

**THE CONSTITUTION
OF
KENYA AFRICAN NATIONAL UNION**

(REVISED EDITION 1974)



**KANU
UHURU NA UMOJA**

THE CONSTITUTION OF KENYA
NATIONAL UNION

APPENDIX TO THE KENYA
CONSTITUTION

1. In Rule 7 "acting as Constituent" of section immediately preceding shall be construed as follows:

Provisional Constituent

(a) The Provisional Constituent may be called by the National Headquarter for each of the Provinces for any specific purpose. It shall in writing elect a member qualified to sit in all branches and to sit in seven days before the date of such meeting. The meeting shall not be held on any other date than that for which it has been convened. The composition of the Provisional Constituent shall be as follows:

(i) All members of the present Senate for Nairobi, all officials of sub-counties.

(ii) The Executive Committee of all the branches.

(iii) A representative of the K.A.M.M. National Headquarters.

General District Provincial Committees

(a) Each District Provincial Committee may be called for any specific purpose by the District Provincial Council or the District Committee. It shall in writing elect a member qualified to sit in all sub-provincial branches and to sit in seven days before the date of such meeting. The meeting shall not be held on any other date than that for which it has been convened. The composition of a District Provincial Committee shall be the same as that of an acting Provincial Committee.

2. In Rule 7 "acting as Constituent" of the section immediately preceding shall be construed as follows:

(i) Members of the National Assembly from the District.

(ii) In Rule 7 "Sub-branch Headquarters" by the following shall be substituted: (a) in paragraph (a) of the following new sub-paragraph:

(i) The Constituency Member.

THE CONSTITUTION OF KENYA AFRICAN NATIONAL UNION

ADDENDUM TO THE KANU CONSTITUTION

1. In Rule 7 "Delegates Conferences", by insertion immediately after paragraph (f) of the following new paragraphs:—

PROVINCIAL CONFERENCES

(g) That Provincial Conferences may be called by the National Headquarters for each of the Provinces for any specific purpose. Notice in writing of such meeting shall be sent to all branches not less than seven days before the date of such meeting. The meeting shall not discuss any other matter than that for which it has been convened. The composition of the Provincial Conference shall be:—

- (i) All office-bearers of the branches and for Nairobi, all officials of sub-branches.
- (ii) The Executive Committee of all the branches.
- (iii) At least two officials of the K.A.N.U. National Headquarters.

SPECIAL DISTRICT DELEGATES CONFERENCES

(h) Special District Delegates Conference may be called for any specific purpose by the District Governing Council or the District Committee. Notice in writing of such meeting shall be sent to all sub-branches (constituencies) not less than seven days before the date of such meeting. The Conference shall not discuss any other matter, other than that for which it has been convened. The composition of a Special District Delegates Conference shall be the same as that for an annual Delegates Conference.

2. In Rule 8 "Branch District Organization", by the insertion immediately after subparagraph (iv) of paragraph (b), of the following new subparagraph:—

- (v) Members of the National Assembly from the District.

3. In Rule 9 "Sub-branch/Constituency", by the insertion immediately after subparagraph (iv) of paragraph (b) of the following new subparagraph:—

- (v) The Constituency Member.

4. (g) K.A.N.U. OFFICIALS—ELECTIONS

- (i) At the Sub-location/Ward Committee meeting all paid up members of K.A.N.U. shall be eligible to attend and take part in all deliberations.
- (ii) At the Annual Meeting of the Location/Ward Committee, the Sub-location Committee shall be represented by 20 delegates, 5 of whom shall be women and 5 youths.
- (iii) At the Sub-branch General Meeting the Location/Ward Committee shall be represented by 20 delegates, 5 of whom shall be women and 5 youths.
- (iv) All Branch Officials of the Union shall be elected at the General Meeting of the Branch by Secret Ballot or by any other suitable method (show of hands or lining up). They shall hold office for two years and shall be eligible for re-election at the expiry of their terms of office. At the Branch General Meeting, the Sub-branch shall be represented by 100 delegates.
- (v) *The Annual Delegates Conference.*—The Annual Delegates Conference shall be held annually and the composition of a Delegates Conference shall be as follows:—
 - All members of the National Executive Committee.
 - All K.A.N.U. members of the National Assembly.
 - Twelve members from each District Branch of the Party.
 - Six delegates duly elected by each Sub-branch Committee.
- (vi) *National Officials.*—All National Officials of the Union shall be elected at the Delegates Conference by Secret Ballot. They shall hold office for two years and shall be eligible for re-elections at the expiry of their terms of office.

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**KANU
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KENYA AFRICAN NATIONAL UNION

PREAMBLE TO THE CONSTITUTION

K.A.N.U. is both a political party as well as a mass movement. As a political party, K.A.N.U. will form the Government and accept the responsibility for leadership and good government of the country. In this role K.A.N.U. and all K.A.N.U. members must recognize and respond to the problems of nation building as well as the human and material development of the people and the country. In this role K.A.N.U. must be concerned with the need for stability, harmony, the rule of law and respect for law and order. For without these things K.A.N.U. will not be able to meet the aspirations of the people.

K.A.N.U. will govern the country through the established structure of the civil service and administration. K.A.N.U.'s policies will be reflected and implemented in the actions, administration, policies and legislation of the country through the decisions of the Cabinet and parliament and the establishment of the necessary machinery for consultation and co-operation between the party, the public and the Government. Thus when Kenya has a one party state, this will remain the free, democratic and voluntary decision of the people of Kenya. The freedoms entrenched in the Constitution of the Republic shall continue to guide the Party in its outlook. At the same time the Party shall strive for development of political, economic and social institutions based on the experiences and needs of Kenya. While studying with interest any experiments that other countries may be making in these fields, K.A.N.U. will firmly reject external interference or foreign ideologies. The interest of Kenya shall always be paramount in the efforts of any K.A.N.U. Government.

Lastly the party will work for a good and honest image of Kenya abroad—contributing towards every effort for Pan-African unity and for peace in the World.

On the other hand K.A.N.U. as a mass movement has a very important role to play in Kenya. In this role K.A.N.U. shall strive for unity and understanding among all the peoples of Kenya—breaking down tribal, linguistic and racial and cultural barriers. It will be the responsibility of leaders of K.A.N.U. to educate all the people of Kenya to appreciate the need to build a nation out of the sovereign state. K.A.N.U.'s activities shall aim at the education of the masses in the role they must play in independent Kenya and the contribution which they must each make.

Achievement of independence is not an end in itself. It creates for all Kenya people the opportunity to work unfettered for the creation of a "Democratic Kenya founded upon the concept of African Socialism".

