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*Committee on*  
*Delegated Legislation*  
*13/3/18*

Ref: RPP/ORG/34 VOL II (22)

Date: 8<sup>th</sup> March, 2018

The Clerk,  
 Kenya National Assembly,  
 P.O Box 41842,  
**NAIROBI.**



**Attn: Chairperson,  
 Parliamentary, Departmental Committee on Delegated Legislation**

Dear Madam,

**RE: OFFICE OF THE REGISTRAR OF POLITICAL PARTIES, DRAFT REGULATIONS UNDER THE POLITICAL PARTIES ACT, 2011**

*Ms. M...*  
*Registrar and arrange*  
*for tabling on*  
*12/3/2018.*  
*13/3/18*

The Office of the Registrar of Political parties is an independent State office within the meaning of Article 260 of the Constitution established under the Political Parties Act, 2011 (PPA). The Office is mandated to inter alia, register, regulate, monitor, investigate and supervise political parties to ensure compliance with the Act as well as administer the Political Parties Fund.

Under Section 49 of the PPA the Registrar has powers to make Regulations generally for the better carrying out of provisions of the Act. The Office has been in the process of developing and revising the Regulations under the PPA. It spearheaded a consultative process to review the Regulations namely:

- a. The Political Parties Act (Registration) Regulations,
- b. The Political Parties Act (Funding) Regulations, and
- c. The Political Parties Act (Political Parties Liaison Committee) Regulations.

The draft Regulations were presented to the Parliamentary Committee on Delegated Legislation in September 2016. The Committee debated and approved the Funding Regulations for publication and made recommendations on the Registration and Political



Parties Liaison Committee Regulations for tabling at a later date in 2017. However, due to the extensive activities during the 2017 General Elections, it was not possible for the Office to appear and make presentations on the two regulations as advised.

It is important to note that the Funding regulations will require a review following the passing of the Political Parties (Amendment) Act, 2016.

The purpose of this correspondence is therefore to:

1. Introduce the Office of the Registrar of Political Parties and the Political Parties Liaison Committee;
2. Update the Committee on the status of the draft regulations; and
3. Seek audience with your distinguished Committee at the earliest convenient date to discuss the way forward.

Enclosed herein are the draft regulations for your information.

Yours faithfully,

  
**Lucy K. Ndungu, EBS**  
Registrar of Political Parties

Encl. 3

CC: Chairperson,  
Political Parties Liaison Committee (PPLC),  
NAIROBI.



**THE POLITICAL PARTIES ACT, 2011**

*(No. 11 OF 2011)*

**POLITICAL PARTIES (FUNDING) REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**



**PART I—PRELIMINARY**

- 1—Citation
- 2—Interpretation

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- 3— Management and control of the Fund
- 4— Power of the Registrar
- 5— Declaration after full registration of a political party
- 6— Political Parties Fund account
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**PART III – FUNDING OF POLITICAL PARTIES**

- 8— Application for the Fund by political parties
- 9— Processing of Applications
- 10— Decision by the Registrar
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- 12— Functions of accounting officer of a political party
- 13— Annual accounts
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- 15— Auditing of reports and accounts by Auditor General
- 16— Publication of reports by the Registrar
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**PART V—GENERAL PROVISIONS**

- 19— General guidelines on the management of the funds
- 20— Administrative and staff expenses
- 21—Revocation

**THE POLITICAL PARTIES ACT, 2011**  
*(No 11 of 2011)*

**IN EXERCISE** of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following Regulations—

**THE POLITICAL PARTIES (FUNDING) REGULATIONS, 2017**

**PART I—PRELIMINARY**

Citation. 1. These Regulations may be cited as the Political Parties (Funding) Regulations, 2016.

Interpretation. 2. In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties Act, 2011;

“financial year” means the period of twelve months ending on the thirtieth June each year;

“Fund” means the Political Parties Fund established under section 23 of the Act;

“Fund Account” means the account established under Regulation 7;

“political party” has the meaning assigned to it in Article 260 of the Constitution;

“work plan” in relation to a political party means a schedule showing the activities the political party intends to undertake, their costs and time frame.

**PART II—ADMINISTRATION AND MANAGEMENT**

Management and control of the Fund

3. The Registrar shall be the accounting officer of the Fund and shall be responsible for –

(a) the administration and management of the Fund;

(b) the accounting of the receipts to the Fund;

(c) the distribution of the Fund to political parties;

(d) the monitoring and evaluation of expenditures of the Fund by political parties;

(e) ensuring that proper books and records of income and expenditure of the Fund are kept;

(f) ensuring the reporting and disclosure of all monies received by Political Parties; and

(g) such other functions necessary for the effective implementation of the Act.

(2) The Registrar shall ensure that money held in the Fund, including any earnings or accruals is spent only for the purposes for which the Fund is established.

(3) The accounts of the Fund shall be audited annually and reported upon by the Auditor General in accordance with the Act, the regulations, the Public Finance and Management Act, Public Procurement and Disposal Act, the Public Audit Act and any other law relating to the management of public funds.

Power of the Registrar

4. (1) The Registrar shall have all powers necessary for the execution of the functions under these Regulations.

(2) Without prejudice to the generality of sub-regulation (1), the Registrar may -

(a) conduct investigations on the Registrar's own initiative or on a complaint made by any person;

(b) work in collaboration with other agencies in ensuring compliance with the Act;

(c) request for any information or attendance by any person necessary for the performance of its functions; and

(d) subject to section 21 (1)(g) of the Act, deregister a political party.

Declaration after full registration of a political party

5. (1) A political party shall, within sixty days after being issued with a certificate of full registration, submit to the Registrar a written declaration giving details of all assets and expenditure including, all contributions, donations or pledges of contributions or donations, whether in cash or in kind, made or to be made to the initial assets of the political party by its founding members in respect of the first year of its existence.

(2) The declaration submitted under sub regulation (1) shall—

(a) be in Form PPF 1,

(b) state the sources of all funds and other assets of the political party;

(c) contain such other relevant particulars as the Registrar may prescribe.

Political Parties Fund Account.

(d)

6. (1) The Registrar shall open an account to be known as the Political Parties Fund Account at a designated bank into which the National Treasury shall pay directly—

(a) all the funds approved or appropriated by the National Assembly in accordance with section 24 (1) (a) of the Act; and

(b) contributions or donations from any other lawful source as contemplated under section 24 (1) (b) of the Act.

(2) The Registrar shall declare in the annual report, all accruals, interest and liabilities related to the Fund.

Accounts of Political Parties

7. (1) Every registered political party qualifying to receive monies from the Fund shall open a bank account into which only disbursements from the Registrar shall be paid.

(2) Every registered political party shall open a bank account or bank accounts into which all donations and contributions from lawful sources other than the Fund shall be paid.

(3) A political party may open other accounts and every account shall for purposes of financial reporting be considered to be part of the account referred to under sub-paragraph (2).

(4) Every political party shall file Form PPF2 stating at least three officials authorised in the constitution or rules of the political party to sign accounts and bank accounts of the political party.

(5) At least three signatories shall be required for any withdrawal of funds from the account.

(6) A political party shall utilize the funds in sub-regulation (1) in accordance with the purposes set out in section 26(1) of the Act.

(7) A political party shall declare in the annual report, all accruals, interest and liabilities.

### **PART III— FUNDING OF POLITICAL PARTIES**

Application for the Fund by Political Parties

8. (1) The Registrar shall within fourteen days after receiving moneys in the Fund -

(a) notify all fully registered political parties in writing,

(b) require the eligible political parties to apply for the Fund.

(2) The Registrar shall within fourteen days after receiving moneys in the Fund publish a notice in the Gazette stating the political parties eligible to receive the Fund and their respective allocation.

(3) A political party eligible for allocation of moneys from the Fund shall make the application under paragraph (1) (b) in Form PPF 3.

(4) An application under paragraph (3) shall include a work plan containing a schedule of the activities and a budget that the political party intends to undertake in financial year, including an estimate cost and timeframe for every activity.

(5) The activities contained in the work plan referred to in sub-regulation (4) shall conform to the requirements of section 26 of the Act.

Processing of applications.

9. Upon receipt of the application under Regulation 9, the Registrar shall assess the application to ascertain whether the political party meets the requirements of the Act and in particular, whether—

(a) the party secured at least three per cent of the total number of votes at the preceding general elections computed as required under section 25 (3) of the Act;

(b) the political party has, in its governing body, representation of special interest groups.;

(c) all activities in the work plan relate and conform to the purposes for which the Fund should be used as set out in section 26 of the Act; and

(d) the application meets any other lawful requirement as may be set by the Registrar from time to time.

Decision by the Registrar

10. (1) The Registrar shall within fourteen days of the application made under Regulation 8, notify the political party of its decision in writing.

(2) where the application under regulation 8 is –

(a) approved, the Registrar shall notify the political party and effect the disbursement of the funds within fourteen days of such approval.

(b) declined, the Registrar shall notify the political party giving reasons for the decision and recommendations.

(3) Where an application is declined under paragraph (2)(b), the political party may reapply taking into consideration the recommendations under sub-regulation (2)(b).

Allocation of funds and disbursement

- 11.** (1) In allocating the monies from the Fund, the Registrar shall in addition to the requirements under section 25 of the Act have regard to —
- (a) the approved work-plan of a political party; and
  - (b) a clearance certificate from the Auditor General after auditing of funds of the previous financial year.
- (2) Upon allocation of funds to a political party, the Registrar shall issue a confirmation letter of the disbursement of funds to the political party and require the political party to acknowledge receipt of the funds.

**PART IV—ACCOUNTING AND REPORTING**

Functions of accounting officer of a political party.

- 12.** The accounting officer of a political party shall -
- (a) ensure that the political party complies with the Act and these Regulations;
  - (b) ensure that the funds allocated to the political party are not used for a purpose not authorized by the Act;
  - (c) be accountable to the Registrar for monies allocated to the political party; and
  - (d) perform any other duties imposed by any other law or by these Regulations.

Annual accounts

- 13.** (1) The accounting officer shall keep separate books and records of accounts in respect of the funds of the political party and all transactions for each financial year.
- (2) The accounting officer of a political party, within three months after the end of each financial year and in accordance with section 32 of the Act and any other law, cause to be prepared annual reports and accounts of the political party.
- (3) The annual report and accounts prepared under sub-regulation (2) shall be in Form PPF 4 and shall include—
- (a) an income and expenditure statement;
  - (b) a statement of assets and liabilities;
  - (c) a cash flow statement;

(d) a summary of activities undertaken within the financial year; and

(e) any other information as may be required by the Registrar.

Approval of accounts. **14.** (1) The governing body of a political party shall be responsible for approving all reports and annual accounts of the political party.

(2) The internal auditor of the political party shall express an opinion, in writing, on the accounts based on the results of each audit stating whether—

(a) all information and explanations considered necessary for the audit were received;

(b) proper records were maintained of all transactions as required under the generally accepted accounting practices;

(c) the accounts are in agreement with the records referred to under sub-paragraph (b);

(d) the accounts reflected fairly the financial position of the political party; and

(e) there are any recommendations by the auditor.

Auditing of Reports  
and accounts by  
Auditor General

**15.** (1) Subject to section 31(2) of the Act, the accounting officer shall concurrently submit the reports and accounts of the political party to the Registrar and the Auditor-General.

(2) The Registrar shall implement any recommendations of the Auditor-General made pursuant to section 31(3) of the Act.

Publication of reports  
by the Registrar

**16.** The Registrar may publish reports submitted by political parties in such a form and manner as may be determined by the Registrar.

Inspection of Audited  
Accounts

**17.** Any person shall be entitled to inspect the audited accounts filed by a political party pursuant to section 31 (5) of the Act, and upon payment of a fee prescribed by the Registrar be issued copies of the audited accounts.

Declaration before  
elections

**18.** Subject to section 30(1) of the Act, the accounting officer shall submit to the Registrar a statement of its assets and liabilities in Form PPF5.

**PART V— GENERAL PROVISIONS**

General guidelines on the management of the Fund.

**19.** Subject to the provisions of the Act and any other law relating to public funds, the Registrar may from time to time, set general guidelines, conditions and requirements for the management of the Fund including—

- (a) the guidelines for the disbursement of monies from the Fund to any political party, programme or activity;
- (b) the rules and procedures related to the disbursement and management of funds;
- (c) the funding needs to support the objectives of the Fund; and
- (d) any other issue related to the operation of the Fund.

Administrative and staff expenses

**20.** For purposes of section 26 (1) (f) of the Act, administrative and staff expenses includes the payment of—

- (a) office rent and stationery;
- (b) office equipment;
- (c) property rates;
- (d) utility bills;
- (e) postage and other forms of communication expenses; and
- (f) staff salaries.

Revocation of LN

**21.** The Political Parties (Funding) Regulations, 2009 are revoked.

FORM PPF 1

(r. 6(2))

**STATEMENT OF ASSETS AND LIABILITIES UPON REGISTRATION OF A POLITICAL PARTY**

NAME OF POLITICAL PARTY.....CERT. NO.....

**PART I**

STATEMENT OF ASSETS AND LIABILITIES AS OF .....

*(This date being Sixty Days from date of full registration)*

**CURRENT ASSETS**

Cash on Hand	
Cash on Deposit	
Accounts Receivable	
Stocks, Other Short term Investments	
Inventory	
Surplus	
Others (Describe)	
<b>TOTAL CURRENT ASSETS</b>	

**FIXED/LONG TERM ASSETS**

Long term Investments	
Motor vehicle and machinery	
Furniture and Fixtures	
Office Equipment	

Land and Buildings		
Others (Describe)		
	<b>TOTAL FIXED ASSETS</b>	
	<b>TOTAL ASSETS (A)</b>	
		<b>A</b>

**CURRENT LIABILITIES**

Accounts Payable		
Wages, Salaries Payable		
Short Term Loans Payable		
Deficit (if any)		
Others (Describe)		
	<b>TOTAL CURRENT LIABILITIES</b>	

**LONG TERM LIABILITIES**

Long Term Loans Payable		
Debentures		
Others (Describe)		
	<b>TOTAL LONG TERM LIABILITIES</b>	
	<b>TOTAL LIABILITIES(B)</b>	
	<b>SURPLUS/DEFICIT (A-B)</b>	

**ITEMIZED DETAILS OF SOURCES OF ASSETS AND LIABILITES**

**(1) CURRENT ASSETS**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Cash on Hand	(a)			
	(b)			
Cash on Deposit	(a)			
	(b)			
Accounts Receivable	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(2) FIXED/LONG TERM ASSETS**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Investments	(a)			
	(b)			
Furniture and Fixture	(a)			
	(b)			
Office Equipment	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(3) CURRENT LIABILITIES**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
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Accounts Payable	(a)			
	(b)			
Wages and Salaries Payable	(a)			
	(b)			
Short Term Loans	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(4) LONG TERM LIABILITIES**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Long Term Loans	(a)			
	(b)			
Debentures	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**PART II**

**Statement of Income And Expenditure As Of .....**

**Income**

Membership Fees		
Dividends on Shares		
Rent Received		
Profit on Sale of Assets		
Others (Describe)		
<b>TOTAL INCOME(A)</b>		<b>A</b>

**EXPENDITURE**

Salaries		
Rent Paid		
Transport		
Electricity Bill		
Stationery, Printing, Photocopying		
Others (Describe)		
<b>TOTAL EXPENDITURE(B)</b>		<b>B</b>
<b>SURPLUS/DEFICIT (A-B)</b>		<b>C</b>

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

Made this ..... day of..... 20.....

