

CONSTITUTION

PARLIAMENT
OF KENYA
LIBRARY

OF THE

SHIRIKISHO PARTY OF KENYA
(S.P.K.)

NATIONAL ASSEMBLY LIBRARY
ACCESSION No. _____
DATE _____

UHURU, UMOJA NA HAKI

PARLIAMENTARY LIBRARY
ACQUISITION No. _____
REGISTRATION _____

CONSTITUTION OF
THE SHIRIKISHO PARTY OF KENYA
(S.P.K)



1. **NAME:** The name of the party shall be **SHIRIKISHO PARTY OF KENYA (S.P.K)** herein referred to as the Party.
2. **PREAMBLE:** Let all men of goodwill and understanding know that the dignity of man lies in the struggle for the liberation of the body, mind and soul from any form of domination, be it political, economical or social”
3. **AIMS AND OBJECTIVES**
 - (a.) To operate as a political party geared towards the creation of a just Federal Democratic Government in accordance with the Constitution of Republic of Kenya.
 - (b.) To strive for the creation of a Kenya Federal State with a view of giving the Various communities an equitable access to their natural resources and other economic facilities for the purpose of creating wealth for the people of the regions.
 - (c.) To endorse, defend and promote all statues and principles upholding human rights, civil liberties, essentials freedoms, the rights of individuals and Communities.
 - (d.) To work towards Federal Unity of the Nation on the basis of equality in the distribution of opportunities.
 - (e.) To respect the rule of the law and the maintenance of an impartial, independent and just judiciary.
 - (f.) To serve as an organ for review, reform and the removal of all oppressive laws such as the Public Order Act, Public Security Act and the Chief’s Authority Act.
 - (g.) To promote all democratic practices and institutions with a view to safeguard the interest of trade unions, pressure groups and welfare associations as pillars of democracy in Kenya.
 - (h.) To enhance the provision of health, social and welfare services in order to raise the standards of living of the people.

- (i.) To work for the fair distribution of land as a major resource and factor of production among the people of the regions.
- (j.) To encourage the growth of the co-operative movements.
- (k.) To deliberately strive towards assisting the common man in the village with technical expertise and funds for the purpose of running viable economic activities in order to generate some income for running their daily lives.
- (l.) To develop all the arable agricultural land for the purpose of enhancing food production.
- (m.) To interrogate our positive cultural values in all spheres of our development and guarantee freedom of worship.
- (n.) To ensure quality education is made available to all children at all levels without discrimination.
- (o.) To promote social justice by maintaining a market economy and sound investment and economic policies that will ensure investment and economic policies that will ensure both economic and social growth.
- (p.) To take part in the activities and forums of the United Nations, Organisation of African Unity, Regional and other International Organizations.
- (q.) To support all our cultural and sporting activities in the regions in order to promote the talents of Kenyans in those fields of endeavour locally and international.
- (r.) To strengthen Regional Assemblies, the Executive and the Judiciary in our bid to promote democracy and fairness to all.
- (s.) To nominate and field candidates for the Presidential, National and Regional Assemblies and Civic elections throughout the country.
- (t.) To ensure that the youth and Women are involved in the party activities at all levels.
- (u.) To make education and employment opportunities accessible to the disabled and those who are mentally retarded.
- (v.) To protect the environment, flora and fauna from degradation and employ sound population policies for smooth allocation of resources.

- (w.) To uphold the international bill of Human and people's rights and the convention against torture and other cruel, inhuman or degrading treatment to ensure that the government of the day complies with its obligations and gives reports on human rights practices and abuses.
- (x.) To strive to bring development to the regions by improving on the infrastructure, putting in place a food program for all through local and international donor agencies and by ensuring that everyone working in the regions contributes to the development programs of those regions.
- (x.) To fairly and permanently solve the squatter problem all over the country and to organise public meetings and rallies for political education
- (Z.) To create a University at least in every region of Kenya and to organise seminars, study groups workshops and other forms of forums.

