na masilahi ya taifa.
- (x) Kutoheshimu bendera ya taifa, sarafu au pesa za taifa na Wimbo wa Taifa.
- (y) Kutenda tendo lolote ambalo kwa maoni ya KANU, halifai kwa masilahi ya KANU.

## 5. Kanuni na Taratibu

- (a) Ripoti zinazosemekana ni za utovu wa nidhamu kwa Katibu wa Kamati ya Taifa ya Nidhamu, zitaandikwa, zikieleza sababu za kuchukuliwa hatua za nidhamu, na zitahusu kila lalamiko au tendo la utovu wa nidhamu pamoja na matokeo yaliyofikiwa kwa kila mojawapo na kamati ya tawi/wilaya katika muda usiozidi wiki moja baada ya mkutano

kama huo. Nakala ya ripoti hiyo pamoja na yale yaliyopitishwa yatapelekwa mtu aliyetitishwa kwa kesi iliyomhusu ya utovu wa nidhamu.

- (b) Ripoti ya mkutano huo, matokeo na mapendekezo ya kamati ya tawi/wilaya, itathibitishwa na mwenyekiti na katibu wa tawi, au mwanachama mmoja au wawili waliopewa kibali na kamati ya wilaya kwenye mkutano huo watakaotakiwa kuhudhuria mkutano wa kamati ya taifa ya nidhamu utakaoadili kesi hiyo/hizo.
- (c) Anayekabiliwa na kosa la kuwa mtovu wa nidhamu, atapewa maelezo na mapendekezo ya hatua za kinidhamu, atakazochukuliwa na Katibu wa Kamati ya Taifa ya Nidhamu. Kwa upande wa utetezi wake, naye atampa Katibu wa Kamati ya Taifa ya Nidhamu, ripoti ya kujitetea kwake katika muda usiozidi siku ishirini na moja tokea tarehe ya ule mkutano wa kamati ya tawi/wilaya uliopitisha kuchukuliwa kwa hatua za kinidhamu juu yake. Anayejitetea wakati huo huo atampa mwenyekiti/katibu wa tawi nakala moja ya utetezi wake.
- (d) Kamati ya Taifa ya Nidhamu itakutana kukata shauri juu ya kesi zihusikazo siku sitini baada ya kupokea notisi kutoka kwa Kamati ya Tawi/Wilaya.
- (e) Mapendekezo ya Kamati ya Taifa ya Nidhamu yatafikikishwa mbele ya Kamati Kuu ya Taifa kwa uchunguzi na au kupendekeza kwa Baraza linalotawala la Taifa.
- (f) Katibu wa Kamati ya Nidhamu tu baada ya kupokea rekodi za kamati ya tawi/wilaya, atatarisha nakala za kuto-sha kwa kila waraka kwa wanachama.
- (g) Kila mwanachama wa Kamati ya Taifa ya Nidhamu atakabidhiwa nakala ya rekodi ya mikutano yote ya kamati.
- (h) Anayekabiliwa na shtaka la kinidhamu atakuwa na haki ya kuanza na kuitishwa mwanzo kutoa utetezi na halafu, kundi lililowasilisha lalamiko au shtaka hilo litakuwa na haki ya kujibu.



- (d) Wanachama wengine wa Kamati ya Nidhamu watakuwa huru kumhoji ahusikaye na kesi hiyo ya utovu wa nidhamu ili kupata ufahamu mzuri zaidi kuhusu jambo au kauli yoyote inayotatiza.
- (j) Wanachama wa kamati pia watapewa nafasi ya kumhoji mwenyekiti, katibu au wawakilishi waliochaguliwa na tawi ili kuupata ukweli halisi wa yale yaliyojadiliwa juu ya yule anayekabiliwa na utovu wa nidhamu.
- (k) Maamuzi na mapendekezo ya mkutano huo wa Kamati ya Taifa ya Nidhamu yatakubaliwa kupata idadi ya thuluthi mbili ya wale waliopo na walioshiriki katika mikutano ya kamati.
- (l) Baada ya majadiliano na matokeo, Kamati ya Taifa ya Nidhamu inaweza kupendekeza hatua yoyote kati ya hizi zifuatazo kwa Kamati Kuu ya Taifa:
- (i) Kumpata aliyekabiliwa na kesi ya utovu wa nidhamu, kutokuwa na hatia au kosa moja au zaidi yale yaliyomkabili katika kesi yake.
  - (ii) Kupewa onyo.
  - (iii) Kupewa aina fulani ya adhabu.
  - (iv) Kuondolewa afisini.
  - (v) Kupendekeza kesi yake ifikishwe mahakama ya Serikali ili apate kushtakiwa kwa mujibu wa sheria.
  - (vi) Kuzuiliwa kwake kugombea au kushikilia kiti chochote kinachotumikia raia katika muda fulani au muda uliopitishwa.
  - (vii) Kumzuilia anayehusika kutoshiriki katika jambo lolote linalohusu chama.
  - (viii) Kumfukuza chamani kwa muda uliopitishwa au kwa muda usiojulikana.
  - (ix) Kwa wale ambao si wanachama wa KANU ambao wamepatikana na makosa ya utovu wa nidhamu kama ilivyo katika 4 (iii) (b), kamati itapendekeza kwa Serikali wapoteze ulinzi wa haki zao na manufaa mengineyo kuondolewa.