Name and signature of authorized Party officials:

1. Name.....  
 Signature.....  
 ID/Passport No.....
2. Name.....

Signature.....

ID/Passport No.....

3. Name.....

Signature.....

ID/Passport No.....

In the presence of a Commissioner of Oaths/Magistrate.

FORM PPF 2

(r. 8 (6))

**DECLARATION OF SIGNATORIES TO POLITICAL PARTIES FUND ACCOUNT AND OTHER ACCOUNTS**

Name of Political Party:				
Full Name of Bank				
Account Number				
Address				
Town/Branch				
Name of Signatories	Designation	ID. No.	Specimen Signature	
1.				
2.				
3.				

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

Made this ..... day of ..... 20.....

Name and signatures of three party officials

1. Name .....

Signature .....

ID/Passport No .....

2. Name .....

Signature .....

ID/Passport No .....

3. Name .....

Signature .....

ID/Passport No .....

In the presence of a  
Commissioner of Oaths/Magistrate

FORM PPF 3

(r. 9 (2))

**APPLICATION FOR FUNDING OF A POLITICAL PARTY**

**A. Party Information:**

1. Date of application: .....
2. Name of Party: .....
3. Registration No: .....
4. Physical Address: .....
5. Postal Address: .....
6. Tel No: ..... Fax: .....
7. Website URL: ..... Email: .....

**B. Contact Information:**

*(Please provide contact information of person responsible for programme/project)*

- Name: .....
- Designation: .....
- Tel No: ..... Fax: .....
- Email: .....

**C. Bank account details**

- Name of Bank: .....
- Bank Account No.: .....
- Bank Account Name: .....
- Branch: .....

**D. Expenditure Information:**

1. Please list the project's budget expense items to be supported by this fund:

	Type of expense	Amount	

A	Promoting representation of special interest groups.		
B-C-D	Promoting active participation by citizens in political life & civic education.  Broadcasting policies & shaping public opinion.  Electoral expenses.		
E	Administration		
	<b>TOTAL</b>		

**E. Workplan Template**

		Activities	Amount	Total
A.	Promoting representation of special interest groups  (not less than 30% of the allocation from the Fund)			
				Subtotal
B.	Promoting active participation by citizens in political life & civic education			
				Subtotal
C.	Broadcasting policies & shaping public opinion			

The Political Parties (Funding) Regulations, 2017

				Subtotal
D.	Electoral expenses			
				Subtotal
E.	Administration (not more than 30% of the allocation from the Fund)			
				Subtotal
				TOTAL

**\* Attach any other supporting documentation.**

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

Made this ..... day of ..... 20.....

Names and signatures of three authorized party officials:

1. Name .....

Signature .....

ID/Passport No .....

2. Name .....

Signature .....

ID/Passport No .....

3. Name .....

Signature .....

ID/Passport No .....

In the presence of a

Commissioner of Oaths/Magistrate

FORM PPF 4

(r. 13(3))

**DECLARATION OF ASSETS AND LIABILITIES OF A POLITICAL PARTY**

NAME OF POLITICAL PARTY.....CERT. NO.....

**PART 1: STATEMENT OF ASSETS AND LIABILITIES AS OF**  
 .....

**CURRENT ASSETS**

Cash on Hand

Cash on Deposit

Accounts Receivable

Bonds, Stocks, Other Investments

Inventory

Other (Describe)


**TOTAL CURRENT ASSETS**

--

**FIXED ASSETS**

Investments

Furniture and Fixtures

Office Equipment

Land and Buildings

Others (Describe)


**TOTAL FIXED ASSETS**

**TOTAL ASSETS**


**A**

**CURRENT LIABILITIES**

Accounts Payable			
Wages, Salaries Payable			
Short Term Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>CURRENT</b>	
	<b>LIABILITIES</b>		

**LONG TERM LIABILITIES**

Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>LONG</b>	<b>TERM</b>
	<b>LIABILITIES</b>		<b>B</b>
	<b>TOTAL LIABILITIES</b>		<b>C</b>
	<b>SURPLUS/DEFICIT (A-C)</b>		

**PART 2: STATEMENT OF INCOME AND EXPENDITURE**

**INCOME**

Political Parties Fund		
Membership Fees		
Dividends on Shares		
Rent Received		
Profit on Sale of Assets		
Others (Describe)		
	<b>TOTAL INCOME</b>	<b>A</b>

**EXPE  
NDIT  
URE**

	From Political Parties Fund	From Other Sources	Other
Salaries			
Rent Paid			
Transport			
Electricity Bill			
Other Administrative expenses			
<b>TOTAL EXPENDITURE</b>			
<b>SURPLUS/DEFICIT (A-B)</b>			

**B**  
**C**

**PART 3: Reporting of activities implemented with the money allocated from the Fund.**

		ACTIVITES	AMOUNT	TOTAL
A.	Promoting representation of special interest groups  (not less than 30% of the allocation from the Fund)			
				Subtotal
B.	Promoting active participation by citizens in political life & civic education			
				Subtotal
C.	Broadcasting policies & shaping public opinion			
				Subtotal
D.	Electoral expenses			

The Political Parties (Funding) Regulations, 2017

				Subtotal
E	Administration  (not more than 30% of the allocation from the Fund)			
				Subtotal
				TOTAL

**Attach:**

- (a) a cash flow statement, and
- (b) a summary of activities undertaken within the financial year

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

Made this..... day of ..... 20.....

Name and signature of three party officials

1 Name . . . . .  
Signature . . . . .  
ID/Passport No . . . . .

2 Name . . . . .  
Signature . . . . .  
ID/Passport No . . . . .

3. Name.....  
Signature.....  
ID/Passport No.....

In the presence of a  
Commissioner of Oaths/Magistrate.

FORM PPF 5

(r. 18)

**DECLARATION OF ASSETS AND LIABILITIES OF A POLITICAL PARTY**

NAME OF POLITICAL PARTY.....CERT. NO.....

STATEMENT OF ASSETS AND LIABILITIES AS OF .....

*(This date being Sixty Days before date of Election)*

**CURRENT ASSETS**

Cash on Hand	
Cash on Deposit	
Accounts Receivable	
Bonds, Stocks, Other Investments	
Inventory	
Other (Describe)	
<b>TOTAL CURRENT ASSETS</b>	

**FIXED ASSETS**

Investments	
Furniture and Fixtures	
Office Equipment	
Land and Buildings	
Others (Describe)	
<b>TOTAL FIXED ASSETS</b>	
<b>TOTAL ASSETS</b>	<b>A</b>

**CURRENT LIABILITIES**

Accounts Payable			
Wages, Salaries Payable			
Short Term Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>CURRENT</b>	
	<b>LIABILITIES</b>		

**LONG TERM LIABILITIES**

Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>LONG</b>	<b>TERM</b>
	<b>LIABILITIES</b>		
	<b>TOTAL LIABILITIES</b>		<b>B</b>
			<b>C</b>
	<b>SURPLUS/DEFICIT (A-C)</b>		

**STATEMENT OF INCOME AND EXPENDITURE**

**INCOME**


Membership Fees	<b>TOTAL INCOME</b>		<b>A</b>
Dividends on Shares			
Rent Received			
Profit on Sale of Assets			
Others (Describe)			

**EXPENDITURE**

Salaries			<b>B</b>
Rent Paid			
Transport			
Electricity Bill			
Stationery, Printing, Photocopying			
Others (Describe)			
<b>TOTAL EXPENDITURE</b>			<b>B</b>
<b>SURPLUS/DEFICIT (A-B)</b>			<b>C</b>

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

Made this... .. day of ... .. 20 .. ..

Name and signature of three party officials

I Name .

Signature.....

ID/Passport No.....

2. Name.....

Signature.....

ID/Passport No.....

3. Name.....

Signature.....

ID/Passport No.....

In the presence of a

Commissioner of Oaths/Magistrate.

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES (FUNDING)  
REGULATIONS OF 2017**

**PART I**

**Name of Statutory Instruments**

Political Parties (Funding) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

Section 49 of the Political Parties Act, 2011

**Name of the Ministry /Department:**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Funding) Regulations 2017 are intended to enforce Part III of the Political Parties Act, 2011, Section 23 of which establishes the Political Parties Fund to be administered by the Registrar. This instrument provides for the structured guidelines for the management, purpose of the fund as well as the process of application of the funds and other matters connected thereto.

The Regulations are divided into five parts –

Part I – Preliminary

Part II – Administration and Management

Part III – Funding of political parties

Part IV – Accounting and Reporting

Part V – General Provisions

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed regulations are vital to give effect and enhance implementation of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However the regulations subsisting at the time continued to be in operation. The regulations enacted under the former Act have been in operation with alterations, adaptations and qualifications to bring it into conformity with the Constitution and the Political Parties Act, 2011. However, there is need to legislate the alterations hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored.

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulation in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

#### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

#### **6.4 Regulatory Impact Assessment**

The Statutory Instruments Act No. 23 of 2013 section 9 has been considered and the Office of the Registrar of Political parties is satisfied that these regulations are substantially complimentary to the Political Parties Act, 2011 as amended and does not fundamentally affect the legislation's application or operation. Consequently, a Regulatory Impact Statement need not be prepared.

#### **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

#### **8. Contact**

Lucy K. Ndungu, E.B.S  
Registrar of Political Parties  
Office of the Registrar of Political Parties  
Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way  
P.O Box 1131-00606  
**Nairobi, Kenya.**  
Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

**Annex I Table of Public Participation Events**

<b>S/No.</b>	<b>Date</b>	<b>Venue</b>	<b>Stakeholders</b>	<b>Outcome</b>
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12.	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> -25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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LEGAL NOTICE NO.....

*Paper laid by  
the Hon. B. Wshali  
14/3/2018*

THE POLITICAL PARTIES ACT  
(No. 11 of 2011)

THE POLITICAL PARTIES (POLITICAL PARTIES LIAISON COMMITTEE)  
REGULATIONS, 2017

ARRANGEMENT OF REGULATIONS

*Regulation*

PART I -PRELIMINARY

- 1 — Citation
- 2 — Interpretation

PART II-COMPOSITION AND FUNCTIONS OF COMMITTEES

- 3 — Composition of National Committee
- 4 — Composition of a County Committee
- 5 — Representation
- 6 — Change of a political party representative
- 7 — Functions of the Political Parties Liaison Committee
- 8 — National Steering Committee
- 9 — Composition of National Steering Committee
- 10 — Sub-committees of the National Steering Committee
- 11 — Vacancy in the National Steering Committee and sub-committees
- 12 — Secretariat to the National Steering Committee

PART III-MEETINGS

- 13 — Meetings of Political Parties Liaison Committee
- 14 — Notice of the Political Parties Liaison Committee meetings at the National and County level
- 15 — Notice of the Steering Committee meetings

16 — Notice of the sub-committees meetings

17 — Quorum of meetings

18 — Procedure of meetings

19 — Proceedings of the Political Parties Liaison Committee and the National Steering Committee

#### **PART IV-ELECTIONS AND GENERAL PROVISIONS**

20 — Elections and term of office of members of the National Steering Committee and sub-committees

21 — Conduct of elections

22 — Allowances

23 — Transitional clause

#### **SCHEDULES**

**FIRST SCHEDULE - FORMS**

**SECOND SCHEDULE – ALLOWANCES**

**THE POLITICAL PARTIES ACT, 2011**

*(No.11 of 2011)*

**THE POLITICAL PARTIES (POLITICAL PARTIES LIAISON COMMITTEE)  
REGULATIONS, 2017**

IN EXERCISE of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following regulations—

**PART I-PRELIMINARY**

Citation.

1. These Regulations may be cited as the Political Parties (Political Parties Liaison Committee) Regulations, 2017.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties Act, 2011;

“County Committee” means the County Political Parties Liaison Committee;

“Commission” means the Independent Electoral and Boundaries Commission established under Article 88 of the Constitution;

“National Committee” means the National Political Parties Liaison Committee;

“Registrar” means the Registrar of Political Parties appointed under section 33 of the Act;

**PART II – COMPOSITION AND FUNCTIONS OF COMMITTEES**

Composition of National Committee.

3.(1) The National Committee shall comprise of—

(a) the Chairperson or the designated member of the Commission;

(b) the Registrar or an assistant Registrar; and

(c) a representative of every fully registered political party or an alternate of the opposite gender duly appointed by the party through the party structures in accordance with the party constitution.

(2) For purposes of sub-regulation 1(c) the names of the representatives shall be submitted to the Registrar in Form PPLC 1 set out in the Schedule.

Composition of a County Committee.

4.(1) A County Committee shall comprise of—

(a) a representative of the Commission;

(b) a representative of the Registrar in the County; and

(c) a representative of every fully registered political party or an alternate of the opposite gender duly appointed by the party.

(2) For purposes of 1(c) the names of the representatives shall be submitted to the Registrar in Form PPLC 2 set out in the Schedule.

Representation

5. A representative of a political party can only be nominated to one level of the Political Parties Liaison Committee.

Change of a political party representative.

6. (1) A political party may change its representatives by giving notice to the Registrar and the Commission—

(a) in Form PPLC 3 set out in the Schedule, in the case of the National Political Parties Liaison Committee; and

(b) in Form PPLC 4 set out in the Schedule, in the case of the County Political Parties Liaison Committee.

(2) For purposes of paragraph (1) a proposed change of a representative shall take effect upon receipt of the notice by the Registrar.

Functions of the Political Parties Liaison Committee.