4. MEMBERSHIP RIGHTS AND OBLIGATIONS

- (a.) Any citizen of Kenya who has attained the age of eighteen (18) years or is above this age and does accept the objectives, policies, programs and discipline of the Party shall be eligible for membership provided he / she is not and does not become a member of another party.
- (b.) Each individual member of the party shall on enrolment pay an admission fee of Kshs.20.00 or as may be deemed appropriate by the Party.
- (c.) Any Kenyan citizen qualified under 4 (a) to become a member of the Party, shall if he desires to become a life member, pay a fee of Kshs. 3000.00 such a member will be issued with a life membership certificate duly signed by the party leader / Chairman and will be issued with a life membership card and badge.
- (d.) Each individual member of the Party shall pay to his branch membership fee of Kenya Shillings twenty (Kshs. 20.00) every year or as may be determined by the party from time to time. Only a paid member may attend party meeting and vote and participate in election.
- (e.) DISCIPLINE: National Executive Council may discipline any member for gross misconduct as the council may see fit, after such a member is given a fair and reasonable opportunity to defend himself or herself.

- (f.) **RESIGNATION:** The resignation in writing of any member shall be effective immediately the letter of his resignation has been delivered to the Party Office.

5. **NATIONAL OFFICIALS**

- a.) The Party shall have the following elected National Officials:

- i.) Chairman
- ii.) 1st Deputy Chairman
- iii.) 2nd Deputy Chairman
- iv.) Secretary General
- v.) 1st Deputy Secretary General
- vi.) 2nd Deputy Secretary General
- vii.) National Treasurer
- viii.) 1st Deputy National Treasurer
- ix.) 2nd Deputy National Treasurer
- x.) National Organizing Secretary
- xi.) 1st Deputy National Organizing Secretary
- xii.) 2nd Deputy National Organizing Secretary
- xiii.) Secretary for Legal Affairs
- xiv.) Deputy Secretary for Legal Affairs
- xv.) Secretary of Economic Affairs
- xvi.) Deputy Secretary of Economics Affairs
- xvii.) Secretary for Information and Publicity
- xviii.) Deputy Secretary for Information and Publicity
- xix.) Secretary for Women Affairs
- xx.) 1st Deputy Secretary for Women Affairs
- xxi.) 2nd Deputy Secretary for Women Affairs:- (To assist the Secretary and his/her 1st Deputy.)
- xxii.) Secretary for Youth Affairs
- xxiii.) Deputy Secretary for Youth Affairs
- xxiv.) Secretary for Religious Affairs
- xxv.) Deputy Secretary for Religious Affairs

- xxvi.) Secretary for Labour Affairs and Trade Unions
- xxvii.) Deputy Secretary for Labour Affairs and Trade Unions
- xxviii.) Secretary for Cultural and Social Environmental Affairs
- xxix.) Deputy Secretary for Cultural and Social Environmental Affairs
- xxx.) Secretary for Co-operatives and Land and Settlement Affairs
- xxxi.) Deputy Secretary for Co-operatives and Lands Affairs
- xxxii.) Secretary for Education and Health Affairs
- xxxiii.) Deputy Secretary for Education and Health Affairs.
- xxxiv.) Secretary for Agriculture and Natural Resources
- xxxv.) Deputy Secretary for Agriculture and Natural Resources.

*Secretary for International Relations and Human Rights
 1st Deputy Secretary for International Relations and Human Rights
 2nd Deputy Secretary for International Relations and Human Rights*

- (b.) All these officials shall be elected at the National Annual Delegates Conference by secret ballot. They shall hold office for four years and be eligible for re-election at the expiry of their term of office and
- (c.) There shall be an Executive officer and Deputy Executive officer nominated by the Chairman and appointed by the National Executive council and they shall be answerable to the Secretary General and in addition performance such as may be assigned to them by the National Executive Council.

6. DUTIES OF NATIONAL OFFICIALS:

(i.) **CHAIRMAN:**

He shall be the head of the Party and shall chair all the meetings of the National Executive Council, National Chief Executive Committee and the National Annual Delegates Conference. He shall provide leadership and articulate Party Policies. He shall ensure discipline and proper order in the Party in accordance with his constitution. He shall in all respects, establish unity in the Party and be the Party's spokesman. He shall ensure adherence to party Policy by officials , members and Party Parliamentary Group.

(ii.) **FIRST AND SECOND DEPUTY-CHAIRMAN:**

The First Deputy Chairman shall assist the Chairman and deputize for him in his absence. The second Deputy Chairman will assist both the Chairman and the first Deputy Chairman and perform such duties as may be assigned to him by the National Executive Council.

(iii) **THE SECRETARY GENERAL**

He shall be responsible for all Party Affairs and the Secretariat under the direction of the National Executive Council. He/she shall ensure that meetings, of the National Executive Council, National Chief Executive Committee the General Council, the National & Regional Annual Delegates Conference take place as provided in the Constitution and at such times as may be decided by National and Regional Executive Councils.