## 6. Taratibu za Kuendesha Mikutano

- (a) Lugha itakayotumiwa katika mikutano ya Kamati ya Taifa ya Nidhamu itakuwa Kiswahili au Kiingereza.
- (b) Hakuna ajenda mpya itakayokubaliwa katika mkutano huo mpaka notisi kamili ya siku zisizopungua saba juu ya hoja hiyo, iwe imetolewa kwa Katibu wa Kamati ya Taifa ya Nidhamu.
- (c) Kamati itatumia uamuzi unaofaa kuiondoa notisi hiyo kulingana na kifungu nambari 6 (b) hapo juu wakati inapolazimika kuchukua hatua hiyo kwa sababu za dharura.
- (d) Mwanachama aweke maoni kwa jambo linalojadiliwa na asizushe jambo jingine lisilohusu kesi hiyo.
- (e) Hakuna mwanachama atakayeruhusiwa kulirudia swali lililolizwa mbeleni wakati mkutano umetatizika ila juu ya hoja ambayo imetolewa notisi ya kutosha.
- (f) Hakuna mwanachama atakayetumia lugha mbaya au ya kutusi kwa mwanachama yeyote mwingine wa KANU au kuwa na nia isiyofaa kwa wanachama hao.
- (g) Mwanachama anayetaka kusema atainua mkono wake huku akiwa amekaa na hatasimama au kuse na mpaka mwenyekiti atakapompa nafasi ya kufanya hivyo.
- (h) Mwanachama yeyote asiyefuata kanuni hizi anaweza kukatizwa kinidhamu na mwenyekiti au na mwanachama mwingine anayesimama kwa nidhamu. Mwanachama anayesimama kwa swali la kinidhamu ataelekeza swali lake juu ya jambo analotaka kufahamisha na kumwachia mwenyekiti kwa uamuzi.
- (i) Hakuna mwanachama atakayeruhusiwa kuondoka ila kwa ruhusa ya mwenyekiti.
- (j) Mwanachama yeyote ambaye hana nidhamu katika mkutano wowote, au anayekataa kuomba radhi kwa kutamka maneno yasiyofaa baada ya kuambiwa hivyo na mwenyekiti, anaweza kuambiwa aondoke mkutanoni, na pia kuweza kuchukuliwa hatua zaidi kwa utovu wake wa nidhamu.

(k) Mwanachama aweza, akiwa anahusiana na anayekabiliwa na kesi ya utovu wa nidhamu, au ameonyesha upendeleo, kueleza hivyo, na pale ambapo kesi hiyo haimhusu kibinafsi, ataendelea kushiriki katika kikao hicho, la sivyo atapoteza haki ya kupiga kura.

## FOREWORD

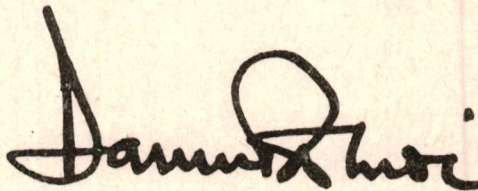
The Kenya African National Union (KANU) is the ruling party in Kenya. KANU is entrusted with the responsibility of guiding the nation in its development strategy. Membership is voluntary and open to all Kenyans who have attained the age of eighteen years and above.

As a mass movement, it is vital for the party to be a disciplined organization so as to provide exemplary leadership that is founded on freedom, justice and fairplay for all.

Consequent upon the realization of the need to establish a machinery for discipline in the party, the annual delegates conference held on 1st July, 1985 decided to set up a party disciplinary committee. In this connection, meetings were held at the grassroot levels, and the National Executive Committee organized party conferences in all provinces. These meetings culminated in a KANU national seminar at the Kenya Institute of Administration, which was attended by representatives and officials from every branch.

Among other important national matters, the seminar recommended the establishment of rules and regulations of the party and what would constitute indiscipline. These submissions have been scrutinized, as required by the party constitution, and I am now pleased that the National Governing Council has approved and adopted these rules as "THE KANU CODE OF DISCIPLINE".

Now that the party has established the necessary procedures for dealing with those who may deviate from the tenets of organized society, I call on all KANU members to support the party with total dedication and always seek to uphold its noble ideals—guided by our motto of Peace, Love and Unity.