7. The functions of the National and County Political Parties Liaison Committees shall be to—

(a) promote consultation, cooperation and information sharing between the Commission, the Registrar and political parties, on electoral matters, in order to promote free, fair and credible elections;

(b) promote democracy and peace at all times;

(c) promote a culture of respect, tolerance, cooperation and consultations in matters relating to elections and referendum;

(d) promote institutionalization and democratization of political parties;

(e) dialogue, consult and make recommendations on issues affecting the electoral process throughout the electoral cycle;

(f) consult on membership registration;

(g) promote adherence to the Code of Conduct for Political Parties and electoral Code of Conduct within the County;

(h) promote adherence to the Constitution and laws governing elections and political parties;

(i) liaise on the review of the code of conduct for political parties;

(j) consult on the review of the boundaries of constituencies and wards or in the designation of polling stations; and

(k) consult on the review of laws relating to elections and political parties.

National Steering Committee

8. (1) There shall be a steering committee at the national level to be known as the National Steering Committee.

(2) The function of the National Steering Committee shall be to coordinate the activities of the National and County Committees.

Composition of National steering Committee

9.(1) The National Steering Committee shall comprise of representatives of political parties elected as -

(i) Chairperson;

(ii) Deputy chairperson;

(iii) Secretary;

(iv) Deputy secretary;

(v) Treasurer;

(vi) Organizing Secretary;

(vii) Four other members representing special interest groups; and

(viii) Chairperson of a sub-committee co-opted by the Steering Committee.

(2) The Chairperson or designated member of the Commission and the Registrar or an Assistant Registrar shall upon invitation by the Chairperson participate in the Steering Committee meeting.

Sub-committees of the National Steering Committee

10. (1) The National Committee shall, for the effective discharge of its functions, establish not more than six standing sub-committees as follows -

- (a) internal and external affairs sub-committee;
- (b) legal and dispute resolution sub-committee;
- (c) audit and compliance sub-committee;
- (d) electoral processes sub-committee;
- (e) civic and voter education sub-committee; and
- (f) finance and resource mobilization sub-committee.

(2) The National Committee shall elect not less than six members to the sub-committees, two of whom shall be the Chairperson and Secretary of the sub-committee.

(3) The National Committee may co-opt into the sub-committees established under paragraph (1), any person whose knowledge and skills are considered necessary for the effective discharge of the functions of the Committee.

Vacancy in the National Steering Committee and sub-committees

**11.** (1) A vacancy in the National Steering Committee and sub-committees may arise –

- (a) upon resignation;
- (b) upon death;
- (c) where a member ceases to be a member of the political party that he or she is representing; or
- (d) upon the Political Parties Liaison Committee passing a vote of no confidence.

(2) A member of the National Committee who intends to move a vote of no confidence shall table a notice of motion in writing to the National Committee for inclusion in the agenda of the subsequent National Committee meeting.

(3) The motion in sub-regulation (2) shall be supported by at least one third of all political party representatives of the National Committee.

(4) A resolution in a meeting convened under sub-regulation (2) shall be passed by two thirds of all political party representatives of the National Committee.

(5) Principles of natural justice shall apply during the procedure under

sub-regulations (3) and (4).

Secretariat to the National Steering Committee.

12. The National Steering Committee and the Office of the Registrar shall appoint at least two staff members to serve as the secretariat to the Steering Committee.

### PART III – MEETINGS

Meetings of the Political Parties Liaison Committee.

13. (1) The National Committee shall meet at least once in every three months.

(2) The Steering Committee may meet at least once every three months.

Provided that during the year a General election is held and during by-elections, the Steering Committee shall meet at least once every month.

(3) The sub-committees may meet at least once every three months.

(4) The County Committee shall meet as determined by the National Steering Committee.

Notice of the Political Parties Liaison Committee meetings at National and County levels

14.(1) The Registrar or the Chairperson of the Commission, shall in consultation with the Chairperson, give at least seven days written notice which shall specify the agenda of the meeting of the Political Parties Liaison Committee, together with the minutes of the previous meeting, to every member of the Political Parties Liaison Committee.

(2) A special meeting of the National Committee may be convened by–

(a) the Chairperson;

(b) the Commission;

(c) the Registrar; or

(d) more than a third of political party members of the National Committee through a written petition submitted to the National Steering Committee.

(3) A special meeting convened under sub-regulation 2 (d) shall be held within fourteen days of receipt of the petition by the National Steering Committee.

(4) In the case of a special meeting, the Office of the Registrar shall give a written notice of the meeting together with the agenda, to every member of the Political Parties Liaison Committee.

Notice of National Steering committee meetings

15. (1) The Secretary to the National Steering Committee shall give at least three days written notice which shall specify the agenda of the meeting of the National Steering Committee, together with the minutes of the previous meeting, to every member of the National Steering Committee.

(2) In the case of a special meeting, the Secretary to the National Steering Committee shall give written notice of the meeting, together with the agenda to every member of the National Steering Committee.

Notice of sub- committee meetings

16. (1) The Secretary to the sub-committee shall give at least three days written notice which shall specify the agenda of the meeting of the National Steering Committee, together with the minutes of the previous meeting, to every member of the sub-committee.

(2) In the case of a special meeting, the Secretary to the sub-committee shall give written notice of the meeting, together with the agenda to every member of the sub-committee.

Quorum of meetings

17. (1) The quorum of the National Committee shall be the Chairperson or a designated member of the Commission, the Registrar or an Assistant Registrar and fifty percent of all the fully registered political parties.

(2) The quorum of the County Committee shall be a representative of the Commission, a representative of the Registrar and fifty percent of all the fully registered political parties.

(3) The quorum of the Steering Committee and sub-committees shall be fifty percent of the members.

Provided that if after the first meeting the Steering Committee and sub-committees, the quorum is not achieved, the subsequent meeting shall proceed with those present.

Procedure of meetings

18. (1) The Chairperson shall preside at every meeting of the National Committee.

(2) The Chairperson of the National Steering Committee and sub-committee shall preside at every meeting of the National Steering Committee and sub-committee respectively and if absent, the deputy chairperson shall preside over the meeting.

Provided that in the absence of both the chairperson and deputy chairperson, the members of the National Steering Committee or the sub-committee shall elect a chair to preside over that meeting.

(3) Decisions of the Political Parties Liaison Committee shall be by consensus.

Proceedings of the Political Parties Liaison Committee and the National Steering Committee

19. (1) Minutes of a meeting of the National Political Parties Liaison Committee may be published in the Commission and Registrar's websites within fourteen days after signing by the Chairperson of the Commission or a representative, the Registrar or a representative and the Chairperson.

(2) The minutes of every meeting of the Steering Committee shall be prepared by the Secretary.

#### PART IV – ELECTIONS AND GENERAL PROVISIONS

Elections and term of members of the National Steering Committee and sub-committees

20. (1) There shall be an election of members of the National Steering Committee and sub-committees.

(2) The term of office of all elected party representatives under sub-regulation (1) shall be three years, provided that no person shall hold office for more than two terms.

Conduct of elections

21. (1) Elections under regulation 20 shall be presided over and conducted by the Commission.

(2) Every political party represented at the National Committee shall be entitled to one vote.

(3) Voting during elections shall be by secret ballot.

Allowances

22. Allowances shall be paid to the Political Parties Liaison Committee members as per the rates set out in the Second Schedule to these Regulations.

Transitional clause

23. The members elected to the National Steering Committee and the sub-committees holding office immediately before the commencement of these regulations shall continue to hold office until the end of their term.

**FIRST SCHEDULE**

**FORM PPLC 1**

(r. 3(2))

**APPOINTMENT OF POLITICAL PARTY REPRESENTATIVE TO THE NATIONAL  
POLITICAL PARTIES LIAISON COMMITTEE**

The representative of ..... Political party to the National  
Political Parties Liaison Committee is-

Name.....

ID/Passport No.....

Party Membership No .....

Telephone No.....

Gender .....

And the alternate representative is:-

Name.....

ID/Passport No.....

Party Membership No .....

Telephone No.....

Gender .....

Dated this .....day of ..... 20.....

**Submitted by authorized officials:-**

1. Name .....

ID/ Passport No. ....

Telephone No .....

Signature .....

2. Name .....

Designation .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....

FORM PPLC 2.

(r. 4(2))

**APPOINTMENT OF POLITICAL PARTY REPRESENTATIVE TO THE COUNTY  
POLITICAL PARTIES LIAISON COMMITTEE**

The following are the party representatives of .....Political party in each  
County Political Parties Liaison Committee:

County	Name	Gender (F/M)	ID No.	Address/ Telephone

Dated this .....day of ..... 20 .....

Submitted by authorized officials:-

- 1. Name .....
- ID/ Passport No. ....
- Telephone No .....

Signature .....

2. Name .....

Designation .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....

**FORM PPLC 3**

(r. 6(1)(a))

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE NATIONAL POLITICAL PARTY LIAISON COMMITTEE**

Name of political party .....

1. The following person has ceased to be the party representative to the National Political Party Liaison Committee:

Full name	ID/Passport No.	Gender (M/F)	Telephone/Contact Number
1.			
2.			

2. The following person has been appointed to be the new representative to the National Political Party Liaison Committee:

Full name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.			
2.			

Dated this ..... day of ..... 20 .....

**Submitted by Authorized signatories:-**

1. Name .....
  - ID/ Passport No. ....
  - Telephone No .....
  - Signature .....
2. Name .....
  - Designation .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....

FORM PPLC 4

(r.6(1)(b))

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE COUNTY  
POLITICAL PARTY LIAISON COMMITTEE**

Name of political party .....

1. The following person has ceased to be the party representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

2. The following person has been appointed to be the new representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

Dated this ..... day of ..... 20 .....

**Submitted by Authorized signatories:-**

1. Name .....

ID/ Passport No. ....

Telephone No .....

Signature .....

2. Name .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....

FORM PPLC 4

(r.6(1)(b))

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE COUNTY  
POLITICAL PARTY LIAISON COMMITTEE**

Name of political party .....

1. The following person has ceased to be the party representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

2. The following person has been appointed to be the new representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

Dated this ..... day of ..... 20 .....

Submitted by Authorized signatories:-

1. Name .....

ID/ Passport No. ....

Telephone No .....

Signature .....

2. Name .....

Designation .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....

**SECOND SCHEDULE**

(r.22)

**ALLOWANCES FOR POLITICAL PARTIES LIAISON COMMITTEE MEMBERS**

	Daily Allowance (Kshs.)
1. Chairperson	25,000
2. Members	20,000

Made on the .....2017

**Lucy K. Ndungu,**  
*Registrar of Political Parties*

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES  
(POLITICAL PARTIES LIAISON COMMITTEE) REGULATIONS, 2017**

**PART I**

**Name of Statutory Instruments:**

Political Parties (Political Parties Liaison Committee) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

The powers conferred by section 49 of the Political Parties Act, 2011

**Name of the regulatory-making authority:**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Political Parties Liaison Committee) Regulations is intended to enforce Section 38 of the Political Parties Act, 2011, which establishes the Political Parties Liaison Committee at the National and County level. This instrument provides for the structured guidelines for the composition, functions and procedures of the Political Parties Liaison Committee and other matters connected thereto.

The Regulations are divided into four parts –

Part I – Preliminary

Part II – Composition and functions of Committees

Part III – Meetings

Part IV – Elections and General Provisions

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed

regulations are vital to give effect and enhance implementation of section 38 of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However, there is need to operationalize the inclusion of the Political Parties Liaison Committee into legislation hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulation in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

### **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

### **8. Contact**

Lucy K. Ndungu, E.B.S

Registrar of Political Parties

Office of the Registrar of Political Parties

Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way

P.O Box 1131-00606

**Nairobi, Kenya.**

Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

*Annex 1 Table of Public Participation Events*

S/No.	Date	Venue	Stakeholders	Outcome
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12.	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> –25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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## *Annex 2      Regulatory Impact Assessment*

### 1. Objectives of the proposed legislation and reasons for them.

This Regulatory Impact Assessment (RIA) report discusses the potential regulatory impacts of adopting the new Political Parties (Political Parties Liaison Committee) Regulations, 2017 for the operationalization of section 38 of the Political Parties Act, 2011. The concept of the Political Parties Liaison Committee is not new, it was first established after the 2007 General Elections because of the post-election violence witnessed in Kenya. The Commission, known as the Independent Review Commission (IREC), headed by Justice (retired) Johann Kriegler from South Africa focused on, amongst other areas, the relationship between the Electoral Commission and Political Parties. In its recommendations it proposed a standing liaison committee to be set up comprising the ECK and political parties as a first step towards the enactment of nomination rules.

In July 2009, the Interim Independent Electoral Commission met with all registered political Parties and modalities for having a structured liaison framework between parties, the Registrar of Political Parties and the Commission was resolved. The Political Parties Liaison Committee (PPLC) was thus established through the Nakuru resolutions between the then registered parties (47 in number) and the Commission in Nakuru on 13<sup>th</sup> March 2010.

After the enactment of the Political Parties Act, 2011 the Political Parties Liaison Committee was established in law under section 38. This therefore necessitated the drafting of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 to govern the procedure by which the Committee would operate including membership to the PPLC, establishment of a Steering Committee and the meeting procedures. The objective of the regulations is therefore to:

- a) Provide for the composition of the Political Parties Liaison Committee at the national and county levels;
- b) Provide for the functions of the Political Parties Liaison Committee;
- c) Establish a National Steering Committee for the coordination of activities of the Liaison Committee;
- d) Provide for the procedure of meetings of the Political Parties Liaison Committee and the National Steering Committee and connected purposes;
- e) Provide for the conduct of elections and term of office of the member of the National Steering Committee; and
- f) Provide for other general provisions related to the operations of the Political Parties Liaison Committee.

## 2. Effect of the proposed legislation

The Political Parties (Political Parties Liaison Committee) Regulations, 2017 once published will govern the already existing liaison committee which has membership of all registered political parties, the Registrar of Political Parties and the Independent Electoral and Boundaries Commission.

The evaluation conducted in this Regulatory Impact Assessment (RIA) of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 indicates that the Kenyan political sector, including all registered political parties, the Office of the Registrar of Political Parties and the Independent Electoral and Boundaries Commission will be able to comply with all of the provisions of the regulations when they are gazetted.

The RIA has identified four categories of requirements with which political parties and the Office of the Registrar will be initially non-compliant and that will require the investment of time, staff resources, and financing in order to achieve full compliance. Compliance can however be achieved within three months from the beginning of the 2017/2018 financial year. These four categories are illustrated in *Table 1* below:

s/No.	Category of requirements	Non-Compliant entity	Timeline for Compliance
1.	Composition of County PPLC	Political Parties	7 days
2.	Frequency of meetings	Political Parties, Office of the Registrar	30 days
3.	Secretariat	Political Parties, Office of the Registrar	3 months
4.	Allowances	Office of the Registrar	3 months

*Table 1. Categories of requirements and non-compliance*

In order to fully implement the Regulations, the Office of the Registrar will need to coordinate and liaise with the National Treasury, Public Service Commission and other Government agencies to allocate adequate resources for the operations of the Liaison Committee.