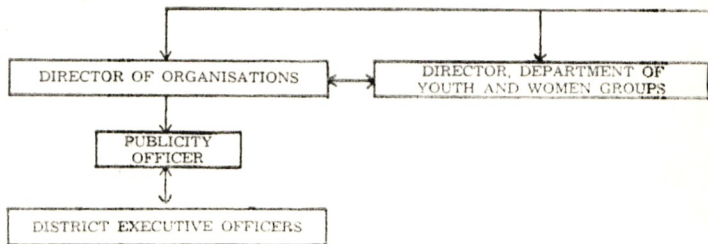
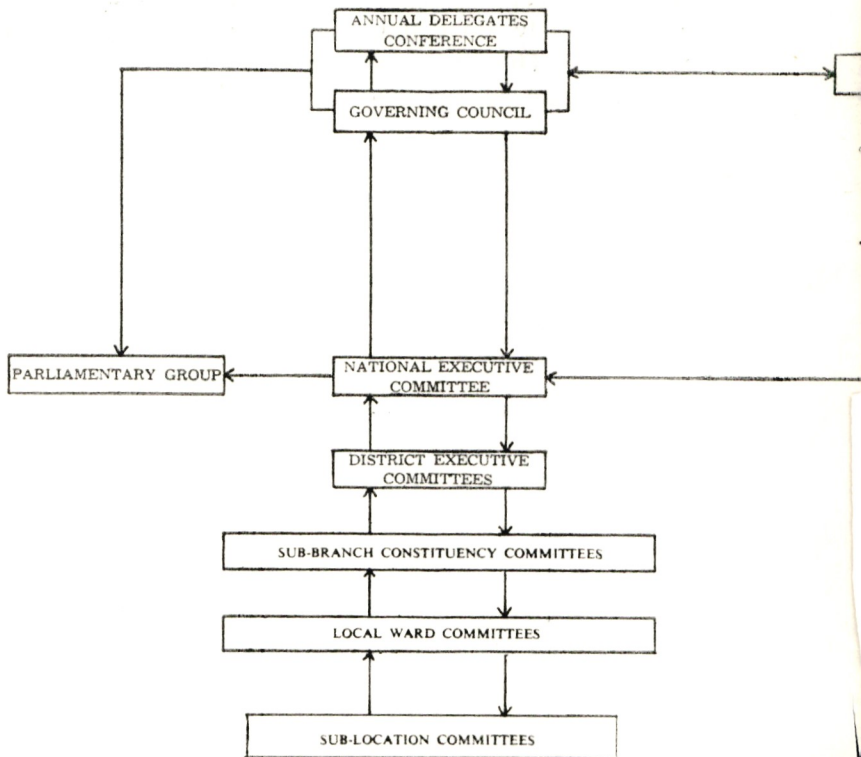
Here it might be useful to quote from the K.A.N.U. Manifesto as published in 1963.

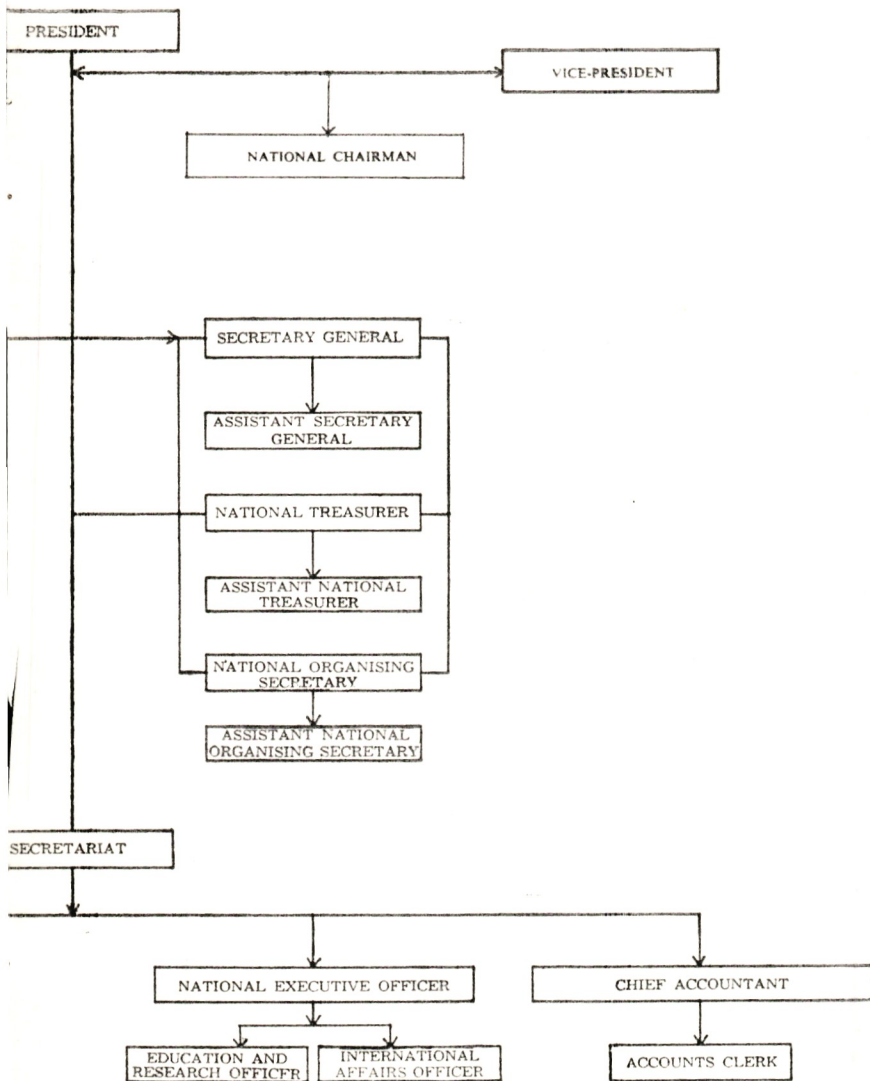
"DEMOCRATIC because we believe that only in a free society can each individual develop his talents most fully to serve his fellow citizens. There will be no place in the Kenya we shall create for discrimination by race, tribe, belief or any other manner. The personal rights and safety of all and of their property will be protected.

"AFRICAN because our nation must grow organically from what is indigenous. While adapting that which is suitable from other countries, from the East and from the West, we must give our people pride and self-respect, building upon all that is good and valid in our traditional society.

"SOCIALIST because political freedom and equality are not enough. Our people have the right to be free from economic exploitation and social inequality. We aim to build a country where men and women are motivated by a sense of service and not driven by a greedy desire for personal gain. Everyone of you has a duty to help create this new nation. You must strive to exercise your rights fully and with understanding. Above all, the future prosperity upon which our plans, our hopes, our aspirations, depend, needs your efforts."