D. T. ARAP MOI,  
*President.*

**KENYA AFRICAN NATIONAL UNION HEADQUARTERS**  
**P.O. Box 72394**  
**NAIROBI**

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**NATIONAL DISCIPLINARY COMMITTEE**

**Preamble**

WHEREAS there has been a need to establish a KANU National Disciplinary Committee hereinafter referred to as the National Disciplinary Committee, to hear cases as provided under rules 4 (d) (i), 8 (e) (vi) and 22 (a) and (b) of the KANU constitution.

AND WHEREAS the National Disciplinary Committee must act and be seen to act in conformity with rules of natural justice and fairness.

IT IS HEREBY ESTABLISHED a National Disciplinary Committee whose membership, powers and procedures shall be as provided herein below:

**1. Powers**

The National Disciplinary Committee shall have powers to hear and determine cases recommended by the branch/district executive committees and others which may be referred to it by the President of KANU, the National Executive Committee, the National Governing Council, or an appeal from an aggrieved member.

**2. Composition**

(a) The National Disciplinary Committee shall be composed of eighteen members appointed by the President of the Party as follows—

- (i) nine members to be on provincial consideration, and
- (ii) nine members on other considerations.

(b) There shall be Chairman and Vice-Chairman of the National Disciplinary Committee. The Chairman shall be appointed by the President and Vice-Chairman shall be elected from amongst and by members of the National Disciplinary Committee at its first meeting.

- (c) The National Disciplinary Committee shall be convened by the Chairman, and in his absence the Vice-Chairman, who shall preside over the proceedings of the National Disciplinary Committee and no proceedings shall commence and/or continue in the absence of the Chairman and/or the Vice-Chairman.
- (d) The National Executive Officer of the Kenya African National Union (KANU) shall act as Secretary to the National Disciplinary Committee, but shall have no voting powers.

### **3. Quorum**

A quorum of the National Disciplinary Committee shall be two-thirds of the membership thereof which number shall include the Chairman and/or the Vice-Chairman.

### **4. KANU Discipline and Sanctions—Guidelines**

(I) A member of KANU who violates any rule of the KANU constitution or contravenes rules and regulations or standing orders or does not fulfil the decisions and directives of the party or abuses his position or in any way acts in a manner prejudicial to the reputation of KANU, shall have such sanctions applied against him as may be decided by the appropriate committee under which such member falls, or by any superior organs or committee of KANU.

(II) A member of KANU shall have a right to appeal to the next organs of KANU.

(III) General misconduct against KANU shall include:

(a) Undermining the institution of KANU President, the Head of State, KANU constitution, the Constitution of the Republic of Kenya, the KANU Government, KANU and its activities.

(b) None KANU members who live in Kenya and who are under KANU Government protection, have rights and privileges extended to them by the KANU Government and who show disrespect, contempt and undermine

KANU Party, KANU Members, KANU Leadership, KANU subsidiary organizations, KANU Government, democratic institutions or frustrate KANU efforts.

- (c) Misuse of the President's name or the names of high ranking officials in order to intimidate or blackmail others or to gain special favours or personal gain.
- (d) Violation of any provisions of the constitution rules and standing orders of KANU.
- (e) Acting in a manner likely to bring the good name of KANU into ridicule or contempt or disrepute.
- (f) Disobeying any lawful written directive, order, or instruction from any organ of KANU.
- (g) Member being in a state of drunkenness at KANU meeting or any other official or State function or, in the case of official, being in a state of drunkenness at any time while on duty.
- (h) Engaging in any fraudulent or dishonest practices which tend to embarrass KANU or participating in any act of bribery or corruption.
- (i) Giving out any confidential information relating to KANU or its subsidiaries without proper authority.
- (j) Spreading malicious or false information or rumours calculated to injure the reputation of KANU, or the Republic of Kenya, or KANU Members, or any of its officials.
- (k) Giving deliberate information intended to deceive or mislead the public.
- (l) (i) Acting disrespectfully to officials and members at any meeting of KANU.  
(ii) Using offensive or abusive language about any other member of KANU or impute improper motives to such members.
- (m) Assuming any office or title to which one is not elected or appointed.
- (n) Deliberately failing to attend relevant meetings of KANU by its officials.

- (o) Publishing or causing to be published libels or any matter which in the opinion of the branch executive committee or party headquarters or its committee or council, is an attack on KANU or its members or officials.
- (p) Collecting funds in the name of KANU without authority or failing to issue receipts, when so authorized.
- (q) Converting for personal use or benefit any gift or donation received on behalf of any organization, individual or group of individuals of KANU.
- (r) Habit of a representative of KANU or an official to be late or failure to attend meetings or functions organized by one or on one's behalf or any other national functions.
- (s) A member undermining another member, representative, or KANU officials.
- (t) A member using one's office to promote nepotism, sectionalism and tribalism in employment, or in furtherance of self aggrandizement.
- (u) Making false promises including writing bouncing cheques at one or several public meetings or Harambee ostensibly for one's own political gain.
- (v) Encouraging or forming splinter groups directly or indirectly.
- (w) Associating and collaborating with foreigners or criminals or a group in any activities prejudicial to national security and welfare.
- (x) Dishonouring and disrespect of the National Flag, National Currency and the National Anthem.
- (y) Committing any act which in the opinion of KANU is not in its interest.