## 3. Assessment of costs and benefits of the proposed regulations

Based on the requirements under the Regulations and the areas of non-compliance, the schedule of activities, resource needs, as well as labour and costs have been developed and presented in *Table 2*.

s/No.	Requirement	Activities	Resources	Cost per F/y
1.	Composition of the PPLC	Filing Forms with the ORPP	Human	-
2.	Meetings of the PPLC	Minimum quarterly meetings scheduled	Human and Financial	15,000,000
3.	Meetings of the National Steering Committee	Minimum quarterly meetings scheduled During an election year minimum monthly meetings	Human and Financial	1,800,000
4.	Secretariat	Recruitment of staff Recurrent expenditure for salaries and allowances for staff	Human and Financial	2,380,000
5.	Allowances payable to the PPLC members		Financial	10,820,000
	<b>TOTAL</b>			<b>30,000,000</b>

Table 2. *Schedule of activities, resource needs and costs*

The benefit of operationalizing the Political Parties Liaison Committee and consequently the publication of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 are to first and foremost to create a forum for dialogue between political parties, the Office of the Registrar and the Independent Electoral and Boundaries Commission towards the holding of peaceful, free and fair elections.



Republic of Kenya

REGISTRAR OF POLITICAL PARTIES

REPORT OF A MEETING HELD BETWEEN ORPP AND A  
DELEGATION OF PARTY REPRESENTATIVES LED BY PPLC  
CHAIRPERSON

VENUE: ORPP BOARDROOM

LION PLACE, NAIROBI

DATE: 20<sup>TH</sup> MARCH, 2017

Lion Place, 1<sup>st</sup> floor  
Off Waiyaki way  
P.O. Box 1131-00606  
NAIROBI

Tel: +254 (020) 4022000  
Email: registrar@orpp.or.ke  
Website: www.orpp.or.ke

## Present

- a. Political Party Representatives (Participants List attached as Annex 1)
- b. Lucy K. Ndungu                      Registrar of Political Parties
- c. Rebecca Wahu                      Legal Officer, ORPP

## **Deliberations on the Political Parties (Political Parties Liaison Committee) Regulations 2017**

### **1. Philip Obonyo -Chair National Steering Committee**

The Chair supported by the members present stated that the discussions held over the Political Parties (Political Parties Liaison Committee) Regulations 2017 during the Maanzoni meeting held on 17<sup>th</sup> March 2017 were not exhaustive. It was noted that there various areas that needed further consensus and hence the need for them to have come to the ORPP's offices to have their input considered.

### **2. Lucy K. Ndungu – Registrar of Political Parties**

The Registrar agreed that indeed the Maanzoni meeting did not exhaustively look at the PPLC Regulations and therefore the group was welcomed in deliberating further on the same. The Regulations would then be presented to the parliamentary Committee on Delegated Legislation with the suggestions made for their approval and further action.

## **Deliberations and Way forward**

The following areas were considered by the members;

- i. The number of the steering committee members was agreed upon to constitute 10 members thus reducing the initial number of 16.
- ii. The sub-committees established were given names for better understanding of their functions.
- iii. The secretariat if working independently from the ORPP should be recruited by the Steering Committee together with the ORPP.
- iv. Procedure for a vote of no confidence for a member of the Steering Committee was deliberated and amended.

Attached as *Annex 2* is the Draft Political Parties (Political Parties Liaison Committee) Regulations 2017 as agreed upon

The meeting ended at 4:00 pm.

Prepared by;

Rebecca Wahu

Office of the Registrar of Political parties



**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 12*

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*(Legislative Supplement No. 7)*

LEGAL NOTICE NO. 48

**THE REGISTRATION OF PERSONS ACT**

*(Cap. 107)*

IN EXERCISE of the powers conferred by section 16 of the Registration of Persons Act, the Cabinet Secretary for Interior and Coordination of National Government makes the following rules—

**THE REGISTRATION OF PERSONS (AMENDMENT) RULES**

1. These Rules may be cited as the Registration of Persons (Amendment) Rules, 2018. Citation

2. The Registration of Persons Rules is amended in rule 8 by deleting the words “shall not pay any fees” appearing in paragraph (6) and substituting therefor the words “shall pay to the authorized officer a fee of one hundred shillings”. Sub-leg

Dated the 9th February, 2018.

FRED MATIANG'I,  
*Cabinet Secretary,  
Interior and Co-ordination of National Government.*

LEGAL NOTICE NO. 49

**THE EXPORT PROCESING ZONES ACT**

*(Cap. 517)*

**DECLARATION OF EXPORT PROCESSING ZONE**

IN EXERCISE of the powers conferred by section 15 (1) of the Export Processing Zones Act, the Cabinet Secretary for Industry, Trade and Co-operatives declares the parcel of land specified in the Schedule hereto to be an export processing zone.

**SCHEDULE**

All that piece of land being L.R. No. 5876/2 measuring approximately 20 acres or thereabout, situated in Ndumberi, Kiambu County.

Dated the 5th October, 2017.

ADAN MOHAMED,  
*Cabinet Secretary,  
Industry, Trade and Co-operatives.*

## LEGAL NOTICE NO. 50

## THE ENERGY ACT

(No. 12 of 2006)

IN EXERCISE of the powers conferred by section 104 (2) (a) of the Energy Act, 2006, the Cabinet Secretary for Energy and Petroleum make the following Regulations—

THE ENERGY (APPLIANCES' ENERGY PERFORMANCE AND LABELLING) (AMENDMENT) REGULATIONS, 2018

1. These Rules may be cited as the Energy (Appliances' Energy Performance and Labelling) (Amendment) Regulations, 2018. Citation

2. The Energy (Appliances' Energy Performance and Labelling) (Amendment) Regulations, 2016 is amended by deleting the Second Schedule and substituting therefore the following new Schedule— L.N. 125/2016

SECOND SCHEDULE (r.5(2), (3) (c) and 16 (1) (b).)

Registration Charges and Application Fees.

Appliance	Category	Application Fees per model (KShs).
Self-Ballasted Lamps	CFL.	3000
Double Capped Fluorescent Lamps	FL.	3000
Ballasts for Fluorescent Lamps	BFL.	3000
Refrigerating Appliances	R.	5,000
Non-Ducted Air Conditioners	AC.	10,000
Three-Phase Cage Induction Motors.	M.	10,000

Dated the 7th February, 2018.

CHARLES KETER,  
Cabinet Secretary,  
Ministry of Energy and Petroleum.

## LEGAL NOTICE NO. 51

## THE SACCO SOCIETIES ACT

(No. 14 of 2008)

IN EXERCISE of the powers conferred by section 15 of the Sacco Societies Act, the Sacco Societies Regulatory Authority makes the following Order —

THE SACCO SOCIETIES DEPOSIT LEVY (AMENDMENT) ORDER, 2018

1. This Order may be cited as the Sacco Societies Deposit Levy (Amendment) Order, 2018. Citation

2. The Sacco Societies Deposit Levy Order 2011, hereinafter referred to as "the principal Order", is amended by deleting paragraph 2 (1) and substituting therefor the following new paragraph— Sub-leg

2. (1) Subject to a maximum levy of ten million shillings per annum, a deposit-taking Sacco Society shall pay an annual levy (hereinafter called the deposit levy payable) at the rate set out in the schedule based on the total deposits held by the society as indicated in the last audited financial statements of the society.

3. The principal Order is amended by deleting paragraph 4.

SCHEDULE (p. 2 (1))

<i>Rate of deposit levy payable in percentage</i>	<i>Period of imposition of deposit levy payable</i>
0.125%	From January, 2018 to December, 2018.
0.15%	From January, 2019 to December, 2021.
0.175%	From January 2022.

Dated the 7th February, 2018.

By order of the Board.

JOHN MWAKA,  
*Chief Executive Officer,*  
*Sacco Societies Regulatory Authority.*

LEGAL NOTICE NO. 52

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

THE PROPOSED ACQUISITION OF THE ENTIRE ISSUED  
SHARE CAPITAL OF EKE PROPERTY LIMITED BY GATMA  
HOLDINGS LIMITED

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the proposed acquisition of the entire issued share capital of EKE Property Limited by Gatma Holdings Limited from the provisions of Part IV of the Act due to the following reasons—

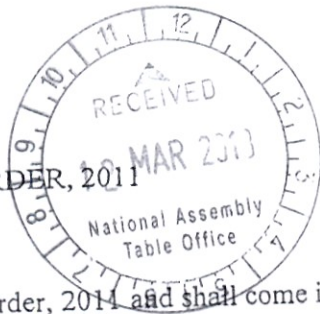
- (a) the transaction will not affect competition negatively;
- (b) the acquirer's turnover for the preceeding year 2016 was KSh. 19,896,384, whereas the target's turnover was KSh. 134,520,457, therefore the combined turnover of the undertakings is and KSh. 154,417,281; and
- (c) the transaction meets the threshold required for mandatory notification as contained in the Merger Threshold Guidelines.

Dated the 23rd January, 2018.

WANG'OMBE KARIUKI,  
*Director-General.*

SACCO SOCIETIES DEPOSIT LEVY ORDER, 2011

[L.N. 188/2011.]



1. This Order may be cited as the Sacco Societies Deposit Levy Order, 2011 and shall come into operation on the 31st December, 2011.
2. (1) There shall be paid a levy (hereinafter called the deposit levy payable) based on the deposits held in any deposit-taking Sacco Societies at the rate of Zero point one zero per centum (0.10%) of the total deposits held as indicated in the last audited accounts, subject to a maximum deposit levy of Kenya Shillings five million (KSh. 5,000,000) only.  
(2) Upon issuance of a deposit-taking licence, the Authority shall assess the Sacco Society for purposes of this Order.  
(3) The deposit levy payable shall become due and payable not later than thirty (30) days after assessment of the same by the Authority, and service of an assessment notice on the Sacco Society.
3. The deposit levy payable by Sacco Societies on the year of first issuance of a deposit-taking licence shall be the equivalent of the pro-rated amount of the deposit levy payable with effect from the next month after the issuance of the licence.
4. The deposit levy payable by Sacco Societies for the financial year ending December 2012 upon the renewal of the deposit-taking licence, shall be the prescribed deposit levy payable, as provided under paragraph 2, less the pro-rated amount paid by the Sacco Society in the previous year.
5. The Sacco Societies Deposit Levy Order, No. 208 of 2010 is revoked.

By Order of the Board.



## EXPLANATORY MEMORANDUM

### EXPLANATORY MEMORANDUM TO THE SACCO SOCIETIES DEPOSIT LEVY (AMENDMENT) ORDER, 2018

#### PART I

**Name of the Statutory Instrument:** The Sacco Societies Deposit Levy (Amendment) Order, 2018

**Name of the Parent Act:** The Sacco Societies Act (Cap 490)

**Enacted Pursuant to:** Section 15 of the Sacco Societies Act (Cap 490)

**Name of the Ministry/ Department:** Ministry of Industry, Trade and Cooperatives

**Gazetted on** 23<sup>rd</sup> February, 2018

**Tabled on** ..... February, 2018

#### PART II

##### 1. Purpose of the Statutory Instrument

To increase Sacco Societies Deposit levy rate from the current 0.1 per cent to 0.125 per cent in the first year, second year 0.15 per cent and to 0.175 per cent in the fifth and subsequent years. The deposit levy is a major source of revenue for the effective exercise of the Authority's supervisory and regulatory mandate under the Act. The proposed increase in the rates will ensure financial sustainability for the Authority to effectively and efficiently carry out its mandate. ***Details of L.N. 51/2018 provided in Folio 2.***

##### 2. Legislative Context

The Policy of the Government through National Treasury on funding SAGA; (Semi-Autonomous Government Agencies) for initial three financial years of its

commencement of operations. From the fourth year onwards, it is expected that the industry being served or regulated should fully fund the operations through levies and fees provided in the law. The Authority is in its eighth year of operations with the current levy at 0.1 per cent charged vide the Sacco Societies Deposit levy Order (L.N. 188/2011) which only accounts for sixty (51) per cent of the Budget, with the deficit being from the exchequer. However, the funds from the exchequer have been fluctuating greatly affecting the operations of the Authority. It is the L.N.188/2011 that the Authority seeks to amend. *Details of L.N. 188/2011 provided in Folio 3.*

### **3. Policy Background**

The SACCO subsector contributes significantly to the overall attainment of Vision 2030 through financial inclusion, increased savings mobilization, improved access to credit and enhanced financial sector stability which are the key objectives of the Sacco Societies Act.

The number of licensed SACCOS increased from initial figure of ninety eight (98) in 2011 to a total of one hundred and seventy six (176) DTSSs in 2016 stretching available resources to the limit. The increased number of SACCOS coupled with opening of common bonds, expansion through branches and other service delivery channels, increased use of technology, diversified products and near-banking services present new challenges to the Authority.

The challenges include expanded risk exposure to deposit taking business and need to enhance regulatory capacity as well as industry capacity to keep up with the changing operating environment. There is dire need for new innovative ways of supervising the SACCOS including automation of risk analysis; feedback to boards and management; increased visibility of the Authority; more stakeholder engagement and continuously researching on regulatory and developmental policies for the good of the industry;

The foregoing reflects an industry that is transitioning to maturity or independent stage just like other financial sector industries underscoring the need to have a sustainable funding for the regulator to effectively supervise and develop the deposit taking SACCOS in partnership with industry stakeholders. The uncertainty on exchequer funding due to changing policy priorities undermines the execution of

Authority's mandate and hence policy objectives of having a competitive and stable Sacco subsector.

The foregoing has led to immense pressure on the resources available to the Authority hence the need to review the levy upwards before the Government funding is totally withdrawn. The following section provides specific justification for the proposed levy increase.

The growth of Saccos highlighted above has made it imperative for the Authority to review its regulatory and development strategies in order to enhance the financial soundness and competitiveness of the deposit taking Saccos. The specific strategic themes that the Authority will focus on with the increased funding include but not limited to:

#### **a) Policy Development and Implementation**

Kenya's financial sector has a reputation for innovation and stiff competition. The increasing convergence of market segments served by deposit taking Saccos and other deposit takers including mobile financial service providers demand new thinking for the Sacco business model to remain relevant and competitive. Developing requisite capacity in continuous research and policy formulation in both regulatory and development spheres of the Sacco subsector is a priority for the Authority. The following are a sample of the ongoing policy initiatives that have taken time due to resource constraints.