Whatever your station in life—man or woman, literate or illiterate, public servant or peasant, businessman or worker, every K.A.N.U. member—indeed every Kenyan has a duty to promote these ideals. Only along this road can we maintain our independence in pride. The alternative would not be worth preserving and our past struggle against colonialism would stand betrayed.





CONSTITUTION OF THE KENYA AFRICAN NATIONAL UNION (KANU)

1. NAME

The name of the Union shall be THE KENYA AFRICAN NATIONAL UNION hereinafter referred to as "the Union."

2. AIMS and OBJECTIVES

(a) To promote national consciousness and unity and vigilantly to safeguard national interests.

(b) To serve as the vigorous conscious political vanguard for removing tribal, racial, social and economic discrimination and exploitation, and all other forms of oppression.

(c) To work for the speedy reconstruction of a better Kenya, raising the people's standard of living, wealth, education, health and welfare.

(d) To secure for the workers and people of Kenya the full fruits of their industry and the most equitable distribution thereof by ensuring that the means of production, distribution and exchange are under the best obtainable system of popular control and fair play.

(e) To work with other nationalist African Socialist movements in Africa and other continents, with a view to eradicating imperialism, colonialism, racialism and all other forms of national, racial or foreign oppression.

(f) To promote in Kenya a nation society accepting the concept, principles and ideals of African Socialism.

(g) To strive for unity in Africa in every sphere—economic, social and political—based on the recognition of social justice, human dignity, and the sovereignty of all African States and guided by the ideals of Pan-Africanism.

(h) To support all causes aimed at the total liberation of Africa and the emancipation of all coloured peoples throughout the World.

(i) To oppose all forms of foreign penetration, i.e. ideological or materialistic leading to capitalism, communism or neocolonialism.

(j) To support the United Nations Organization and its various agencies and other international organizations for the promotion and consolidation of international disputes, and to promote and encourage respect for human rights and for fundamental freedom for all without distinction as to race, sex, language or religion.

3. MEMBERSHIP

(a) Any Kenya Citizen who is of the age of 18 or above, who believes in African Socialism and who accepts the objectives, policy, programme and discipline of the Union, shall be eligible for membership provided that he or she is not a member of any political union or of any organization whose policy is inconsistent with that of the Union.

(b) Application for membership shall be made either verbally or in writing to the sub-branch secretary for consideration by the branch Executive Committee. (On enrolment each member shall be supplied with a membership and dues card.)

(c) *Admission Fee.*—Each individual member of the Union shall pay on enrolment an admission fee of Sh. 2 per annum.

(d) *Subsidiary Membership.*—There shall be formed: (1) a Kenya African National Union Parliamentary Group, (2) a Kenya African National Union Youth and Women's Groups which shall be subsidiary organizations of the Union. The rules governing these organizations shall be provided for in Articles 11, 12 and 13 of this Constitution.

(e) *Resignation.*—The resignation of any member from the Union or from any of its subsidiary organization shall take effect from the moment the letter of resignation has been delivered to the party office concerned. A member who has resigned will not be entitled to a refund of any subscriptions which may have been paid in advance.

(f) Any Kenya citizen qualified under Rule 3 (a) to become a member of the Union shall, if he desires to become a Life Member, pay a fee of Sh. 1,000. Such member will be issued with a Life Membership Certificate duly signed by the President and a Life Membership Card and Badge. Life Members who fail to comply with Party policies and general directives shall be brought before the National Executive Committee for such disciplinary action as the Committee may see fit.

4. NATIONAL OFFICIALS

(a) The Union shall have the following elected officials:—

- (i) President.
- (ii) Vice-President.
- (iii) Secretary-General.
- (iv) National Chairman.
- (v) Assistant Secretary-General.
- (vi) National Treasurer.
- (vii) Assistant National Treasurer.
- (viii) National Organizing Secretary.
- (ix) Assistant National Organizing Secretary.

(b) All these office-bearers shall be elected at an Annual Delegates Conference by secret ballot. They shall hold office for two years and shall be eligible for re-election at the expiry of their term of office.

(c) The President shall in consultation with the National Executive Committee appoint full-time officers for all the departments of the Union as provided for in the chart appended to this constitution.

(d) DUTIES OF NATIONAL OFFICERS

- (i) *President*.—He shall be elected by the Annual Delegates Conference. He shall be the head of the Union. He shall ensure discipline and proper order in the Union. The President shall be empowered to suspend any member of the Union providing that such suspension by the President shall be ratified by the National Governing Council within three months, failing which such suspension shall lapse. The President shall have full authority over the entire organiza-

tion, i.e. the Union's Parliamentary Group, Branches, Youth and Women's Groups and their respective officials and ensure discipline subject only to ratification by the National Governing Council. He shall in all respects assume leadership of the Union, symbolize its unity, and be the Union's national and international spokesman. He shall ensure adherence to Union policy by all officials, members, the Parliamentary Group, and shall be empowered to discipline and suspend from office any person or groups of persons who act or speak contrary to Union policy.

The President shall be the leader of the Parliamentary Group as well as the leader of Government when the party is in power.

- (ii) *Vice-President*.—The Party shall have one Vice-President elected at the Annual Delegates Conference for a term of two years. He shall act as Chairman of various Standing Committees set up by the National Governing Council or the National Executive Committee. He shall further the Party programme and policy under the President's directions in the Republic and help to create the spirit of national unity.
- (iii) *Secretary-General*.—He shall be elected at the Annual Delegates Conference. He shall be responsible for all Union affairs and Secretariat under the direction of the President and the National Executive Committee. He shall ensure that meetings of the National Executive Committee and the National Governing Council take place as prescribed by the Constitution and at such times as may be decided by the President. He shall keep or cause to be kept a proper record of minutes of all meetings of the National Executive Committee, National Governing Council and Annual Delegates Conference and ensure the distribution of such minutes to persons or branches concerned.
- (iv) *The National Chairman*.—He shall be elected at the Annual Delegates Conference. The National Chairman will preside over the National Executive Committee and any other Party functions in the absence of the President and Vice-President.

- (v) *Assistant Secretary-General*.—He shall be available for such duties as may be prescribed for him by the President or the Secretary-General. He shall assume the responsibilities of the Secretary-General in the latter's absence, and assist him in his duties.
- (vi) *National Treasurer*.—He shall be in charge of the Union's financial offices and supervise branch financial transactions under the direction of the President, the National Executive Committee and the National Governing Council. He shall prepare and submit to the National Governing Council a financial statement every quarter of the year, and shall ensure that the Annual Statement of Accounts, duly audited, is circulated to all delegates at the same time as the notice convening the Annual Delegates Conference are sent out.
- (vii) *Assistant National Treasurer*.—He shall undertake the duties of the National Treasurer in the latter's absence, and generally assist in such matters as are prescribed by the National Treasurer or the President.
- (viii) *National Organizing Secretary*.—He shall supervise the work of the Director of Organization and through him ensure the proper effective functioning of all District Organizing Secretaries. He shall also supervise the work of the Department of Youth and Women's affairs. He shall prepare and report on progress in the organization of the Party at every meeting of the National Governing Council.
- (ix) *Assistant National Organizing Secretary*.—He shall perform such duties as are allocated to him by the National Organizing Secretary with the approval of the National Executive Committee. He shall undertake the National Organizing Secretary's duties in the latter's absence.
- (e) No National office-bearer elected at the Annual Delegates Conference shall hold at the same time an office in any branch, sub-branch or subsidiary organization of the Union.
- (f) Any of the elected officers may be employed on a full time basis at a salary to be decided by the National Executive Committee.