## **5. Rules and Procedures**

- (a) Reports of alleged indiscipline to the Secretary of the National Disciplinary Committee, shall be in writing, setting out the ground(s) for disciplinary action, and shall relate to each and every allegation and findings reached upon each one



of the allegations by the branch/district executive committee within one week of such meeting. A copy of which shall be sent to the subject.

- (b) The report of proceedings, findings and recommendations of the branch/district executive committee, shall be certified by both the chairman and secretary of the branch, or a member or two members authorized by the district executive committee at the particular meeting who shall be required to attend the National Disciplinary Committee at which the cases are to be discussed.
- (c) The subject for disciplinary action shall be served by the Secretary to the National Disciplinary Committee with details of grounds for disciplinary action or actions proposed. The subject shall on his part file with the Secretary, National Disciplinary Committee, his statement and grounds of defence within twenty-one days from the date of decision of the branch/district executive committee. He shall at the same time serve a copy of the same to the branch chairman/secretary
- (d) The National Disciplinary Committee shall sit and decide on the cases not more than sixty days after the receipt of the notification from the branch/district executive committee.
- (e) The recommendations of the National Disciplinary Committee shall be forwarded to the National Executive Committee for consideration and/or recommendation to the National Governing Council.
- (f) The Secretary to the National Disciplinary Committee, upon receipt of the records from the branch/district executive committee shall prepare enough copies of each document for members.
- (g) Each member of the National Disciplinary Committee shall be supplied with a copy of the set of records for the meetings of the committee.
- (h) The party who has caused the disciplinary committee to be convened shall have the right to start and be called upon first to state his case; thereafter the other party shall have the right to reply.

- (i) Other members of the National Disciplinary Committee shall be at liberty to question the subject in as far as clarifying any ambiguity on matter only raised in the statements.
- (j) The committee members may similarly question the chairman, secretary or nominees of the branch in order to clarify any issues or points raised by the subject.
- (k) Decisions and recommendations at the National Disciplinary Committee shall be by two-thirds majority of the members present and having participated in the proceedings of the committee.
- (l) After deliberations and findings, the National Disciplinary Committee may recommend any of the following actions to the National Executive Committee:
  - (i) Set the subjects free from all or any of the alleged misconduct.
  - (ii) Caution.
  - (iii) Reprimand.
  - (iv) Removal from office.
  - (v) Recommend for preferring charges in court of law.
  - (vi) Prohibition from contesting or holding any public office for a defined period.
  - (vii) Suspension.
  - (viii) Expulsion for a period, or indefinitely.
  - (ix) For none KANU members who have been established as offenders within 4 (III) (b) the committee shall recommend to the respective authorities to have the protection and rights withdrawn and privileges terminated.

## **6. Rules for Conduct of Meetings**

- (a) The discussion and proceedings of the committee shall be conducted and recorded in English or Kiswahili.
- (b) No agenda shall be entertained at a meeting unless at least seven days clear notice of such motion has been given to the secretary.

- (c) The committee shall use its discretion to discuss with the notice stipulated under number 6 (b) above where it is necessary for reasons of urgency.
- (d) A member must confine his/her observations to the subject under discussion and may not introduce any irrelevant matters thereto.
- (e) No member shall be permitted to re-open any specific question upon which the meeting has come to a conclusion except upon a motion for which due notice shall have been given.
- (f) No member shall use offensive or abusive language about any other member of KANU or impute improper motives to such members.
- (g) A member desiring to speak shall raise up the hand while seated and shall not rise or speak until called upon by the chairman to do so.
- (h) Any member deviating from the provisions of these rules may be immediately called to order by the chairman or by a member rising on a point of order. A member rising on a point of order shall simply direct attention to the point one desires to bring to the notice of members and submit it to the chairman for a decision.
- (i) No member shall leave any meeting except with the express permission of the chairman.
- (j) Any member whose conduct is disorderly or disrespectful at any meeting, or who refuses to withdraw an offensive or insulting remark after one has been told by the chairman to do so, may be asked to leave the meeting, and be subjected to further disciplinary action.
- (k) A member shall, in the event of the subject being a relation, or has established mutual interest, declare that interest and where the alleged misconduct does not touch him personally shall continue to participate in the deliberations, otherwise shall not exercise his voting rights.