- i) **Central Liquidity Facility:** When successfully actualized will be a transformative initiative both for the financial stability and competitive of the Saccos as deposit takers.
- ii) **Policy on Shared Services for Saccos:** Operational sustainability is a major competitive advantage in deposit taking institutions moving forward. Saccos being cooperative can benefit from shared business infrastructure.
- iii) **Deposit Guarantee Fund:** Prudential regulation alone is inadequate to deal with failure of deposit taking Saccos. Deposit insurance is an important policy tool as Saccos increasingly offer near-banking services. A Kenyan in a Sacco expects the same protection for deposits as he/she gets from a bank.

- iv) **Consolidation/Mergers of Saccos:** Besides shared services policy framework, it is time that the Sacco subsector objectively considered the business pros and cons of a merging Saccos to enhance operating efficiency through economies of scale and scope.
- v) **Sacco Industry Performance Portal:** There is increased interest in the Kenya Sacco subsector performance from different stakeholders including universities, Government departments and agencies, policy analysts and development partners. The Authority receives numerous data requests from university students. This is a positive development and one we should fully support by creating a reservoir of Sacco performance data including membership, credit, deposits and overall performance. This requires resources to collect data and analyze in a presentable format.

The Authority plans to develop research capacity to provide leadership in innovative policy initiatives aimed at enhancing sectoral stability, efficiency and financial inclusion.

#### **b) Enhancing Offsite Analysis Capabilities**

The Deposit taking Saccos are currently able to electronically submit regulatory returns for analysis; however feedback takes time delaying corrective action that the Sacco Board and Management would otherwise be expected to take. It is for this reason that the Authority seeks to get additional funding by increasing Sacco levy to acquire and maintain a risk based supervision system capable of not only receiving data and analysis but also include a module where the Saccos can instantly download their prudential compliance summary report. The system will automatically conduct validation and consistency checks and give instance feedback report on monthly returns. Automation of offsite analysis will release supervision personnel for onsite inspections, which has increased with a total of 176 licensed Saccos.

In addition, the Authority will be able to hold more prudential meetings with Sacco management and/or directors to discuss regulatory concerns and give appropriate guidance. This will enhance the capacity of the Board to effectively oversee and direct the Sacco business.

### **c) Frequency and Depth of Onsite Inspections**

Unlike other financial sector providers whose head office are based in the capital city, Nairobi, the Sacco societies on the other hand are based where their members are hence geographically spread in about forty four counties. Conducting onsite inspections therefore costs more due to travel and accommodation requirements which the current resource envelope is inadequate to cover.

The Authority's future policy with increased funding is to have every licensed Sacco inspected once every two years. In addition, the length of an onsite will be increased as appropriate to provide more time to deeper understand and evaluate the Sacco business strategies and operations. Regular on -site inspections combined with improved offsite analysis will ensure early detection of financial problems for timely corrective action.

The foregoing is critical in entrenching a proactive risk based supervisory approach that focuses on early detection of prudential non-compliance and strengthening the Sacco's capacity to address the business challenges. Implementation of the above plan will avert closure and revocation of licenses for deposit taking that is largely attributed to inadequate institutional capacity and to take timely action on identified Sacco. *Details of policy brief on Sacco Societies Deposit levy provided in Folio 4.*

### **4. Consultation Outcome**

The Ministry and the Sacco Societies Regulatory Authority held consultations with the stakeholders which included but not limited to the SACCO leaders, officers of the Sacco and National Cooperative Organizations.

The stakeholder engagement process was commenced by creation of awareness to the Sacco leaders and County government officers on the need to increase the Sacco Societies Deposit Levy with the objective of the regulator attaining financial sustainability to be able to effectively and efficiently execute its mandate and ensure safety of Sacco member's funds.

- (a) The Authority in the first phase, engaged Stakeholders at the regional level in March, 2016. This involved creation of awareness to the target audience

which included regional leaders and county government officials. **Folio 5 sets out documents relating to this phase of consultation which include:**

- i) Invitation letters
- ii) Policy Brief discussed at the forums
- iii) Presentation by the Authority
- iv) Programmes and attendance lists for the meetings

(b) In the second phase, the Authority engaged Stakeholders in the month of November, 2016, this included invitation of comments from stakeholders on the proposed increase, analysis of comments and providing responses on the same. A total of 47 submissions were received out of which 65 per cent were in support of the increase while 37 per cent were against the increase. **Folio 6 sets out documents relating to this phase of consultation which include:**

- i) Invitation Letters
- ii) Policy Brief on the Levy Increase
- iii) Comments received for stakeholders
- iv) Analysis on the comments
- v) Responses by the Authority to the stakeholder comments

(c) In the third phase, the comments from the stakeholders were further considered at the Stakeholder validation workshop held on 24<sup>th</sup> November, 2016 at 680 Hotel in Nairobi and attended by all stakeholders to further discuss the proposals, comments received and reach an agreement. **Folio 7 sets out documents relating to this phase of consultation which include:**

- i) Invitation letters for the stakeholders workshop
- ii) Presentations by the Authority
- iii) Responses to stakeholders comments
- iv) Report on final stakeholder meeting
- v) Programme and attendance list for the meeting

The stakeholders after due consideration of the proposed increase unanimously agreed to increase Sacco Societies Deposit levy rate from the current 0.1 per cent to 0.12 per cent in the first year, second year 0.15 per

cent and to 0.175 per cent in the fifth and subsequent years. The maximum levy rate payable capped at Kenya shillings ten million (Kshs. 10,000,000).

## 5. Guidance

5.1 The Sacco Societies Regulatory Authority has been in engagement with Sacco leaders and members on the need for the increase of the levy to facilitate effective and efficient prudential regulation to safeguard members' funds. This will continue through education forums on tangible benefits aligned to the economic pillar under Vision 2030. The SACCO subsector through prudential practices enforced by the Authority shall contribute significantly to the overall attainment of Vision 2030 through financial inclusion, increased savings mobilization, improved access to credit and enhanced financial sector stability.

## 6. Impact

6.1 The amendment shall have no fundamental effect to the rights.

Sacco Deposits are only used as a basis for levy calculation; otherwise the levy is an expense which is expended in the income statement of the Sacco. Thus, the impact of the levy can be measured as a proportion of the turnover. On average, the levy charged has been 0.37% of the consolidated Sacco turnover. With an increase to 0.125% in 2018 the proportion of levy to total turnover shall be 0.5% and 0.56% in 2019 when the levy rate shall be 0.15% before reaching 0.59% of turnover at a levy rate of 0.175% in 2022. There shall be gradual decline in this proportion as the rate stabilizes at 0.175%. This is tabulated below:

Amounts (Kshs)	2016	Projected (@15%)		2018	2019	2020	2021
		2017	2018				
Deposits	272,578,602,087	313,465,392,400	360,485,201,260	414,557,981,449	476,741,678,666	548,252,930,466	
Total Income	55,257,986,466	63,546,684,436	73,078,687,102	84,040,490,167	96,646,563,692	111,143,548,246	
Assessed Levy	204,564,111	317,503,507	406,697,804	499,431,731	547,025,318	595,433,592	
Proportion Levy to Total	0.370%	0.500%	0.557%	0.594%	0.566%	0.536%	
Levy Rate	0.10%	0.125%	0.150%	0.175%	0.175%	0.175%	
Savings from Capping	68,014,491	74,328,233	134,029,997	226,044,737	287,272,619	364,009,037	

6.2 The amendment will enhance level of supervision to ensure safe and sound deposit taking SACCOS thereby enhancing financial stability.

## **7. Monitoring and review**

7.1 The success criteria of this regulation will be measured by the increased in revenue for the Authority to undertake effective and efficient supervision.

## **8. Contact**

**8.1 John Mwaka, Chief Executive Officer SASRA.**

[jmwaka@sasra.go.ke](mailto:jmwaka@sasra.go.ke)

0722 843927

LEGAL NOTICE NO.....

**THE POLITICAL PARTIES ACT, 2011**

*(No. 11 of 2011)*

**THE POLITICAL PARTIES (REGISTRATION) REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**

*Regulation*

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#### **SCHEDULES**

##### **FIRST SCHEDULE—FORMS**

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**THE POLITICAL PARTIES ACT, 2011**  
*(No 11 of 2011)*

**IN EXERCISE** of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following Regulations—

**THE POLITICAL PARTIES (REGISTRATION) REGULATIONS, 2017**

**PART I-PRELIMINARY**

Citation. 1. These Regulations may be cited as the Political Parties (Registration) Regulations, 2017.

Interpretation. 2. In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties Act, 2011;

“register” means the register of particulars of political parties kept by the Registrar under section 34 of the Act;

“registered political party” means a political party that is fully registered under the Act.

**PART II— REGISTRATION OF A POLITICAL PARTY**

Application for provisional registration of a political party.

3. (1) An application for provisional registration of a proposed political party in accordance with section 6 of the Act shall be in duplicate, in Form PP 1 together with a declaration in support of the application in Form PP 2 set out in the First Schedule.

(2) A request for the registration of the colours of the proposed political party under section 5 (4) of the Act shall—

(a) specify a combination of at least three colours; and

(b) identify the printing code of each colour.

(3) An application under sub regulation (1) shall be signed by three of the founding members of the proposed political party who shall attach certified copies of their National Identity cards or valid Kenyan Passport to the application.

(4) The Registrar, on receipt of an application under sub regulation

(1) and (2), shall within fourteen days, publish a notice in the *Gazette* and in at least two newspapers with nationwide circulation, inviting objections from any person or any other political party concerning the registration of the name, symbol, colour of the political party, or any other issue relating to the registration of the political party.

(5) The Registrar, if satisfied that the conditions for provisional registration have been fulfilled, shall within thirty days of such receipt, and upon payment of the prescribed fee specified in the Second Schedule –

(a) register the name, colours and symbol of the political party; and

(b) issue a certificate of provisional registration.

(6) A political party may, upon registration of the colours and symbol under sub regulation (5), print or display such logo and symbol.

(7) The certificate of provisional registration of a political party shall be in Form PP 3 set out in the First Schedule.

Application for full registration of a political party.

4.(1) An application for full registration of a political party in accordance with section 7 of the Act shall be in duplicate in Form PP 4 set out in the First Schedule, and shall be submitted to the Registrar together with a declaration in Form PP 5 set out in the First Schedule.

(2) The Registrar, on receipt of an application under sub regulation (1), will scrutinise it, and if satisfied that the conditions for full registration have been fulfilled, shall within thirty days of such receipt issue a certificate of full registration on payment of the prescribed fees specified in the Second Schedule.

(3) The certificate of full registration of a political party shall be in Form PP 6 set out in the First Schedule.

(4) Upon being issued with a certificate of full registration of a political party, the applicant shall surrender the certificate of provisional registration to the Registrar.

(5) If for any reason the certificate of provisional registration cannot be surrendered as required under sub regulation (4), the applicant shall submit an affidavit and a police abstract explaining the circumstances of its unavailability and the Registrar shall, if satisfied by the reasons, file the

documents and cancel the provisional certificate.

Notice of change  
of office holder.

5. (1) Where an office holder of a registered political party ceases to hold office, and another person is elected to that office, the political party shall, within fourteen days of the appointment, send notice thereof to the Registrar.

(2) A notice under sub regulation (1) shall be in duplicate in Form PP 7 set out in the First Schedule.

Notice of change  
of location of head  
office, postal  
address, etc

6.(1) If a registered political party changes the location of its head office or county office, the postal address, email address or telephone numbers of its head office or county office, the political party shall, within fourteen days of such change, send notice thereof to the Registrar.

(2) A notice of change of location shall be in duplicate in Form PP 8 set out in the First Schedule.

(3) A notice of change of postal address, email address or telephone number shall be in duplication in Form PP 9 set out in the First Schedule.

Notification of  
changes,  
alterations in  
name, colour,  
symbol,  
constitution of  
political party.

7.(1) A notification by a registered political party of its intention to change its name, abbreviation of the name, colour or symbol shall be in duplicate in Form PP 10 set out in the First Schedule, and the Registrar shall, in writing, notify the applicant of the decision thereon.

(2) A notification by a registered political party of its intention to change any of the provisions of its constitution or rules shall, be in duplicate in Form PP 11 set out in the First Schedule.

(3) The Registrar shall, prior to refusing to effect a change under this regulation, notify the intention and reasons for the refusal to the political party concerned and shall give the political party an opportunity to submit reasons, if any, why the application should be granted.

(4) If within two weeks of receiving the notification from the Registrar under sub regulation (3), the political party fails to submit reasons why the Registrar should effect the proposed changes, the Registrar shall dispense with the application made by that political party to effect changes under this regulation.

(5) Where the name of a registered political party is changed, the Registrar shall issue a new certificate of registration upon the original certificate being surrendered to the Registrar, unless its absence is accounted for to the satisfaction of the Registrar by way of an affidavit and a police abstract.

Approval of  
change.

8. A notification to the Registrar under regulations 5, 6 and 7 shall be accompanied by a copy of the minutes of the meeting of the body authorized at which the resolution to effect the change was passed, certified as a true copy and signed by three authorised officials of the political party.

Register of  
political parties

9. (1) The register of political parties required to be kept under section 34 (e) of the Act shall be in Form PP 12 set out in the First Schedule.

(2) The register of political parties shall include the following information relating to each political party—

- (a) a duplicate copy of the registration certificate of the political party;
- (b) a copy of the constitution of the political party;
- (c) a status report of the political party indicating whether the political party is active, suspended or deregistered;
- (d) an accurate and updated list of offices of the political party;
- (e) an accurate and updated list of members of the political party;
- (f) an accurate and updated list of the political party officials including their full names, addresses, telephone numbers and email addresses;
- (g) the election rules of the political party;
- (h) the nomination rules of the political party; and
- (i) any other particulars which the Registrar may, from time to time, determine.

(3) The Registrar shall record in the register all, changes of the name, abbreviation of the name, symbol or colour of the political party and any other particulars.

(4) Any person may inspect the register and any other document lodged

with the Registrar relating to a political party pursuant to the Act, and may, on payment of the prescribed fee, obtain a copy of any document from the Registrar.

Correction of information.

10. (1) The Registrar or a person authorised by the Registrar, may correct any clerical error or omission in the register or in a certificate issued to a political party.

(2) The signature of the Registrar or authorised person and the date of the correction shall be inserted against the correction.

(3) A correction of an error or omission under sub regulation (1) shall be made without rendering what was written illegible and without erasing the original entry.

(4) If the Registrar determines that any information required to be included in the register is missing, the Registrar shall notify the political party to furnish such information within fourteen days of such notification.

(5) Where after fourteen days the required information under sub regulation (4) is not furnished, the Registrar may suspend any service to the political party until the information is furnished.

Removal of particulars of a political party from the register.