COMPONENT PARTS OF THE UNION

5. NATIONAL EXECUTIVE COMMITTEE

(a) The National Executive Committee of the Union shall be composed as follows:—

- (i) All officials elected at the Annual Delegates Conference.
- (ii) Two members from each province duly elected at the Provincial Conference.
- (iii) Two members duly elected by the National Governing Council.
- (iv) The Whip and Secretary of Parliamentary Group.

(b) The National Executive Committee shall have the following functions:—

- (i) It shall act as the Executive body of the National Governing Council and the Annual Delegates Conference and shall ensure that all decisions and policies made are duly carried out.
- (ii) It shall supervise the administrative machinery of the Union at all levels and shall take such measures as it deems necessary to enforce decisions and programmes of the Union as laid down by the National Governing Council and the Delegates Conference.
- (iii) It shall meet at least once every month. In the event of an emergency, it shall assume full responsibility for the Union, and shall report to the National Governing Council as soon as possible.
- (iv) It shall work in close liaison with the Parliamentary Group and ensure that party policies are adhered to in Parliament.
- (v) It shall report its activities to the plenary session of the National Governing Council.
- (vi) The National Executive Committee may suspend one of its own members or ratify any suspension already ordered by the President of any Union official for misconduct, contravention of the Union's code of discipline, or failure to uphold policy pending decision by the National Governing Council whose decision shall be final.

6. THE NATIONAL GOVERNING COUNCIL

(a) The National Governing Council of the Union shall consist of:—

- (i) All officials elected at the Annual Delegates Conference.
- (ii) Two representatives elected by each District Executive Committee.
- (iii) One representative of the K.A.N.U. Parliamentary Group from each province elected by the elected members from that province.
- (iv) The Chief Whip and officials of the K.A.N.U. Parliamentary Group.
- (v) Two members duly elected by each province at the Provincial Conference.

(b) The Governing Council shall have the following functions:—

- (i) To carry out the policy and programme of the Union as laid down at the Annual Delegates Conference and/or Special Delegates Conference.
- (ii) To ensure proper organization and discipline of all the branches of the Union.
- (iii) To enforce the Constitution and Rules, Standing Orders and By-laws of the Union, and to take any other action that it deems necessary for such purpose whether by way of suspension for any period or by expulsion of any member from the Union.
- (iv) To initiate and undertake all such activities as may further the aims and objectives of the Union.
- (v) To select candidates for Central and Local Government elections from lists or panels of names submitted by the constituencies concerned.
- (vi) To elect committees that will scrutinize and report on policies to be implemented by the departments of the Union as shown in the Chart.
- (vii) The National Governing Council shall delegate to the National Executive Committee such powers as may be

required to set up specialized departments and other advisory bodies at the Secretariat as may be required to carry out aims and objectives of the Union.

- (viii) Any vacancy occurring in the National Governing Council during the course of the year may be filled by nomination by the National Governing Council in the case of National officers and by branches in case of branch representatives and by election by the Elected Members of the provinces concerned in the case of representatives of the K.A.N.U. Parliamentary Group, and such persons shall fill the said post or vacancy until the next Annual Delegates Conference.
- (ix) The National Governing Council shall meet in plenary session every three months.
- (x) Emergency meetings of the National Governing Council shall be convened as thought fit by the President or National Executive Committee or by written request made by 12 branches of the Union.
- (xi) The National Governing Council shall have power to make by-laws which are not inconsistent with the Constitution and Rules of the Union.
- (xii) The National Governing Council shall ensure that the National Treasurer prepares and submits a financial statement which has been circulated to all the members of the Council every three months, and that all branches submit a monthly financial report to the Headquarters of the Union.

7. DELEGATES CONFERENCES

(a) There shall be two classes of delegates conferences—an Annual Delegates Conference and a Special Delegates Conference.

(b) In each case the composition of a delegates conference shall be as follows:—

- (i) Members of the National Executive Committee.
- (ii) All K.A.N.U. members of the National Assembly.
- (iii) Twelve members from each District Branch of the Party.
- (iv) Six delegates duly elected by each Sub-branch.

ANNUAL DELEGATES CONFERENCE

(c) The Annual Delegates Conference shall be held each year at a place and date which shall be decided by the National Executive Committee.

(d) Notices in writing of such Annual Delegates Conference, accompanied by the Annual Statement of Accounts and the Agenda for the meeting, shall be sent by the Secretary-General to all branches and persons entitled to attend the conference where practicable not later than 21 days before the date of the conference, and by Press advertisement not less than 14 days before date of the conference.

(e) The Agenda for the Annual Delegates Conference shall consist of the following:—

- (i) Confirmation of Minutes of the Previous Annual Delegates Conference and matters arising therefrom.
- (ii) Report of Secretary-General and matters arising.
- (iii) Report of National Treasurer and Statement of Accounts duly audited.
- (iv) Resolutions.
- (v) Election of Office-bearers.
- (vi) Election of a qualified Auditor or firm of Auditors who may not be members of the Union.
- (vii) Such other matters as the National Executive Committee may decide or as to which notice shall have been given in writing by a Branch to the Secretary-General at least two weeks before the date of the conference.
- (viii) Any other business with the approval of the President.

SPECIAL DELEGATES CONFERENCE

(f) A Special Delegates Conference may be called for any specific purpose by the National Governing Council or the National Committee. Notice in writing of such meeting shall be sent to all branches not less than fourteen days before the date of such meeting. The conference shall not discuss any other matter other than that for which it has been convened unless the meeting so decides. The composition of a Special Delegates Conference shall be the same as that for an Annual Delegates Conference.

8. BRANCH DISTRICT ORGANIZATION

(a) The Branch shall be organized on the basis of the Administrative district and one for the Nairobi Area.

(b) Each Branch shall be controlled by a District Executive Committee which shall consist of:—

(i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and Organizing Secretary.

(ii) A District Executive Officer who shall be appointed by the President in consultation with the District Executive Committee.

(iii) One member elected from each Location/Ward Committee.

(iv) Two representatives each of the Youth and Women's Groups.