He shall take and keep or cause to be kept proper record of minutes of all meetings of National Executive Council, National Chief Executive Committee and the National Annual Delegates Conference and ensure the distribution of such minutes to person, organs or branches concerned. He shall with the approval of the National Executive Council appoint full time officers at the Party's Secretariat (Headquarters).

(iv) **(1ST) DEPUTY SECRETARY GENERAL**

He shall assist the Secretary General in all duties and shall assume all such duties in the latter's absence

(iv) **(2ND) DEPUTY SECRETARY GENERAL:**

He shall assist the Secretariat as directed by Secretary General.

(vi.) **TREASURER**

He shall be in charge of the party's finances and shall supervise branch financial transactions under the direction of the National Executive Council and National

Executive Committee. He shall prepare and submit to the National Executive Council a financial statement every quarter of the year and ensure that duly audited Annual statement of Account is circulated to the branches and to all the delegates at the same time the notice convening the National Annual Delegates Conference is sent out.

(vii.) **1st DEPUTY TREASURER:**

Shall assist the Treasurer in all his functions and in his absence assume his duties.

(viii.) **2nd DEPUTY TREASURER:**

Shall assist the treasurer, and the 1st Deputy treasurer in their absence as assigned or delegated to him /her by the NEC

(IX.) **NATIONAL ORGANIZING SECRETARY**

He shall supervise the organization of the party in particular public meetings organized by the party. Recruitment of members of parliamentary and civic elections. He shall co-ordinate the activities of the Youth, women league and in consultation with the Secretary General supervise the organization of the National Annual Delegates Conference.

(x) **1st DEPUTY ORGANIZING SECRETARY:**

Shall assist the National Organizing Secretary and assume his duties in the latter's absence.

(xi.) **2nd DEPUTY ORGANIZING SECRETARY:**

Shall assist the National Organizing Secretary and perform other duties in their absence as assigned and delegated to him/her by the secretariat and N.E.C

(xii.) **SECRETARY LEGAL AFFAIRS**

Shall be in-charge of all the legal affairs of the party and shall advise party on legal matters and represent the party on legal matters and disputes.

(xxiii.) **THE DEPUTY SECRETARY LEGAL AFFAIRS:**

Shall assist the secretary legal Affairs and deputize for him in his absence.

(xxiv.) **SECRETARY ECONOMIC AFFAIRS:**

Shall be responsible for formulating the party's economic policies and programs.

(xxv.) **DEPUTY SECRETARY ECONOMIC AFFAIRS:**

Shall assist and deputize for the secretary for economic affairs.

(xxvi.) **SECRETARY FOR INFORMATION AND PUBLICITY:**

Shall be responsible for publicity of activities, communication and dissemination on party policies and programs.

(xxvii.) **DEPUTY SECRETARY FOR INFORMATION AND PUBLICITY:**

Shall assist and deputize for the Secretary for Information and Publicity.

(xxviii.) **SECRETARY FOR WOMEN AFFAIRS:**

Shall formulate and co-ordinate suitable policies and programs to ensure full and effective participation of Women in all affairs of National Interest.

(xxix.) **1st DEPUTY SECRETARY FOR WOMEN AFFAIRS:**

Shall assist and deputize for the Secretary for Women Affairs.

(xxx.) **2ND DEPUTY FOR SECRETARY FOR WOMEN AFFAIRS.**

Shall assist the 1st Deputy and other duties as assigned to him by the Secretary.

(xxxi.) **SECRETARY FOR YOUTH AFFAIRS:**

Shall initiate and formulate appropriate policies and programs for the youth with a view to integrate them into meaningful Party activities for the well-being and development of the youth.

(xxxii.) **DEPUTY SECRETARY FOR YOUTH AFFAIRS:**

Shall assist and deputize over the duties of the Secretary for Youth Affairs.

(xxxiii.) (a.) **EXPULSION AND SUSPENSION**

Any member (s) found to be undermining or act in a treasonable manner or sabotaging the party's stability and other mechanisms will be either suspended or expelled pending the merit of misconduct and manner, by the respective level committee subject to final approval and endorsement by the NEC

The Annual National Delegates meeting will be informed procedural for record and confirmation of the same.

The suspended/ expelled member (s) may appeal to the respective level committee for rejoining the party.