11.(1) The Registrar may remove the name and particulars of a political party from the register in case of —

- (a) a provisionally registered political party which has not applied for full registration within one hundred and eighty days from the date of provisional registration;
- (b) deregistration of the political party;
- (c) winding-up of the political party; or
- (d) dissolution of the political party.

(2) Where the name, symbol and colours of a political party have been removed from the register under sub regulation (1), the Registrar shall not register a political party with the same or a similar name, symbol, or colours for a period of five years.

Reports

12. The Registrar may, at any time, require a political party to

submit a report relating to the constitution, objectives and purpose of the political party, the office holders and membership of the political party.

Designation of signatories.

13. Every political party shall within fourteen days of full registration file in Form PP 13 the names and specimen signatures of party officials authorized in its constitution to sign -

a) documents presented to the Registrar, including membership register, coalition agreements, mergers, and other reports to the Registrar;

b) documents presented to the registrar for changes of name, constitution, rules, symbol and colour of the political party;

c) the bank accounts of the political party;

d) the audited annual accounts and financial statements of the political party;

e) any report or document of the political party required under the Act or any other written law;

f) the nomination certificates for any nomination for general and by-elections; and

g) the return on elections of the political party officials.

Notices by Registrar to be sent by registered post, physical address or official e-mail address

14. Any notice which the Registrar is required to give to any political party shall be deemed to have been given to the political party if -

a) sent by registered post;

b) delivered to the registered physical address; or

c) sent to the official e-mail address.

Notification of suspension of a party

15. Where a political party is suspended under section 21 of the Act, the Registrar shall notify the political party in Form PP 14 set out in the First Schedule.

Notification of deregistration of a political party.

16. (1) Where the Registrar intends to deregister a political party under section 21 of the Act, the Registrar shall notify the political party in Form PP 15 set out in the First Schedule.

(2) The Registrar shall, within fourteen days of deregistration of a

political party or upon its declaration as a prohibited organisation under any law, issue a notice in Form PP 16 set out in the First Schedule and cause a notice of the deregistration to be published in the *Gazette*.

### PART III— MEMBERSHIP OF POLITICAL PARTIES

Recruitment of members of a political party.

17. (1) A political party shall require every person it has recruited as a member to complete the party membership recruitment form as set out in Form PP17 in the First schedule.

(2) A political party shall not recruit members before the proposed political party has been issued with a certificate of provisional registration.

(3) A political party shall, within twenty one days of the recruitment of a member, insert the details in sub regulation (1) in the membership register and submit to the Registrar.

(4) The Registrar may from time to time require a political party to submit the register of members in a specific format including electronic

Party membership card.

18. (1) A political party shall issue a party membership card to each member as evidence of the person's membership.

(2) A political party may incorporate electronic formats of the membership card.

(3) A membership card issued under this regulation shall be in Form PP 18 set out in the First Schedule.

Verification of party membership status

19. (1) Upon receipt of the political party membership lists, the Registrar shall publish a notification to the effect that the list of all members of political parties is publicly available.

(2) The Registrar shall put in place measures to enable registered political party members to verify their membership status electronically.

Resignation of member of a political party.

20. For purposes of section 14 (5) of the Act, a member of a political party shall have resigned from a political party upon —

- (a) a resolution of the national executive committee of the political party constituted to determine the membership of the person based on a pre-determined criteria contained in its constitution or rules and procedure for expulsion of a member;
- (b) a declaration based on a reasonably justifiable complaint from any person to the Registrar after following the procedure stipulated in regulation 21; or
- (c) an order of a court or the Political Parties Disputes Tribunal to that effect.

Resignation following a complaint.

21. (1) Whenever the Registrar receives a complaint from any person requesting that a member of a political party be deemed to have resigned, the Registrar shall assess whether the complaint is justified or not.

(2) If the Registrar is satisfied that the conduct of the member against whom the complaint was made does not present sufficient grounds for the member to be deemed to have resigned, the Registrar shall dismiss the complaint and inform the complainant of the decision.

(3) Where the Registrar is of the opinion that there is a reasonably justifiable cause, the Registrar shall notify the member so complained of and the political party and require it to, within seven days of the notification, convene the requisite party organ to consider whether or not the member should be expelled, and to notify the Registrar accordingly.

(4) Where the Registrar is satisfied that the complaint has been duly addressed by the political party in accordance with the procedure in the party constitution and rules under sub paragraph (3), the Registrar shall uphold the decision of the political party.

(5) Where the Registrar is not satisfied that the complaint has been duly addressed by the political party in accordance with the procedure in the party constitution and rules, the Registrar shall send it back to the political party setting out the breach of procedure.

Resignation following an order of the court or Tribunal

22. Upon receipt of an order of the Political Parties Disputes Tribunal or a court of competent jurisdiction to the effect that a member

Removal from membership register

has resigned, the Registrar shall within fourteen days remove the name of the member from the membership register of the political party

23. Where a person has resigned from a political party, under regulation 20 and 21 the Registrar shall within seven days of the resignation remove the name of the member from the membership register of the political party.

#### PART IV— OFFICES OF A POLITICAL PARTY

Requirement to maintain a functioning office.

24. Every political party shall maintain offices in accordance with section 7(2)(f)(ii) and (iii) which shall —

- (a) be open for at least eight hours a day of each working day;
- (b) be manned by employees during working hours;
- (c) be accessible to the public; and
- (d) have signage and branding.

Location of party offices.

25. (1) The office of a political party shall be a public office, open for inspection and shall not be located in -

- (a) a house concurrently used as a residence by any person;
- (b) a public officers' place of work; or
- (c) any place that is restrictive to any section of the general public.

(2) Where the office of the political party is—

- (a) rented, details of the lease agreement shall be maintained in the office; and
- (b) provided as support to the political party, the agreement to that effect shall be maintained in the office and be available for inspection.

Documents to be kept in political party offices. Notification of closure of office.

26. A political party shall maintain at its offices, all the documents required under section 17 of the Act.

27. If any political party office is closed or ceases to function, the

political party shall notify the Registrar of the fact in Form PP 19 set out in the First Schedule.

#### PART V—POLITICAL PARTY COALITIONS

Formation of coalitions.

28. (1) Political parties which have agreed to form a coalition shall deposit the coalition agreement with the Registrar, together with Form PP 20 set out in the First Schedule, accompanied by-

- (a) a declaration showing that the rules and procedures of the political parties entering into the coalition relating to the formation of the coalition have been followed; and
- (b) minutes of the meeting of the governing bodies of each of the political parties entering into the coalition, sanctioning the coalition.

(2) Upon receiving the coalition agreement and the documents specified in sub regulation (1), the Registrar shall scrutinise the documents deposited and if satisfied that the coalition agreement is in accordance with the Act and the party constitution or rules, issue a letter confirming that the coalition has complied with the Act and the party constitution or rules, within five working days of receipt of the documents.

(3) Upon issuing the letter of confirmation of a coalition under sub regulation (2), the Registrar shall publish a notice in at least two newspapers with national circulation stating the name of the coalition and the political parties that are members of the coalition.

(4) Where the Registrar is not satisfied that the coalition agreement is in accordance with the Act and the rules and the constitution or rules of the Political Parties entering into the coalition, the Registrar shall request for additional information to be submitted within seven working days of the request.

(5) Where the political parties entering a coalition do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall not issue a letter of confirmation and shall inform the political parties that are proposed members of the coalition of the decision within two days of the lapse of the period specified in sub regulation (4).

Dissolution of coalition.

29.(1) If a coalition is dissolved in accordance with the coalition

agreement, the decision to dissolve the coalition shall be in writing and shall be—

- (a) accompanied by signed minutes containing the resolution of the governing body of the political party;
- (b) signed by the authorised officials of the political party; and
- (c) submitted to the Registrar within two weeks after the date of the decision.

(2) If a coalition is dissolved in accordance with sub-regulation (1), the Registrar shall publish a notice of the dissolution in at least two newspapers with national circulation.

Amendment of coalition agreements

30. The coalition agreements deposited under regulation 28 may be amended in accordance with the coalition agreement.

#### PART VI—POLITICAL PARTY MERGERS

Merger by forming a new political party

31. (1) Political parties entering into a merger by forming a new political party shall deposit the merger agreement with the Registrar together with—

- (a) Form PP 21 set out in the First Schedule;
- (b) documentation showing that the rules and procedures of each of the political parties entering into the merger relating to the formation of the merger have been followed;
- (c) minutes of the meeting of the governing bodies of each of the political parties entering into the merger sanctioning the merger;
- (d) certificates of full registration for the merging parties;
- (e) constitution, rules and regulations of the new political party;
- (f) name, symbol, and colours of the new political party;
- (g) particulars of members of the governing body of the new political party; and
- (h) list of location and address of new party head and county offices.

(2) A merger agreement shall set out the matters specified in Form PP 21.

Scrutiny by the Registrar.

32. (1) Upon receiving the merger agreement under Regulation 31, the Registrar shall scrutinize the documents deposited.

(2) Where the Registrar is satisfied that the documents under Regulation 31 are in accordance with the Act the Registrar shall—

(a) immediately withdraw and cancel the certificates of registration of all the political parties that have merged;

(b) gazette the dissolution of the merged parties; and

(c) within seven days issue a certificate of full registration to the new political party.

(3), The gazette notice to be issued under sub-regulation 2(b) shall contain—

(a) the names of the merging parties;

(b) The name, symbol, and colours of the new political party;

(c) Particulars of members of the governing body of the new political party; and

(d) List of location and address of new party head office.

(4) Where the Registrar is not satisfied that the merger agreement is in accordance with the requirements of the Act, and the rules and procedures of the merging political parties, the Registrar may request for additional information to be deposited within two days.

(5) Upon receipt of the required additional information the provisions of sub regulations (1), (2) and (3) shall apply.

(6) Where the political parties entering a merger do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall reject the agreement and notify the political parties within two days of the lapse of the period specified in sub regulation (2(c)).

Merger by merging into an already registered political party

33. (1) Political parties entering into a merger by merging into an already registered political party shall deposit the merger agreement with the Registrar together with—

- (a) Form PP 22 set out in the First Schedule;
- (b) documentation showing that the rules and procedures of each of the political parties entering into the merger relating to the formation of the merger have been followed;
- (c) minutes of the meeting of the governing bodies of each of the political parties entering into the merger sanctioning the merger;
- (d) certificates of full registration for the parties that have resolved to dissolve;
- (e) constitution, rules and regulations of the merged political party;
- (f) name, symbol, and colours of the merged political party;
- (g) particulars of members of the governing body of the merged political party; and
- (h) list of location and address of party head and county offices of the merged political party.

(3) A merger agreement shall set out the matters specified in Form PP 22.

Scrutiny by the Registrar

34. (1) Upon receiving the merger agreement under Regulation 33, the Registrar shall scrutinize the documents deposited.

(2) where the Registrar is satisfied that the documents under Regulation 30 are in accordance with the Act the Registrar shall—

- (a) immediately withdraw and cancel the certificates of registration of all the political parties that have resolved to dissolve; and
- (b) within seven days gazette the dissolution of the parties that have resolved to dissolve and the merged party.

(3), The gazette notice to be issued under sub-regulation 2(b) shall contain—

- (a) the names of the parties that have resolved to dissolve;
- (b) the name, symbol, and colours of the merged political party;

(4) Where the Registrar is not satisfied that the merger agreement is in accordance with the requirements of the Act, and the rules and procedures of the merging political parties, the Registrar may request for additional information to be deposited within two days.

(5) Upon receipt of the required additional information the provisions of sub regulations (1), (2) and (3) shall apply.

(6) Where the political parties entering a merger do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall reject the agreement and notify the political parties within two days of the lapse of the period specified in sub regulation (2)(c).

Effect of merger  
of political parties

35. Where political parties merge in accordance with the Act and these regulations, the Registrar shall, within forty five days of the publication of the Gazette Notice, remove the particulars of the dissolved political parties from the register including their names, symbols, and colours.

Access to  
information

36. A person who intends to access information held by the Registrar may, subject to payment of the prescribed fee, apply for an official search.

(2) The Registrar shall respond to the application not later than twenty one days from receipt of the application.

Revocation of  
LN 111/2008

37. The Political Parties (Registration) Regulations, 2008 are revoked.

**FIRST SCHEDULE**

**FORM PP 1**

(r. 3(1))

**APPLICATION FOR PROVISIONAL REGISTRATION OF A POLITICAL PARTY**

Application is hereby made for provisional registration of .....

(Name of political party) (Hereinafter called “the party”) under the Political Parties Act, 2011.

1. The Head office of the party is situated at .....

.....

.....

2. The postal address of the party is .....

.....

.....

3. The titles, names, postal addresses and telephone number of the founder members

Title.....

Name .....

Postal Address.....

Telephone Number .....

4. The abbreviation of the proposed party is .....

.....

.....

5. We annex hereto marked “A” two true copies of the constitution and rules of the party and the proposed emblem. Provision has been made in the constitution of the political party for the matters specified in the Second Schedule to the Act.