(c) The General Meeting of the Branch shall be held annually and shall elect the office-bearers of the Branch. The General Meeting shall be convened by the District Executive Committee not later than 31st July, and all elections shall be by secret ballot. The General Meeting shall consist of:—

(i) Office-bearers of the Branch, including the District Executive Officer.

(ii) 100 delegates from each Sub-branch elected at a General Meeting.

(d) The Agenda of the General Meeting shall include:—

(i) Minutes of the last General Meeting and matters arising therefrom.

(ii) Report by the Treasurer together with an Audited Statement of Accounts.

(iii) Election of Office-bearers.

(iv) Election of an Auditor or firm of Auditors who need not be members of the Union.

(e) Duties of the District Executive Committee shall be:—

(i) To carry out propaganda and organization work among the people in order to realize the aims, objectives and policies and programmes of the Union.

(ii) To promote political and general education amongst the people.

- (iii) To recruit new members to the Union.
- (iv) To represent the views and interests of the members in the Branch to the National Governing Council.
- (v) To foster amongst the people a spirit of self-reliance and self-help and to encourage them to organize collectively for the task of nation building.
- (vi) To ensure discipline and adherence to Union policies and programmes among individual party members and the Women and Youth groups. The District Executive is empowered to suspend any member, and order an investigation, into any of its subsidiary organizations. A report of such suspension shall be submitted to the President within one week of the suspension, and the President, in consultation with the National Executive Committee, shall either ratify or set aside such suspension. Such suspension shall be effective until such time as the National Governing Council ratifies or sets aside the suspension, and the member concerned shall be entitled to appear before the National Governing Council. If the National Governing Council ratifies the suspension or if no appeal is lodged within six months of the President's order of suspension, such member shall be deemed to have been expelled from the Union.
- (vii) The District Executive Officer shall also be the Union's Revenue Officer in the district. He shall supervise and co-ordinate the activities of the Union and all revenue collectors in the District. All monies paid to or accruing to the Union shall be paid to him. He shall remit all such monies to the National Treasurer and the Branch Treasurer according to the percentages set out in article 19 (c) of the Constitution. The District Executive Officer shall assist in the preparation of a full Statement of Accounts to the National Treasurer every three months or as often as may be demanded.
- (viii) The Treasurer shall take charge of and supervise all Branch expenditure. He shall keep a proper record of expenditure of all monies remitted to him.

9. SUB-BRANCH/CONSTITUENCY

(a) Each District shall in the interest of efficient organization be subdivided into sub-branches, organized on the basis of the consti-

tencies of the National Assembly throughout the country including townships.

(b) The Sub-branch shall be governed by a Working Committee which shall consist of:—

(i) Chairman, Vice-Chairman, Secretary and Treasurer.

(ii) An Organizer, appointed by the District Executive Officer in consultation with the District Executive Committee, who shall supervise the work of the area party collectors in the Sub-branch.

(iii) Two representatives from each of the Women and Youth Groups.

(iv) Two representatives from each Location/Ward or Area Committee, elected by the members of the Committees.

(c) (i) The Committee shall hold a meeting annually not later than the 30th June of every year.

(ii) Such meeting shall have the following items on its agenda:—

1. Confirmation of minutes of the last meeting and matters arising therefrom.

2. Statement of Accounts of monies expended, and audited by the District Executive Officer.

3. Election of Sub-branch Office-bearers.

4. Any other business with the consent of the Chairman.

(d) The Meeting shall consist of:—

(i) Office-bearers elected at the last Annual Meeting.

(ii) Twenty delegates from each Location/Ward within the Sub-branch who are elected by the Sub-location/Area Committees.

(iii) The Organizer.

(iv) Five representatives each from Women and Youth Groups in each Location/Ward.

(e) Duties of the Sub-branch Committees shall be:—

(i) Similar to those of the Branch but at a sub-branch level, except that it shall have no power to suspend any member, but shall report misconduct of any member to the District Chairman who will place the matter before the District Executive Committee.

- (ii) Sub-branches shall have no original powers of expenditure. All monies collected shall be paid by locational collectors direct to the District Executive Officer, and the Sub-branch shall present all their claims for financial assistance to the Executive Committee through the District Treasurer.

10. LOCATION/WARD COMMITTEE

(a) Each Sub-branch shall be divided into Location/Ward or areas based on the administrative Location/Ward in the case of rural areas, and convenient geographical units, i.e. Estates in the case of urban areas. Such division may also be decided by the District Executive Committee.

(b) Each Location/Ward shall be governed by a Location/Ward Working Committee which shall consist of:—

- (i) Chairman, Vice-Chairman, Secretary and Treasurer who shall be the office-bearers.
- (ii) Ten Members elected at the Annual Meetings of all the K.A.N.U. members in the Location/Ward.
- (iii) Election of the Office-bearers and Location/Ward Working Groups.

(c) The Location/Ward shall have its annual meeting not later than the 31st May of each year, and it shall consist of all K.A.N.U. members who have paid up their subscriptions registered in the area. The agenda of each annual meeting shall include:—

- (i) Minutes of the last Location/Area annual meeting and matters arising therefrom.
- (ii) Statement of money expended by the Treasurer, together with statement of remittances to District Headquarters audited by the District Executive Officer.
- (iii) Election of the Office-bearer and Location/Ward Working Committee.
- (iv) Any other business with the permission of the Chairman.

(d) The functions of the Location/Ward Working Committees shall be similar to those of a Sub-branch but at location level. Collections by way of subscriptions, membership dues, etc., must

be forwarded to the District Executive Officer, Location/Ward Committees shall submit their claims for funds to the District Treasurer through their respective sub-branches.

(e) Location/Ward Collectors shall be appointed by the District Treasurer in consultation with the District Executive Officer. Every Collector shall be given a distinctive badge which has been numbered, and which shall be used at all times when he/she is on duty.

SUB-LOCATION COMMITTEE

(f) Each Location shall be divided into Sub-locations based on Administrative Sub-locations in the case of rural areas and in the case of urban areas there shall be no smaller unit than a Ward/Area Committee. Each committee shall be governed by a Sub-location Committee which shall consist of the:—

(i) Chairman, Vice-chairman, Secretary, who shall be office-bearers.

(ii) Ten members elected at the annual meeting, which shall be attended by all members of K.A.N.U. in the Sub-location.

11. K.A.N.U. PARLIAMENTARY GROUP

(a) All Union members in the National Assembly shall belong to the Parliamentary Group.

(b) The group shall be allowed to take into its membership members of the Assembly not originally being members of the Union who accept the Union's whip, policies and programmes. Providing such members shall be required within three months to become members of the Union.

(c) The Parliamentary Group shall be under the direct supervision of the President of the Union who shall report to the National Governing Council and the National Executive Committee on the activities, and general conduct of the Parliamentary Group.