(b) **SUSPENSION AND DISMISSAL**

The National Executive Council may suspend or dismiss any office bearer for misconduct after giving the office bearer a chance to defend himself or herself against all allegations levelled against him/her. Such suspension or dismissal shall be subject to review in the next National Delegates Conference.

7. **DECISION MAKING ORGANS:-** These shall be as follows:-

(a) The National Chief Executive Committee is comprised of the National Chairman, 1st Deputy National Chairman, Secretary - GENERAL, 1st Deputy Secretary General, 1st National Organising Secretary, Party's parliamentary Chief Whip, National Treasurer, 1st Deputy National Organising Secretary, and two Portfolio Secretaries. The committee meets at least once (1) every month to streamline and monitor the party's activities, resources, mobilisation, stability, and mechanisms in all Regional management committees, Branches Committees, Sub - Branches Committees, Zones, and Locations/Words - Committees. Whatsoever at other times the second (2nd) Duputies of these respective National officers, may be called to attend such meetings while the Regional Chairman, Secretaries and Treasurers, may attend by special

invitation on account of the party. This Committee is the main stream policy maker and implementor whose endorsement is valid and mandatory to other organisation and party and / or the entire party.

- (b) The National Annual Delegates Conference.
- (c) The General Council.
- (d) The National Executive Council.
- (e) The Regional Annual Delegates Conference

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8. THE NATIONAL ANNUAL DELEGATES CONFERENCE:

(a) The National Annual Delegates Conference shall consist of members of the National Executive Council and delegates made up as follows:-

- (i) Chairman and Secretary of every branch.
- (ii) Ten delegates elected by every branch.
- (iii) Chairman and Secretary of every Sub-branch.
- (iv) All Party members of Parliament.

(b) The National Annual Delegates Conference shall be the highest Party Authority. It shall have the following powers, duties and obligations;

- (i) To approve or disapprove of all the policies of the Party presented by National Executive or delegates on the floor.
- (ii) To receive, study and approve or disapprove of the Annual report and audited accounts of the Party.
- (iii) To appoint an Auditor and fix his remuneration
- (iv) To review, approve or make amendments to the constitution, Party manifesto and rules if need be.
- (v) To appoint various committees which should report to National Executive Council.
- (vi) From time to time receive reports of the Party on its operations through the National Executive Council.

- (vii) To elect from among its members the officers of the Party as set out in Section five (5) of the Constitution.
- (viii) To delegate or Confer any of its powers or duties to the National Executive council save for the powers and duties specified in Section (iv) above.
- (ix) An ordinary session of the National Annual Delegates Conference shall be held after every year at a place and date to be determined by the National Executive Council. The notice for such meeting s shall be sent out by the Secretary General at least four weeks before the date of the meeting.
- (x) The Chairman shall call a special session of the National Annual Delegates Conference upon the decision of the National Executive Councillor if requested in writing by at least one half of the entire delegates Conference. A special session of the National Annual Delegates Conference shall not be invalidated by the absence of the provision of notice in (ix) above.

9. **THE GENERAL COUNCIL**

- (a) The General Council of the Party shall consist of the following members:-
 - (i) All members elected at the National Annual Delegates Conference.
 - (ii) The Parliamentary Chief whip, for the National Assembly.
- (b) The functions and duties of the General Council shall be:-
 - (i) To formulate and review Party policies and
 - (ii) To receive report from the National Executive Council on the operations of the Party and
 - (iii) To direct and supervise the affairs of the Party between sessions of the National Annual Delegates Conference.
- (c) The General Council will meet after every four months.

10. **THE NATIONAL EXECUTIVE COUNCIL**

- (a) The National Executive Council shall consist of:-

- (i) All officials elected at the National Annual Delegates Conference.
- (ii) A member representing each district.
- (iii) The Party's Parliamentary Chief whip.