	<b>Matters to be set forth in the constitution or rules</b>	<b>Number of the rule under which provision is made for each matter</b>
1.	The name of the party and any abbreviation (if used).	
2	The logo and symbol of the political	

	party and party colours	
3.	The objects of the political party.	
4.	Clearly defined vision, mission, guiding principles and values	
5.	The physical and postal address of the registered office of the party.	
6.	<p>Membership requirements including;</p> <ul style="list-style-type: none"> <li>• the eligibility criteria;</li> <li>• subscription fees for joining the party and for being a member of the party;</li> <li>• the criteria for resignation from party membership or ceasing to be a member; and</li> <li>• the rights and duties of members of the party;</li> <li>• membership details to be contained in the register including identification details, region, ethnicity, disability, gender and county;</li> <li>• the procedure for conducting the annual general meeting or the other general meetings of the political party, including matters which may only be decided upon by a meeting of the party members or, as the case may be, of the county representatives of the party;</li> <li>• the continuous updating of the membership register.</li> </ul>	

7.	<p>Governing body requirements including;</p> <ul style="list-style-type: none"> <li>• the name of the governing body</li> <li>• the eligibility criteria for election to the governing body;</li> <li>• the positions, titles and term of office;</li> <li>• the rights and duties of members of the governing body;</li> <li>• the procedure for the election of members of the governing body and other party organs, including committees;</li> <li>• guidelines for the operations of the governing body and its committees;</li> <li>• quorum;</li> <li>• frequency of meetings;</li> <li>• decision making powers; and</li> <li>• guidelines for meetings: procedures of convening meetings; procedure of meetings and the official recording of resolutions passed at meetings.</li> </ul>	
8.	<p>A list of party management structure of the political party and systems to be documented at the party offices including-</p> <ul style="list-style-type: none"> <li>• the employee details and terms of employment;</li> <li>• the party human resource, financial and audit and administration and management policies and procedures; and</li> <li>• the party sub- branches within each county.</li> </ul>	
9.	The forming of party branches,	

	including in the diaspora, and their roles and responsibilities.	
10	<p>The financial structure and system including-</p> <ul style="list-style-type: none"> <li>• the roles and responsibilities of individual party officials, organs and governing bodies with regard to the finances of the political party;</li> <li>• the periodical audit of accounts of the political party; and</li> <li>• the purposes for which the funds may be used, and in particular the prohibition against the distribution of funds among members.</li> </ul>	
11.	The general organisation structure and management of the party, including the county structures and systems and county governing bodies.	
12.	The establishment and management of National Assembly, Senate and County Assemblies Caucuses.	
13.	<p>The disciplinary measures against a member or official of a political party including-</p> <ul style="list-style-type: none"> <li>• the methods and procedure of disciplinary action in accordance with Article 47 and 50 of the Constitution;</li> <li>• possible disciplinary actions and reasons;</li> <li>• criteria for various disciplinary actions; and</li> <li>• consequences of each action for the national and county levels.</li> </ul>	
14.	The right to inspect the books or list of members of the political party by a member of the party or a member of the public.	
15.	The officials of the party authorized to	

	<p>sign on behalf of the party-</p> <p>(a) documents presented to the registrar including membership register, mergers, coalitions and other reports to the registrar;</p> <p>(b) the accounts of the party;</p> <p>(c) the annual report of the party;</p> <p>(d) the financial reports of the party;</p> <p>(e) any report or document of the party required under this Act or any other written law;</p> <p>(f) the nomination certificates for any nomination or election of a member of the political party;</p>	
16.	The policy documents which the party will develop and on which the party will perform including the manner and procedures in which they will be developed, approved and implemented	
17.	The policy reporting documents and their regularity which the party will produce including the manner and the procedures in which they will be developed, approved and publicized.	
18.	Asset management policies and procedures, the custody and investment of the funds and property of the party, and the designation of the persons responsible for them.	
19.	<p>The political party rules and regulations with respect to—</p> <p>(a) elections of the party officials;</p> <p>(b) nomination of candidates for</p>	

	elections; and Nomination of candidates to political party lists	
20.	Provisions for the amendment of the name, symbol, party colours, constitution, and rules of the party.	
21	Rules for mergers and coalitions including- <ul style="list-style-type: none"> <li>• the circumstances and criteria for mergers and coalitions; and</li> <li>• the procedure and guidelines for such mergers and coalitions as approved by an annual general meeting of the political party.</li> </ul>	
22	Provisions on dissolution of the party, including – <ul style="list-style-type: none"> <li>• provisions on the disposal of the property of the political party; and</li> <li>• the manner of and procedures to be followed for the dissolution of the party or any branch of the party.</li> </ul>	
23.	Internal party dispute resolution mechanism in accordance with Article 47 and 50 of the Constitution.	
24.	Democratic practices that cover gender, affirmative action for minorities and marginalized groups.	
25.	Reflect democratic practices covering human rights and gender.	
26.	The manner of implementing national values and principles of governance as provided in the Constitution.	

6. We annex hereto marked “B” a declaration in Form PP.2 in support of this application.



FORM PP2

(r.3(1))

**DECLARATION IN SUPPORT OF AN APPLICATION FOR PROVISIONAL  
REGISTRATION OF A POLITICAL PARTY**

We, the founding members, whose signatures are subscribed hereto, do hereby solemnly declare as follows—

1. That the constitution or policy of our party –

(a) does not advocate or further the interests of—

(i) any religious belief or group; or

(ii) only a particular area within Kenya;

(b) does not accept or advocate the use of force or violence as a means of attaining its political objectives; and

(c) does not advocate or aim to carry on its political objectives exclusively in one part of Kenya.

2. That the party will carry out periodic and democratic elections of its leadership as provided in the constitution submitted with the application for provisional registration.

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

Made this ..... day of ..... 20.....

Names and signatures of three founding members

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature .....

ID/Passport No. ....

In the presence of a

Commissioner for Oaths/Magistrate

FORM PP 3

(r. 3 (6))

Serial No. ....

**CERTIFICATE OF PROVISIONAL REGISTRATION OF A POLITICAL PARTY**

I hereby certify that ..... has this day been provisionally registered as a political party under the Political Parties Act, 2011

Dated this ..... day of ..... 20...

This certificate is valid for one hundred and eighty days from the date of issue.

.....  
REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 4

(r. 4(1))

**APPLICATION FOR FULL REGISTRATION OF A POLITICAL PARTY**

**PART I**

Application is hereby made for full registration of  
.....  
(Name of the party) as a political party under the Political Parties Act, 2011.

1. The political party has been provisionally registered under Certificate of Provisional Registration No .....which is annexed hereto, marked "A".
2. The party has fulfilled all the conditions with regard to:
  - (a) obtaining not less than one thousand members who are registered as voters from each of more than half of the counties;
  - (b) ensuring the members referred to in paragraph (a) reflect regional and ethnic diversity, gender balance and representation of special interest groups;
  - (c) ensuring the composition of its governing body reflects regional and ethnic diversity, gender balance and representation of special interest groups;
  - (d) ensuring that not more than two-thirds of the members of its governing body are of the same gender;
  - (e) having demonstrated that members of its governing body meet the requirements of Chapter Six of the Constitution and the laws relating to ethics;
  - (f) the location of its head office, which shall be a registered office within Kenya and a postal address to which notices and other communication may be sent, as stated in our declaration in Form PP.5 which is annexed hereto, marked "B";
  - (g) the location and addresses of the branch offices of the political party, which shall be in more than half of the counties, as stated in our declaration in Form PP.5 which is annexed hereto;
  - (h) submitting an undertaking to be bound by the Act and the Code of Conduct which is annexed hereto;
  - (i) the nomination and disposition of the party leadership, as stated in our declaration in Form PP 5 which is annexed hereto; and
  - (j) we annex hereto, two true copies of the constitution and rules of the party;

Dated this . . . . . day of . . . . . 20 . . . . .

Names and signatures of three officials

1. Name . . . . .

Signature . . . . .

ID/Passport No . . . . .

2. Name . . . . .

Signature . . . . .

ID/Passport No. . . . .

3 Name . . . . .

Signature . . . . .

ID/Passport No. . . . .

In the presence of

Commissioner for Oaths/Magistrate

**FORM PP. 5**

(r.4 (1))

**DECLARATION IN SUPPORT OF AN APPLICATION FOR FULL  
REGISTRATION OF A POLITICAL PARTY**

..... (Name of the political party)

We, the applicants whose signatures are subscribed hereto do hereby solemnly declare as follows—

1. The political party in respect of which we seek full registration has been provisionally registered and the provisional registration is subsisting.
2. The names of the members of the governing body of the party are indicated in Part I of this Form.
3. The party has recruited as members, not fewer than one thousand registered voters from each of more than half of the counties the details of which are indicated in Part II of this Form.
4. The location of its head office, which shall be a registered office within Kenya and party branch offices of the political party which shall be in more than half of the counties indicated in Part III of this Form.

**PART I**

**PARTICULARS OF MEMBERS OF THE GOVERNING BODY OF THE  
POLITICAL PARTY**

Name	Gender	Special interest (Indicate category)	County	Address/ Telephone	Designation /Position Held	Date of Appointment/ Election


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

Dated this ... ..day of . .... 20 .....

Names and signatures of three authorised officials:

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature .....

ID/Passport No. ....

**PART II**

**NUMBER OF MEMBERS OF THE POLITICAL PARTY ACCORDING TO COUNTIES**

S/No.	Name of County	Number of members
1.		
2.		

3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		
32.		
33.		
34.		
35.		
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		

46.		
47.		
	<b>TOTAL</b>	

**PART III**

**LOCATION AND ADDRESS OF PARTY HEAD OFFICE AND COUNTY  
BRANCH OFFICES**

The location of the head office of the political party  
is . . . . .  
. . . . . and the address is P.O Box or/and Telephone Number  
. . . . . (Add building, L R No., street, road or nearest  
location)

The location and address of party branch offices which shall be in more than half of the  
counties are as follows:

S/No.	County	Location	Address/Telephone No.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
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40			
41			
42			
43			
44			
45			
46			
47			

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

Dated this .....day of ..... 20 .....

Names and signatures of three authorised officials:

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature . . . . .

ID/Passport No. ....

FORM PP.6

(r. 4(3))

Serial No. ....

**CERTIFICATE OF FULL REGISTRATION OF A POLITICAL PARTY**

I hereby certify that .....  
has this day been fully registered as a political party under the Political Parties Act, 2011.  
Dated this ..... day of ..... 20 .....

.....  
REGISTRAR OF POLITICAL PARTIES  
Official Stamp

FORM PP.7

(r 5(2))

**NOTICE OF CHANGE OF PARTY OFFICIALS**

Name of political party .....

1 The following persons have ceased to be party officials.

Full name	Designation	National Identification No / Valid Passport	Postal Address/ Email/ Telephone No.	Date of Vacating office
1 .....	.....	.....	.....	.....
2.....	.....	.....	.....	.....

2. The following persons have been appointed/elected as party officials--

Full name	Designation	National Identification No./ Valid Passport	Postal Address/ Email/ Telephone No.	Date of Appointment / Election to Office
1.....	.....	.....	.....	.....
2.....	.....	.....	.....	.....
3.....	.....	.....	.....	.....

Dated this ..... day of ..... 20 .....

Names and signatures of three authorised officials:

- Name .....
  - Signature .....
  - ID/Passport No. ....
- Name .....

Signature .....

ID/ Valid Passport No. ....

3. Name .....

Signature .....

ID/ Valid Passport No. ....

\*We annex confirmed minutes containing the resolution for change of party officials.

FORM PP. 8

(1 6 (2))

**NOTICE OF CHANGE OF LOCATION OF HEAD OFFICE /COUNTY OFFICE  
OF A POLITICAL PARTY**

Notice is hereby given that the location of the head office/..... .. county office of the political party known as ..... .. was on the ..... .. day of .....20..... .. changed from ..... .. to ..... ..

Dated this ..... ..day of ..... .. 20 ..... ..

Full name	Designation	Signature	ID/Passport No.
1..... ..	..... ..	..... ..	..... ..
2..... ..	..... ..	..... ..	..... ..
3..... ..	..... ..	..... ..	..... ..

\*We annex confirmed minutes containing the resolution for change of location of head or county office.

FORM PP.9

(r. 6 (3))

**NOTICE OF CHANGE OF POSTAL ADDRESS/EMAIL/TELEPHONE  
NUMBERS OF A POLITICAL PARTY**

Notice is hereby given that the postal address/Email/ telephone number of the political party known as ..... was on the ..... day of ..... 20 ..... changed from ..... to ..... Dated this .....day of ..... 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
.	..	...	...
2.....	.....	.....	.....
.	..	...	...
3.....	.....	.....	.....
.	..	...	...

\*We annex confirmed minutes containing the resolution for change of postal address/email/telephone numbers of the political party.

FORM PP. 10

(r.7 (1))

**NOTICE OF CHANGE OF NAME/SYMBOL/COLORS OF A POLITICAL PARTY**

Notice is hereby made for an intention to change the name/symbol/colors of the political party known as

.....  
From .....to .....

Dated this ..... day of ..... 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	..	....
2.....	.....	.....	.....
...	...	...	....
3.....	.....	.....	.....
...	...	...	....

\*We annex confirmed minutes containing the resolution for change of name/ symbol/ colors of the political party.

FORM PP. 11

(r.7 (2))

**NOTICE OF CHANGE OF CONSTITUTION OR RULES OF A POLITICAL PARTY**

Notice is hereby given that the political party known as .....  
.....  
has changed its Constitution/Rules in the following respects, that is to say:

.....  
.....

Dated this ..... day of ..... 20.....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	...	...
2.....	.....	.....	.....
...	...	...	...
3.....	.....	.....	.....
...	...	...	...

\*We annex confirmed minutes containing the resolution for change of constitution or rules of the political party.

FORM PP 12

(r 9(1))

**REGISTER OF PARTICULARS OF POLITICAL PARTIES**

FOLIO No . . . . .

- 1. Name of Political Party . . . . . File No . . . . .
- 2. Postal Address of Party . . . . .
- 3. Location of Head Office of Party . . . . .
- 4. Particulars of Provisional Registration–

- (a) Date of receipt of application for provisional registration.....
- (b) Date when application refused or granted (delete as applicable on.....
- (c) Certificate Serial No (Form PP.3).....
- (d) Date of issue of provisional licence.....

5 Particulars of full registration of political party–

- (a) Certificate of full registration serial No.(From PP.6).....
- (b) Date of issue.....
- (c) Date of cancellation.....

6. Change of name of political party:

- (a) New name .....
- (b) Date of change of name .....
- (c) Change of constitution/rules (date) .....
- (d) Change of office holders.....

Dated the .....20.....

**Registrar of Political Parties**

FORM PP 13

(r 13)

DESIGNATION OF SIGNATORIES OF A POLITICAL PARTY

Name of Political Party:				
Name of Signatories	Designation	ID. No.	Specimen Signature	Category of documents authorized to sign
1.				
2.				
3.				
4.				
5.				
6.				
7.				

We the undersigned do hereby certify that the above information is true to the best of our knowledge, information and belief.

Dated the .....day of.....20.....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	...	.....
2.....	.....	.....	.....
...	.....	.....	.....
3.....	.....	.....	.....

In the presence of:

Commissioner for Oaths/Magistrate

FORM PP 14

(r.15)

Serial No. ....

**NOTIFICATION OF SUSPENSION OF A POLITICAL PARTY**

To .....Political Party

Notice is hereby given that, in exercise of the powers conferred by section 21 of the Political Parties Act, 2011, the political party known as

.....  
is suspended on the ground(s) that

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
Dated this ..... day of ..... 20 .....

.....  
REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 15

(r.16(1))

Serial No. ....

**NOTIFICATION OF INTENTION TO DEREGISTER A POLITICAL PARTY**

To .....Political Party

Notice is hereby given that, in exercise of the powers conferred by section 21 of the Political Parties Act, 2011, the Registrar intends to deregister the political party known as.....

.....  
Ninety days from the date hereof unless the political party remedies the breach or contravention or otherwise show cause why the party should not be deregistered.

on the ground(s) that

.....  
.....

Dated this..... day of ..... 20 .....

REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 16

(r. 16(2))

Serial No . . . . .