(d) The Parliamentary Group shall be responsible for tactics, and programmes within Parliament, but shall have no power to initiate new policy. It shall consult closely and regularly with the National Governing Council.

(e) It shall be based on discipline under the whip, and any member or members may be expelled by the President or the National Executive Committee for any disregard of policy. There shall be an appeal to the National Governing Council whose decision shall be final.

(f) It shall follow a cabinet system in which Ministers or Shadow Ministers shall be appointed by the President of the Union.

(g) When in opposition its "shadow cabinet" shall be vigilant, active and constructive.

(h) Members of the group including Ministers may be required from time to time to pay a levy fixed by the National Executive Committee.

12. K.A.N.U. YOUTH GROUP

(a) The group shall consist of Union members who have attained the age of 18 but who have not attained the age of 35. Application for membership shall be made verbally or in writing to the Sub-branch Secretary or to the District Secretary. On enrolment each member shall be supplied with a Youth Group Card and badge.

(b) Every member of the Youth Group shall pay a fee of Sh. 2 per annum.

(c) While retaining a measure of self-identity, the organization of the K.A.N.U. Youth Group shall be an integral part of the Party and amenable to the Union's control and discipline at Sub-location, Location/Ward and District level.

(d) Sub-location/Area Youth Group Committees and office-bearers shall be elected at the Annual Meeting of K.A.N.U. members of the Sub-location/Area. Upon completion of the Location/Ward elections of the office-bearers and committee members, the newly elected Chairman shall conduct elections at a meeting of all Youth Group members in the Sub-locations/Areas.

(e) The Youth Group Location/Ward committees shall consist of:—

(i) Chairman, Secretary, and Organizing Secretary.

(ii) Ten members.

- (iii) The Location/Ward Party Organizer and two members elected by the Sub-location/Area Working Committees who shall be *ex officio* members.

Office-bearers and members (i) and (ii) above shall be elected by all the Youth Group members in the Sub-location/Area.

(f) At the time of the Sub-branch elections, Youth Group Location/Ward Committees in the Sub-branch shall convene a meeting to elect two representatives to the Sub-branch Committee.

(g) The District Executive Committees shall within one month of its Annual General Meeting convene a District Youth Group Meeting which shall consist of:—

- (i) Office-bearers and committee members of the District Youth Group Organization.
- (ii) Six delegates elected by Location/Ward Youth Group Committees.
- (iii) The Chairman of the Branch and six other members elected by the District Executive Committee.
- (iv) The District Executive Officer.

(h) At its Annual Meeting the District Youth Group shall have the following agenda:—

- (i) Election of the District Leader, Secretary and Organizing Secretary.
- (ii) Election of one member from each Location/Ward to sit on the District Committee.
- (iii) Minutes of the last annual group meeting and matters arising therefrom.
- (iv) Problems confronting the youth in the district.
- (v) Programmes for self-help and voluntary group activities.
- (vi) Any other business with the permission of the Leader.
- (i) The group shall have the following functions:—
 - (i) To work in closest co-operation with Branch, Sub-branch, Locational/Ward Committees to ensure the success of the policy and programme of the Union.

- (ii) They shall have no original powers of expenditure, but shall be given funds by the Branches in order to enable them to fulfil their duties.
- (iii) They shall organize self-help, voluntary work, youth rallies, sports and organize meetings among youth in the district.
- (j) (i) The President of the Union may from time to time convene a National Convention of Youth over which he shall preside.
 - (ii) Such a convention shall consist of six representatives elected by the District K.A.N.U. Youth Group Committees.
 - (iii) The convention shall discuss such matters as are raised by the District Youth Group Committees and agreed to by the President.

13. K.A.N.U. WOMEN'S GROUP

(a) The membership of the K.A.N.U. Women's Group shall be open to all women who are fully paid up members of K.A.N.U.

(b) The structure and organization of the Women's Group shall be similar in every respect to the provisions for the Youth Groups under Article (12) (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j).

(c) The Women's Group shall have district leaders who will work closely with Community Development Officers so as to assist in organizing women's self-help and voluntary groups. The Women's Groups shall organize seminars, group discussions, literacy groups, women's rallies and other activities intended to create national consciousness among the women of Kenya.

14. INTERNATIONAL RELATIONS

(a) The department concerned with international relations shall scrutinize all matters affecting the Union, i.e. representation abroad, attendance at conferences and receiving of guests to Kenya and place these before the President and the National Executive Committee.

(b) No Union member or official shall visit a foreign country, accept scholarships, funds or any form of assistance, or make any commitments in the name of the Union unless such action has been previously approved by the National Executive Committee and a written authority duly issued by the President.

15. QUORUM

(a) A quorum for the National Executive Committee and the National Governing Council shall be one-half of the membership thereof.

(b) A quorum for all delegates conferences, and all general meetings at the Branch, Sub-branch and Location/Ward levels shall be two-thirds of the persons entitled to attend.

(c) The quorum for meetings of the District Executive Committee, Sub-branch, Location/Ward Working Committee, and all Committees of the Youth and Women Groups shall be one-half of the members entitled to attend.

(d) The quorum for the Parliamentary Group shall be two-thirds of the members thereof.

(e) Should there be insufficient members present to form a quorum at a duly convened meeting, the meeting shall be postponed to the next or any other day when those present shall be empowered to transact the business on the agenda even without a quorum.

16. PRESS AND PUBLICATIONS

(a) The Union may own and operate a printing press, or it may have an interest in or shares in any existing printing press.

(b) The Union may publish its own literature, periodicals, magazines, pamphlets, books, etc.

(c) There shall be a Press and Publicity Relations Committee appointed by the National Executive Committee.

17. AMENDMENT TO THE CONSTITUTION AND RULES

The Constitution and Rules may be amended by a resolution carried by a two-thirds majority vote of members present at any Delegates Conference. Only Union Branches and the National Executive Committee may sponsor resolutions seeking amendments to the Constitution and Rules, for consideration by a Delegates Conference.

18. PROCEDURE OF MEETINGS

(a) At all meetings of the National Executive Committee, the National Governing Council, the Parliamentary Group or a Delegates Conference, the President or in his absence, the Vice-President or the National Chairman shall take the Chair. In the case of Branch, Sub-branch, Location/Ward meetings, the Chairman or in his absence, the Vice-Chairman, or in the absence of either of these officials a member elected by the meeting, shall take the Chair.

(b) The Chairman may at his discretion limit the number of persons permitted to speak in favour of or against a motion, unless a motion against a closure of debate is passed by a two-thirds majority.

(c) Resolutions, unless otherwise stated in this Constitution, shall be decided by simple majority. Voting shall be by show of hands, unless one-fifth of the members present at any meeting request a secret ballot, in which case the Chairman shall order voting by secret ballot.