(b) **FUNCTIONS OF THE NATIONAL EXECUTIVE COUNCIL:**

- (i) To execute all decisions and policies made at the National Annual Delegates Conference through the Secretariat and entire Party machinery.
- (ii) To supervise the Party Machinery at all level and ensure Party programs are enforced.
- (iii) It shall meet at least once after every three months. In emergency situation it will take full responsibility of the party.
- (iv) It shall work closely with Party's Parliamentary Group and ensure Party Policy is followed in Parliament.
- (v) It shall prepare the agenda for the Party's National Annual Delegates Conference.
- (vi) It shall organize and routine the Branch elections and also co-ordinate that of delegates to the National Annual Delegates Conference in the consultation with the regional Executive council.
- (vii) It shall make arrangements for accommodation transport and expenditure of delegates to the National Annual Delegates Conference and the National Executive Council deliberations.
- (viii) It shall report its activities to the plenary session of the National Annual Delegates Conference.
- (ix) To appoint Party representatives or delegates in or to other organizations to which the Party relates in consultation with the Regional Executive Council.
- (x) It shall suspend or dismiss any members or officers of the party as provided for in the constitution. The recommendation of the National Executive Council shall be submitted to the National Delegate Conference where decision shall be final.

- (xi) To operate and determine the manner in which Party accounts and finances are managed at the National level.
 - (xii) To appoint other committees for specified tasks and terms of office including the manner and frequency of reports by or from such committees.
- (c.) The Chairman , First Vice- Chairman , Second Vice-Chairman, Secretary General, National Treasurer, National Organizing Secretary, Secretary of Public Policy and Economic Affairs, Secretary for Information and Publicity, Secretary for constitution and Legal Affairs and the Executive Officer shall be the members of the **management committee** of the Party which shall direct and supervise the day to day activities and affairs of the Party.

11. FINANCE:

- (a) A sound financial position must be maintained by the Party to facilitate the ease with which Party activities must run. Below here are some of the sources of funds.
 - 1. Membership fees
 - 2. Grants, Subventions, donations, Legacies accepted by the National Executive Council on behalf of the Party.
 - 3. Net Income from publications and
 - 4. Revenue from capital investments.
- (b.) The party and bodies created by it may not incur expenditures in excess of the funds at their disposal except by resolution of the National Executive Council.
- (c.) The financial year shall be the calendar year.
- (d.) The National Executive Council shall establish rules governing the collection, keeping and expenditure of finance.

12. **AUDITOR:**

During the National Annual Delegates conference the Delegates will appoint an auditor who shall have access to all Party Accounts records and documents any time. The treasurer shall be expected to produce and submit audited accounts made up to a date which shall not be less than five weeks and not more than two months before the date of the National Annual Delegates Conference.

- (b.) The auditor will receive an honorarium.

13. **ALLOWANCES**

Delegates and officials shall be entitled to allowances worked out and approved by the National Executive Council on specified assignments.

14. **BRANCH ORGANIZATION**

- (a.) The branch shall form the basic organization of the Party and shall be formed on the basis of the administrative district.
- (b.) Each Branch shall have a Branch Executive Committee which will be in-charge of the branch. This branch shall consist of the following officials:
- (i.) Chairman Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Vice-Treasurer, Organizing Secretary, Assistant Organizing Secretary, Branch Youth leader and Branch Women Leader. Sixteen committee members of whom at least three shall be Women and three youths.
 - (ii.) The Executive Secretary appointed by the Branch Executive Committee
 - (iii.) The Party members of the National Assembly from the Branch.
- (c.) The branch officials of the party shall hold office in the sub-branch at lower echelons of the party and shall even hold office at the National level once so elected during the Annual delegates conference.

(d.) The Branch officials and Branch Executive committee members shall hold office for five years. They shall be eligible for re-election. The Branch Annual General consist of:-

- (i.) Officials and members of the Branch Executive Committee
- (ii.) Officials of all sub-branches in the district
- (iii.) Sixteen delegates elected from each sub-branch of whom at least three shall be women and three youths and
- (iv.) All sub-branch delegates to the National Annual Delegates Conference.

(e.) Duties of the Branch Executive shall be:-

- (i.) To carry out Party activities among the people in order to realize the aims, objectives, policies and programs of the Party.
- (ii.) To enhance political awareness of the people through education.
- (iii.) To carry out Party decisions and directions.
- (iv.) To reinforce discipline and adherence to party policies and programs among individual party members.

(f.) Duties of Branch Annual General Meeting shall include:-

- (i) To direct and supervise the Branch Executive Committee.
- (ii) To elect delegates to the National Annual Delegates Conference of whom at least three shall be women and three youths.

15. **SUB-BRANCH (ADMINISTRATIVE DIVISION)**

(a) Each Branch shall be sub-divided into sub-branches organised on the basis of parliamentary constituencies. Each National university shall constitute a sub-branch.

(b) The Sub-branch shall have an Executive Committee which shall consist of :-

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Organising Secretary, Assistant Organising secretary, Sub-Branch youth leader and Sub-Branch women leader.

- (ii) Sixteen committee members of whom at least three shall be women and three youths.
 - (iii) The member of Parliament if he is a member of the Party.
 - (iv) Councillors who are Party members
 - (v) Sub-Branch delegates to the National Annual Delegates Conference.
 - (vi) The elected official in (i) above shall form the Executive committee.
- (c.) The sub-branch officials of the party shall hold office at the same time in the sub branch or lower echelons of the party, and shall even hold office at the National level once so elected during the special or Annual National Delegates conference.
- (d) The Sub-branch officials and the members of the Executive committee shall hold office for four years. They shall be eligible for re-election. The Sub-Branch Annual General Meeting shall consist of:-
- (i) Officials and members of the Sub-Branch Executive committee.
 - (ii) Officials of all Zonal committees within the Sub-branch
 - (iii) Sixteen delegates from each Zone of whom at least three shall be women and three youths.
- (e.) The duties of the Sub-Branch shall be to direct and supervise the Sub-Branch Executive Committee and to elect Delegates to the National Annual Delegates Conference of whom at least three shall be women and three Youths.

16. Z O N E

- (a) Each Sub-branch will be sub-divided into Zones, Each Zone will encompass three locations or three wards or two locations or two wards. In future this should be the constituency.
- (b) Each zone should be under a Zonal Executive Committee which shall have;

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Organising Secretary, Assistant Organising Secretary, Zonal Youth Leader and Zonal Women Leader.
- (ii) The Councillors who are Party Members in the locations or wards of the Zone are members of the committee.
- (iii) Sixteen members of whom at least three will be women and three Youths.
- (iv) The officials in (i.) above will form the Executive Committee.
- (c.) Zonal officials are not forbidden to hold party office in the location or ward sub location or village.
- (d.) Duties of the Zonal committee shall be to supervise the Zonal activities and to elect delegates to the sub-branch using the same procedure as in the sub-branch.

17. **LOCATION/WARD.**

- (a.) Each zone shall be divided into location/wards, based in the current administrative boundaries.
- (b.) Each location shall be run by committee which shall consist of:-
 - (i.) The Chairman , Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Organizing Secretary, Assistant Organizing Secretary, Location Youth Leader and Women Leader.
 - (ii.) Councillor of the Location if he is a Party member
 - (iii.) Sixteen Committee members of whom at least three shall be Women and three Youths.
 - (iv.) The elected officials specified in (i.) above shall manage the Location on a day to day basis.
- (e.) The Location / ward officials and the Location /Ward Committee members shall be elected at the Location/Ward General Meeting and shall be in office for four years. The Location / Ward meeting shall consists of:-
 - (i.) Officials and members of the Location/Ward Committee

- (ii.) Officials of all the Sub-Location / Area Committees in the Location/ Ward
And
- (iii.) Sixteen delegates elected from each sub-Location / Area of whom at least three shall be women and three youths.
- (f.) Duties of the Location /Ward Annual General meeting shall be to direct and supervise the Location / Ward committee and to elect delegates to the same using the same procedure as that of the sub-branch.
- (g.) The sub-branch officials of the Party shall hold office in the locations / wards, sub-locations or villages.

18. SUB-LOCATION.

- (a.) Each location / ward shall be divided into sub-locations based on administrative boundaries in the rural areas or areas in urban centres.
- (b.) Each sub-location will be run by a sub-location /Area committee which shall consist of:-
 - (i.) Chairman, Vice- Chairman, Secretary, Assistant Secretary, Organizing Secretary, Assistant Organizing Secretary, Sub-Location/ Area Youth Leader and Women Leader.
 - (ii.) Sixteen Committee members whom at least three will be Women and three Youths.
 - (iii.) The elected officials in (i.) above shall be responsible for the day to day management of the sub-Location / area.
- (c.) The duties of the sub-Location / Area committee shall be similar to those of the Location / ward but at a sub-Location level.
- (d.) The Sub-Location / Area officials and the members of the Sub- Location / Area Committees shall be elected at the Sub- Location / Area Annual General meeting after every four years.

This meeting shall consist of:-

- (i.) Officials and Members of the Sub-Location / Area Committee

(ii.) All paid up members in the Sub-Location.