(d) In the event of an equality of votes at any meeting, the Chairman shall have a casting vote.

19. FINANCE

(a) Each member of the party shall pay his/her entrance or annual subscription to his/her respective Sub-branch organization as it is primarily at the Sub-branch level that members shall enrol.

(b) Each Sub-branch organization of K.A.N.U. shall remit all monies received in membership fees and monthly dues to the branch headquarters. The same ruling applies to Sub-branches/Wards, whenever they receive membership fees or dues.

(c) The branch shall retain 25 per cent of all membership fees and dues received from Sub-branches/Wards and remit 50 per cent to the National Headquarters. All Branch Treasurers shall submit a monthly statement to the National Treasurer not later than the 1st week of the month showing monies received from Sub-branch/Ward, in the District, and the amount remitted to the National Headquarters.

(d) Funds collected at public rallies and meetings shall be treated in the same way as funds received from membership fees and dues, i.e. 25 per cent of all funds collected after paying expenses must be remitted to the National Headquarters of the Union not later than four days after the rally or meeting has been held.

(e) Branches shall ensure that not less than 20 per cent of the money received from any Sub-branch is remitted to cover the expenses in that Sub-branch/Ward.

(f) All monies received by the National/Ward Treasurer, District Branch Treasurer, Sub-branch/Ward Treasurer shall be deposited in a bank or post office savings account approved by the National Executive Committee.

(g) No payment shall be made out of a Bank or Post Office Savings Account without resolution of the National Executive Committee or Working Committee responsible for the account and all cheques or withdrawal forms shall be signed by three office-bearers of the Committee, one of whom shall be the Treasurer, or person authorized to sign in his/her absence.

(h) K.A.N.U. Youth and Women's Group shall adhere to the above procedure in so far as it affects any of their organizations and the Treasurer shall retain an account of all monies expended which shall be checked by the Branch Executive Officer. All monies collected by the Youth Group shall be remitted to the District Branch Treasurer, and the District Executive Committee shall approve a budget and all expenses of the Groups.

(i) The Union's Auditor shall have access to all Union Accounts and resolutions affecting the disbursement of funds. The Union's Auditor/Accountant shall examine the Annual Statement of Accounts prepared by the National Treasurer for the Annual Delegates Conference, and certify the correctness or otherwise of such annual statement.

(j) A copy of the Auditor's Report on the Accounts and statement of accounts prepared by the National Treasurer shall be furnished to all branches, and members of the National Executive Committee, at the same time as the notice convening the Annual Delegates Conference is sent out.

(k) Every Branch shall appoint a qualified Auditor at its Branch Annual General Meeting.

(l) The Branch Auditor shall have access to all Branch accounts and shall audit the annual statement of accounts prepared by the Branch Treasurer. A copy of the Branch Accounts duly audited shall be sent to every member entitled to attend the Branch Annual General Meeting, and three copies shall in addition be forwarded to the National Headquarters of the Union.

(m) The National Executive Committee shall appoint an Inspector of Books who shall audit, or cause to be audited, the accounts of all Sub-branch/Ward organizations. The Inspector of Books, or a person authorized by him in writing shall have access to all Union accounts at all levels.

(n) The National Executive Committee shall be empowered to suspend any member of the Union, or any office-bearer who—

(i) is guilty of misappropriation of funds;

(ii) consistently ignores directives contained in this constitution, or in any rules made by the National Governing Council, for the proper management of the Union's finances whether at the National, Branch, Sub-branch or Sub-location/Area levels.

Such suspension shall remain in force until the next meeting of the Governing Council which shall either set aside the suspension or dismiss the person or persons concerned. The National Executive Committee may further suspend an individual or office-bearer pending investigation into any suspected fraud conducted by the Inspector of Books or any of the Union's auditors.

(o) The funds of the Union shall be used in furtherance of the aims and objectives of the Union.

(p) The Union shall be free to accept donations in cash or kind from any lawful source.

(q) The National Executive Committee shall ensure that a statement of account is prepared quarterly for presentation to the National Governing Council.

(r) A sum agreed by the National Executive Committee, the Branch Executive Committee, the Sub-branch Executive Committee, Working Committee may be kept by the respective treasurers as petty cash, for which proper accounts shall be kept duly vouched by two persons other than the treasurer.

20. PROCEDURES FOR ELECTION OF PARTY CANDIDATES

(a) Candidates in respect of Local Government Elections

(1) Any member of Kenya African National Union wishing to stand as a candidate for the Local Government Elections must make an application on a prescribed K.A.N.U. Form of application to the District Branch Chairman of the Kenya African National Union. Such Form will include—

- (i) name of the candidate and Party;
- (ii) the voter's registration number of the applicant;
- (iii) the applicant's membership number;
- (iv) the name of the Sub-branch to which the applicant belongs:

Provided that a member may not present himself for nomination as a candidate if he has been a member of the defunct Kenya People's Union who has been detained for subversive activities against the Government of Kenya unless—

- (i) he has been a member of Kenya African National Union for a period of three years since his release from detention; and
- (ii) he has since his release from detention fully identified himself with the policies and programmes of development of the Government and Kenya African National Union, and Kenya African National Union Headquarters will be responsible for deciding whether or not such a member satisfies the above conditions.

(2) The Returning Officer shall supply all applicants with K.A.N.U. application forms and pledges of loyalty. Each applicant should submit one completed copy of the forms to the Branch Chairman in accordance with Rule 1, one to K.A.N.U. Headquarters, one to the Returning Officer in accordance with rules 3 and 5.

(3) Before the day fixed for nomination at the Preliminary Election and on production of a copy of the completed K.A.N.U. Forms of application, and the signed pledge of loyalty, the person wishing to stand must deposit with the Returning Officer a sum of two hundred shillings which is non-refundable. The sum shall be held on deposit for Kenya African National Union by the Returning Officer.

(4) The Party will pay a deposit required for nomination at a Local Government Election on behalf of the successful candidate at the Preliminary Election.

(5) Every Kenya African National Union candidate at a Preliminary Election for the Local Government shall sign the following Pledge of Loyalty which shall be forwarded together with the deposit fee mentioned in paragraph 3 of this rule:—

PLEDGE OF LOYALTY

I wishing to stand as a candidate for K.A.N.U. at the forthcoming Local Government Election do hereby pledge that—

- (i) I will at all times be loyal to the President of the Party and to its Leadership;
- (ii) I will at all times give my full support to the Constitution of the Party and Principles of Unity of all tribes and peoples of Kenya;
- (iii) I will at all times give my unqualified support to the Manifesto of K.A.N.U. and the Policies and Programmes of development of K.A.N.U. Government; and
- (iv) I will adhere at all times to the Constitution of the Republic of Kenya.

Signed
Candidate.