- (e.) Duties of the Sub-Location / Area Annual General Meeting shall be:-
- (i.) To direct and supervise the sub-location/area committee
 - (ii.) To deliberate on Party Projects, supervise them and manage Party undertakings at the Sub-Location level.
 - (iii.) Identify projects for Party funding
- (f) Zonal officials of the Party shall hold office at the same time Party office in the location or ward

19. **VILLAGE**

- (a) There shall be village Party committees. These in the rural areas shall be on the basis of geographical names of the village. Boundaries shall be determined by convenience.
- (b) Each village shall have an effective Party Committee that shall consist of :-
- (i) Chairman, Vice Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Organising Secretary, Assistant Organising Secretary, Youth leader and Women leader.
 - (ii) Six other committee members at least two shall be Women and two youth.
 - (iii) Technicians nominated by the Sub-branch (ex-officios)
- © The duties of the village committee shall be:-
- (i) To identify projects that can be funded by the Party to generate income for the villagers, provide water, improve the infrastructure, health facilities, social amenities, take care of disaster and emergencies and above all education among others.
 - (ii) To campaign for the growth of the Party
 - (iii) To provide the basis for the Party's Leadership by participating in the Sub-Location/Ward Annual General Meeting.

20. NOMINATION OF PARTY CANDIDATES

- (a) The person or member nominated to be the Chairman of the National Annual Delegates conference shall be nominated as the Party's Presidential Candidate in Presidential elections unless otherwise stated by the National Annual Delegates Conference, and the Chief National Executive Committee and the National Executive Committee.
- (b) In the event of the Party winning the Presidential and Parliamentary elections the First Vice-Chairman or the second Vice-Chairman shall be appointed Vice-President provided the person / Member elected is an elected member of parliament.
- (c) Nomination of Party candidates for Parliamentary elections shall be done in each constituency by an electoral college established by the Party's nomination rules.
- (d) Nomination of Party candidates for Local Government elections shall be done in each Location/Ward by an electoral college established by the Party's nomination rules.
- (e) The National Executive Council shall make rules specifying procedure for nomination of Party candidate for Presidential elections and candidates for Parliamentary and Local Government elections.
- (f) Where candidates for either Parliamentary seats or Local Government seats are nominated but are unopposed, such candidates shall duly stand nominated by the Party
- (g) The Councillors, the Member of Parliament (M. P.) Regional members shall continue to hold office at the National level, Branch, sub-branch, zone location/ ward or sub-location/ village once to have been previously elected or elected thereafter in their respective party's level areas as constituted in this constitution.

24. **AMENDEMENT TO THE CONSTITUTION**

No change may be made in this constitution except with the approval of the National Annual Delegates Conference and by at least two thirds of the votes cast by the members in person.

25. **INSPECTION FOR ACCOUNTS AND LIST OF MEMBERS**

The books of Accounts and all documents relating there to and the lists of members of the Party shall be available for Inspection at the registered office by the officer, or members of the Party on giving not less than five working days notice in writing.

26. **DISSOLUTION**

The Party may by a resolution passed by a two thirds majority of members at a special session of the National Annual delegates Conference called expressly for the purpose dissolution, resolve that the Party be dissolved. In the event of dissolution all properties and funds of the Party shall be distributed in such a manner as shall be determined by the National Annual Delegate Conference at which the resolutions favouring dissolution is passed, and such assets shall be granted to one or more organisations in Kenya whose objectives conform to those of the Shirikisho party of Kenya.

27. **INTERPRETATION**

- (i) "Branch" - Means a branch established under the constitution
- (ii) "Constitution" - Means this constitution.
Councillor - Means Councillor elected under the Local Government Act.
- (iii) "General Council" - Means The General Council established under the constitution.
- (iv) "The Local Government Elections" - Means the elections held under the Local Government Act.

- (v) "Management Committee" - Means the management committee established under the constitution.
- (vi) "Member" - Means member of Party.
- (vii) "Member of Parliament" - Means a member of the National Assembly.
- (viii) "National Annual Delegates Conference" - Means the National Annual Delegates Conference established under the Constitution.
- (ix) "National Executive Council" - Means the National Executive Council established under the Constitution.
- (x) "Nomination Rules" - Means Nomination rules and procedures enacted in the constitution or the Nomination Rules.
- (xi) "Office Bearer" - Means an elected official or office bearer of the Party at whatever level of the Party organisation but does not include delegates or committee members.
- (xii) "Official" - Means an elected official or office bearer of the Party at whatever level of the Party organisation but does not include delegates or committee members.
- (xiii) "Parliament" - Means the National Assembly.
- (xiv) "Parliamentary Elections" - Means Parliamentary elections held under the National Assembly and Presidential Elections Act.
- (xv) "Party" - Means the Shirikisho Party of Kenya.
- (xvi) "Presidential Election" - Means Presidential Elections held under the Constitution of Kenya and the National Assembly and the Presidential Election Act.
- (xvii) "The Party Parliamentary Chief Whip" - Means the chief whip elected or appointed by the Party Parliamentary Group.
- (xviii) "The Party Parliamentary Group" - Means a meeting or caucus of the Party members of Parliament.
- (xix) "The Students and Youth Congress" - Means the students and Youth conference established under the constitution.
- (xx) "Youth" - Means a member of the Party who is between 18 and 30 years of age.
- (xxi) "Zone" - Means a zone established under the constitution.

APPENDIX

28. REGIONAL ASSEMBLY

There shall be established a Regional Assembly to enhance democracy within the regions.

- (a) Nominations for the candidates for the Regional Assembly shall be done in each of the Zones by an electoral college established by Party's rules for nominations.
- (b) The Regional Assembly shall discharge the functions of the National Assembly within the regions.
- (c) It will have powers to pass legislation on matters related to state organs save for Defence and Foreign Policy as per the Constitution of Kenya agreed thereof.
- (d) Each Region Assembly shall have its own chairman who will be elected through secret ballot by the citizens of Kenya residing within the region.
- (e) Nominations for candidate for the position of Regional Assembly chairman will be done through an electoral college that shall consist of the Branch Executive Committees of the Region, the elected members of the National Annual Delegates Conference of all the branches in that Region and one Representative from each of the Zones in the Region.
- (f) Like at the National level, each Region (Federal State) shall have a Regional Annual Delegates Conference whose functions are the same as those of the National Annual Delegates Conference but its membership and scope is restricted to the Regional (Federal) Branches.
- (g) The Regional Executive Council shall therefore consist of the following officials.
 - (i) All officials elected at the Regional Annual Delegates Conference.
 - (ii) A member representing each Zone.
 - (iii) Party's Regional Parliamentary Chief Whip.

(a) FUNCTIONS OF THE REGIONAL EXECUTIVE COUNCIL

Its duties shall be similar to those of the National Executive Council save for the fact that instead of operating at the National level. See section 10b (Nos. i-xii) of this constitution it shall operate at the Regional level.

- (i) The Regional Executive Council shall further be managed by the Chairman, First Vice-Chairman, Second Vice-Chairman, Secretary General, Assistant Secretary General, Treasurer, Assistant Treasurer, Organising Secretary, Assistant Organising Secretary, Secretary of Public Policy and Economic Affairs and the Executive officer on a day to day basis.
- (ii) To scrutinise reports from the Branches for action.
- (iii) To communicate and recommend resources mobilisation to the National Executive Committee and stability in the region.
- (iv) To monitor the party's mechanism and stability in the region

29 **THE REGIONAL ANNUAL DELEGATES CONFERENCE**

- (a) The Regional Annual Delegates Conference shall consist of the members of the Regional Executive Council and delegates made up as follows:
 - (i) Chairman and Secretary of every branch
 - (ii) Ten delegates elected by every branch
 - (iii) Chairman and Secretary of every Sub-branch
 - (iv) Ten delegates elected by every Sub-Branch
 - (v) One representative from each Zone

- (b) The Regional Annual Delegates Conference will be the highest Authority in Party hierarchy of the Region it shall have the following powers, duties and obligations
Section 8 (i - x)
Its powers will be as outlined in Section 8 (i - x) of this constitution only that it will be operating from the Regional level.

30 **COUNCIL OF ELDERS:**

There shall be a Council of Elders, Comprising Twenty Four (24) Elders in Number. The Secretary General will compile the list of the Thirty (30) Elders and with the approval of NEC the Twenty Four (24) will be formally selected and appointed.

They will serve for a period of Four (4) years. They may be re-appointed for a 2nd Term of office depending on their performance and approval by the NEC.

(a.) FUNCTIONS OF THE COUNCIL OF ELDERS.

- (i.) An advisory body according to the party's aspirations
- (ii.) To assist in Reconciliation in cases of conflicts and disputes
- (iii.) To assist in soliciting support and party finances.