Witnessed by

(b) Candidate in respect of National Assembly Election

(1) Any member of Kenya African National Union wishing to stand as a candidate for the National Assembly Elections must make an application on a prescribed K.A.N.U. Form of application to the President of the Party. Such Form will include—

- (i) name of the candidate and Party;
- (ii) the voter's registration number of the applicant;
- (iii) the applicant's membership number;
- (iv) the name of the Sub-branch to which the applicant belongs:

Provided that a member may not present himself for nomination as a candidate if he—

- (i) is not a fully paid up member of the Party;
- (ii) has been a member of any other Political Party within the period of six months immediately preceding the day of nomination for the Preliminary Election, provided that the President may exempt any member from the requirement of this sub-paragraph;
- (iii) has been a member of the defunct Kenya People's Union who has been detained for subversive activities against the Government of Kenya—
 - (a) unless he has been a member of the Kenya African National Union for a period of three years since the date of his release from detention and,
 - (b) he has since his release from detention fully identified himself with the policies and programmes of development of the Government and Kenya African National Union;
- (iv) has been an employee of the Government of the Republic of Kenya; a local authority or a statutory board or quasi-government body two months immediately preceding the date of nomination for the Preliminary Election, are in the case of candidates at the General Election of 1974, has been such an employee and has not resigned his appointment before 1st July, 1974;
- (v) holds any office sponsored by the Party.

(2) The Returning Officer shall supply all applicants with K.A.N.U. application forms and pledges of loyalty. Each applicant

should submit one completed copy of the forms to the National Organizing Secretary in accordance with paragraph 1, one to National Treasurer in accordance with paragraph 3.

(3) Before the day fixed for nomination at the Preliminary Election and on production of a copy of the completed K.A.N.U. forms of application and the signed pledge of loyalty, the person wishing to stand must deposit with the National Treasurer a sum of one thousand shillings which is non-refundable.

(4) The Party will pay a deposit required for nomination at a Parliamentary Election on behalf of the successful candidate at the Preliminary Election.

(5) Every Kenya African National Union candidate at a Preliminary Election for the National Assembly shall sign the following Pledge of Loyalty which shall be forwarded together with the deposit fee mentioned in paragraph 3.

PLEDGE OF LOYALTY

I wishing to seek the nomination of Kenya African National Union as a candidate in the forthcoming Parliamentary Election for the Constituency, hereby make a solemn pledge that, if I am elected a member of the National Assembly and so long as I continue as such member on behalf of the Kenya African National Union, I will—

(a) remain loyal to the President and the Party;

(b) give my full support to the Constitution and Manifesto of the Union and the unity of all the citizens of Kenya;

(c) give my full support to the policies of the Kanu Government; and

(d) in all things adhere to the Constitution of the Republic of Kenya.

AND I undertake to make this pledge public in the said Constituency.

Dated day of, 19.....

Signed

Candidate

Witness

21. TRUSTEES

(a) All land, building and other immovable property, investment and securities which are acquired by the Union shall be vested in the names of five Trustees elected at the Annual Delegates Conference.

(b) Trustees shall be appointed for a period of four years and shall not be removed from office except for the following reasons—

(i) voluntary resignation in writing;

(ii) becomes bankrupt; or

(iii) so conducts himself that a motion calling for his removal is passed by a two-thirds majority votes of the National Governing Council.

(c) The quorum necessary to transact business of the Trustees shall be three trustees personally present.

(d) The Trustees may sue and be sued in their capacity as Trustees of the Union.

(e) The Trustees shall collect, repair and lease the properties and submit their annual report and accounts to the National Executive Committee under the Trust Act.

(f) The Trustees shall have power to sell, purchase and/or transfer any immovable properties of the Union and cause monies belonging to the Union to be invested in or used for or exchanged for the purchase of such bonds, mortgages, shares and other forms of investment as deemed fit with the written approval of the National Committee.

(g) The Trustees shall pay all income received from property invested in the trustees to the National Treasurer of the Union.

(h) Branches shall appoint not more than three trustees at their Annual General Meeting and such trustees shall be liable to the same conditions as applicable to the trustees elected at the Union's Delegates Conference.

(i) Trustees shall be eligible for re-election on the expiry of their term of office.

22. DISCIPLINE

(a) The President of the Union shall be empowered to suspend any member or office-bearer of the Union for misconduct or breach of the constitution, and such suspension shall prevail until such time as the National Governing Council either sets aside or ratifies the suspension, in which latter case the person concerned shall be expelled.

(b) The District/Branch Executive Committee shall have power to suspend any member or office-bearer in the District, including an office-bearer of a Sub-branch. Such suspension shall be reported to the National Executive Committee which shall either ratify or set aside the suspension. Should the National Executive Committee ratify the suspension, the matter will be placed before the next meeting of the National Governing Council whose decision shall be final.

(c) The President may at any time, in consultation with the National Executive Committee appoint a commission to investigate the affairs of any Branch, Sub-branch, Location or Sub-location/Ward Committee. The President may act on any decisions reached by the commission, and such decision shall stand until such time as the National Governing Council shall either ratify, modify, or set aside such decision.

(d) The President shall with the approval of the National Executive Committee dissolve any Branch, Sub-branch, Location, Sub-location Youth or Women's Group Committees, and order fresh elections to such Committee, if he and the National Executive Committee consider the activities of any such Committees detrimental to the interests, aims and objectives of the Union.

23. DISSOLUTION

(a) The Union may, by a resolution passed by two-thirds majority of members at a Special Delegates Conference, called expressly for the purpose of dissolution, resolve that it be dissolved. In the case of dissolution, all properties and funds of the Union after meeting all liabilities shall be distributed in such manner as shall be determined by the Conference at which the resolution favouring dissolution is passed.

(b) The Location/Ward, Sub-branch/Area or Branch components of the Union can be dissolved if a resolution favouring dissolution is passed at their Annual General Meeting by a two-thirds majority. In the event of a resolution calling for dissolution of a Location/Ward, Sub-branch/Area or Branch of the Union is passed, all properties and funds of the body being dissolved shall firstly be utilized towards meeting liabilities outstanding as at the date of dissolution, and the balance if any shall be sent to the National Treasurer of the Union.

24. INTERPRETATION

In this constitution, unless otherwise required by the context:—

- (a) “Union” shall mean the Kenya African National Union.
- (b) “Location/Ward Committee” shall mean committee elected by Union members of an administrative location or Ward, or any area agreed to by the Branch Executive Committee in the case of urban areas.
- (c) “Sub-branch” shall mean the National Assembly Constituency Area.
- (d) “Branch Executive Committee” shall also mean a “District Executive Committee”, as the area comprising a Branch shall be the same as an administrative District.

“UHURU NA KAZI”

KANU YAJENGA NCHI