**NOTIFICATION OF DEREGISTRATION OF A POLITICAL PARTY**

Notice is hereby given that, in exercise of the powers conferred by section 16 or 21 of the Political Parties Act, 2011, the Registrar has this day deregistered the political party known as

.....

on the ground that

.....  
.....  
.....  
.....  
.....  
.....

Dated this ..... day of ..... 20 .....

.....  
REGISTRAR OF POLITICAL PARTIES  
Official Stamp

FORM PP17

(r. 17(1))

**PARTY MEMBERSHIP RECRUITMENT FORM**

Name of County.....

Name of Member .....

Age.....

Gender.....

Special Interest (indicate category) .....

Occupation.....

Profession.....

Religion.....

Residence (Constituency).....

Postal Address/ Telephone No. ....

.....

Party Membership Card No. ....

Issued (date) ..... at ..... (place)

ID/Passport No. ....

I the undersigned do hereby affirm/declare/confirm/verify that I am not a registered member of any other registered political party in Kenya.

Signature of Member .....

Name and Signature of Recruiting person .....

\*Note: These particulars must be given in respect of at least 1000 party members in a majority of the counties in Kenya.

FORM PP 18

(r. 18(3))

**POLITICAL PARTY MEMBERSHIP CARD**

COUNTER FOIL	MEMBERSHIP CARD
<ol style="list-style-type: none"> <li>1. Party name and Code</li> <li>2. Party symbol</li> <li>3. Membership card number</li> <li>4. Name of the member</li> <li>5. ID/passport number of the member</li> <li>6. Gender</li> <li>7. Date of birth</li> <li>8. Phone Number</li> <li>9. County</li> <li>10. Special interest category (if any)</li> <li>11. The subscription / membership fee</li> <li>12. Date of issue</li> <li>13. Place of issue</li> <li>14. The signature of the member</li> <li>15. The signature of the recruiter</li> </ol>	<ol style="list-style-type: none"> <li>1. Party name and Code</li> <li>2. Party symbol</li> <li>3. Membership card number</li> <li>4. Name of the member</li> <li>5. ID/passport number of the member</li> <li>6. Gender</li> <li>7. Date of birth</li> <li>8. Phone Number</li> <li>9. County</li> <li>10. Special Interest category (if any)</li> <li>11. The subscription / membership fee</li> <li>12. Date of issue</li> <li>13. Place of issue</li> <li>14. The signature of the member</li> <li>15. The signature of the recruiter</li> </ol>

FORM PP19

(r.27)

**NOTIFICATION OF CLOSURE OF COUNTY OFFICE**

Notice is hereby given that the county office of the political party known as ..... was on the ..... day of .....20 closed.

Dated this .....day of ..... 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
.	.	.	.
2.....	.....	.....	.....
.	.	.	.
3.....	.....	.....	.....
.	.	.	.

Form PP 20

(r 28)

**FORMATION OF PRE-ELECTION/POST ELECTION COALITION OF POLITICAL PARTIES**

1. Name of the coalition.  
.....
2. Abbreviation/acronym of the name of coalition:  
.....
3. Names of all constituent political parties:  
.....  
.....  
.....
4. Address and location of the coalition head office (include email address):  
.....  
.....
5. Particulars of coalition officials:

S/No.	Name	ID No./ Valid Passport No.	Designation	Telephone / Email Address
1.				
2.				
3.				
4.				
5.				

6. Documents which must be submitted together with this form:
  - (a) Coalition agreement including terms and conditions of the coalition; and
  - (b) Signed minutes of the governing bodies of each of the political parties entering into the coalition containing the resolution sanctioning the coalition

It is hereby declared that the contents of this declaration together with all the attachments are true and correct.

Dated this..... ..day of .. ..... 20

.....  
Authorized officials of constituent party (A)

.....  
Authorized officials of constituent party (B)

.....  
Authorized officials of constituent party (C)

Form PP 21

(r.31 (1))

**MERGER OF POLITICAL PARTIES INTO A NEW POLITICAL PARTY**

1. Name of the new political party:  
.....
2. Abbreviation/acronym of the new political party:  
.....
3. The symbol, and party colours of the new party:  
.....
4. Names of all constituent political parties.  
.....  
.....  
.....
5. Address and location of the new political party head office including email address and telephone number:  
.....  
.....  
.....
6. Chairperson of the new political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....  
.....
  - (c) Telephone number:  
.....
  - (d) Email:  
.....
7. Secretary General of the new political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....  
.....
  - (c) Telephone number:  
.....
  - (d) .....
8. All political parties entering into a merger shall submit together with the form:
  - (a) merger agreement including terms and conditions of the merger;
  - (b) certified copies of the resolution adopted by the executive committee of each political party consenting to the merger;

- (c) signed minutes of the meetings of all the political parties to the agreement sanctioning the merger;
- (d) certificates of full registration for the dissolving parties;
- (e) constitution, rules and regulations of the merged/new political party in Form PP1 in the First Schedule;
- (f) particulars of members of the governing body of the merged/new political party in Form PP5 in the First Schedule; and
- (g) list of location and address of merged/new party head and county offices in Form PP5 in the First Schedule.

It is hereby declared that –

- (a) the contents of this declaration together with all the attachments are true and correct.
- (b) the political parties have followed their procedures and rules with regards to entering into merger agreements.

Dated this.....day of.....20.....

.....  
Authorized signatories of political party (a)

.....  
Authorized signatories of political party (b)

In the Presence of:

Commissioner for Oaths/Magistrate

Form PP 22

(r.33 (1))

**MERGER OF POLITICAL PARTIES INTO AN EXISTING POLITICAL PARTY**

1. Name of the merged political party:  
.....
2. Abbreviation/acronym of the merged political party:  
.....
3. The symbol and party colours of the merged party:  
.....
4. Names of all political parties entering into the merger:  
.....  
.....  
.....
5. Name of the political party into which other political parties are merging:  
.....
  
6. Address and location of the merged political party head office (include email address):  
.....  
.....  
.....
7. Chairperson/Leader of the merged political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....
  - (c) Telephone number:  
.....
  - (d) Email:  
.....
  
8. General Secretary of the new political party:
  - (e) Full Name:  
.....
  - (f) Address:  
.....
  - (g) Telephone number:  
.....
  - (h) .....

9. All political parties entering into a merger shall submit together with the form:
- (a) merger agreement including terms and conditions of the merger;
  - (b) certified copies of the resolution adopted by the governing body of each political party consenting to the merger;
  - (c) signed minutes of the meetings of all the political parties to the agreement sanctioning the merger; and
  - (d) certificate of full registration of the dissolving parties.

It is hereby declared that the contents of this declaration together with all the attachments are true and correct.

Dated this.....day of.....20.....

.....  
Chairperson of the merged party

.....  
Secretary General of the merged party

.....  
Authorized signatories of dissolving political party (a) \*

.....  
Authorized signatories of dissolving political party (b) \*

In the presence of:

Commissioner for Oaths/Magistrate

**SECOND SCHEDULE**

(1. 3(4), (4(2)))

**FEES**

Matter	Fees (Kshs.)
1 Application for provisional registration .....	100,000
2. Application for full registration . . . . .	500,000
3 Application for official search . . . . .	500
4. Application for a copy of any certificate or filed document or for a certified extract from the register (per page) .. . . .	5

Made on the ... ..2017

**Lucy K. Ndungu,**  
**Registrar of Political Parties**

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES  
(REGISTRATION) REGULATIONS, 2017**

**PART I**

**Name of Statutory Instruments**

Political Parties (Registration) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

The powers conferred by section 49 of the Political Parties Act, 2011

**Name of the Ministry /Department:**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Registration) Regulations is intended to enforce Part II of the Political Parties Act, 2011, which provides for the registration and regulation of political parties. This instrument provides for the structured guidelines for the process of application for provisional and full registration, procedure for entering into coalitions and mergers, deregistration of political parties and other matters connected thereto.

The Regulations are divided into six parts –

Part I – Preliminary

Part II – Registration of political parties

Part III – Membership of political parties

Part IV – Offices of political parties

Part V – Coalitions

Part VI – Mergers

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political

Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed regulations are vital to give effect and enhance implementation of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However the regulations subsisting at the time continued to be in operation. The regulations enacted under the former Act have been in operation with alterations, adaptations and qualifications to bring it into conformity with the Constitution and the Political Parties Act, 2011. However, there is need to legislate the alterations hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored.

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulations in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

#### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

#### **6.4 Regulatory Impact Assessment**

The Statutory Instruments Act No. 23 of 2013 section 9 has been considered and the Office of the Registrar of Political parties is satisfied that these regulations are substantially complimentary to the Political Parties Act, 2011 as amended and does not fundamentally affect the legislation's application or operation. Consequently, a Regulatory Impact Statement need not be prepared.

### **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

### **8. Contact**

Lucy K. Ndungu, E.B.S  
Registrar of Political Parties  
Office of the Registrar of Political Parties  
Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way  
P.O Box 1131-00606  
**Nairobi, Kenya.**  
Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

*Annex 1 Table of Public Participation Events*

S/No.	Date	Venue	Stakeholders	Outcome
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12.	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> -25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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LEGAL NOTICE NO.....

**THE POLITICAL PARTIES ACT**

*(No. 11 of 2011)*

**THE POLITICAL PARTIES (POLITICAL PARTIES LIAISON COMMITTEE)  
REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**

*Regulation*

**PART I -PRELIMINARY**

- 1 — Citation
- 2 — Interpretation

**PART II-COMPOSITION AND FUNCTIONS OF COMMITTEES**

- 3 — Composition of National Committee
- 4 — Composition of a County Committee
- 5 — Representation
- 6 — Change of a political party representative
- 7 — Functions of the Political Parties Liaison Committee
- 8 — National Steering Committee
- 9 — Composition of National Steering Committee
- 10 — Sub-committees of the National Steering Committee
- 11 — Vacancy in the National Steering Committee and sub-committees
- 12 — Secretariat to the National Steering Committee

**PART III-MEETINGS**

- 13 — Meetings of Political Parties Liaison Committee
- 14 — Notice of the Political Parties Liaison Committee meetings at the National and County level
- 15 — Notice of the Steering Committee meetings

16 — Notice of the sub-committees meetings

17 — Quorum of meetings

18 — Procedure of meetings

19 — Proceedings of the Political Parties Liaison Committee and the National Steering Committee

#### **PART IV-ELECTIONS AND GENERAL PROVISIONS**

20 — Elections and term of office of members of the National Steering Committee and sub-committees

21 — Conduct of elections

22 — Allowances

23 — Transitional clause

#### **SCHEDULES**

**FIRST SCHEDULE - FORMS**

**SECOND SCHEDULE – ALLOWANCES**

**THE POLITICAL PARTIES ACT, 2011**

*(No.11 of 2011)*

**THE POLITICAL PARTIES (POLITICAL PARTIES LIAISON COMMITTEE)  
REGULATIONS, 2017**

IN EXERCISE of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following regulations—

**PART I-PRELIMINARY**

- Citation 1. These Regulations may be cited as the Political Parties (Political Parties Liaison Committee) Regulations, 2017.
- Interpretation 2. In these Regulations, unless the context otherwise requires—
- “Act” means the Political Parties Act, 2011;
- “County Committee” means the County Political Parties Liaison Committee;
- “Commission” means the Independent Electoral and Boundaries Commission established under Article 88 of the Constitution;
- “National Committee” means the National Political Parties Liaison Committee;
- “Registrar” means the Registrar of Political Parties appointed under section 33 of the Act;

**PART II – COMPOSITION AND FUNCTIONS OF COMMITTEES**

- Composition of National Committee 3.(1) The National Committee shall comprise of—
- (a) the Chairperson or the designated member of the Commission;
- (b) the Registrar or an assistant Registrar, and
- (c) a representative of every fully registered political party or an alternate of the opposite gender duly appointed by the party through the party structures in accordance with the party constitution.
- (2) For purposes of sub-regulation 1(c) the names of the representatives shall be submitted to the Registrar in Form PPLC 1 set out in the Schedule.

Composition of a County Committee.

4.(1) A County Committee shall comprise of—

- (a) a representative of the Commission;
- (b) a representative of the Registrar in the County; and
- (c) a representative of every fully registered political party or an alternate of the opposite gender duly appointed by the party.

(2) For purposes of 1(c) the names of the representatives shall be submitted to the Registrar in Form PPLC 2 set out in the Schedule

Representation

5. A representative of a political party can only be nominated to one level of the Political Parties Liaison Committee.

Change of a political party representative

6. (1) A political party may change its representatives by giving notice to the Registrar and the Commission—

- (a) in Form PPLC 3 set out in the Schedule, in the case of the National Political Parties Liaison Committee; and
- (b) in Form PPLC 4 set out in the Schedule, in the case of the County Political Parties Liaison Committee.

(2) For purposes of paragraph (1) a proposed change of a representative shall take effect upon receipt of the notice by the Registrar.

Functions of the Political Parties Liaison Committee

7. The functions of the National and County Political Parties Liaison Committees shall be to—

- (a) promote consultation, cooperation and information sharing between the Commission, the Registrar and political parties, on electoral matters, in order to promote free, fair and credible elections;
- (b) promote democracy and peace at all times;
- (c) promote a culture of respect, tolerance, cooperation and consultations in matters relating to elections and referendum;
- (d) promote institutionalization and democratization of political parties;
- (e) dialogue, consult and make recommendations on issues affecting the electoral process throughout the electoral cycle;
- (f) consult on membership registration;

(g) promote adherence to the Code of Conduct for Political Parties and electoral Code of Conduct within the County;

(h) promote adherence to the Constitution and laws governing elections and political parties;

(i) liaise on the review of the code of conduct for political parties;

(j) consult on the review of the boundaries of constituencies and wards or in the designation of polling stations, and

(k) consult on the review of laws relating to elections and political parties.

National Steering Committee

8. (1) There shall be a steering committee at the national level to be known as the National Steering Committee.

(2) The function of the National Steering Committee shall be to coordinate the activities of the National and County Committees

Composition of National steering Committee

9.(1) The National Steering Committee shall comprise of representatives of political parties elected as -

(i) Chairperson;

(ii) Deputy chairperson;

(iii) Secretary;

(iv) Deputy secretary;

(v) Treasurer,

(vi) Organizing Secretary;

(vii) Four other members representing special interest groups; and

(viii) Chairperson of a sub-committee co-opted by the Steering Committee.

(2) The Chairperson or designated member of the Commission and the Registrar or an Assistant Registrar shall upon invitation by the Chairperson participate in the Steering Committee meeting.

Sub-committees of the National Steering Committee

10. (1) The National Committee shall, for the effective discharge of its functions, establish not more than six standing sub-committees as follows –

- (a) internal and external affairs sub-committee,
- (b) legal and dispute resolution sub-committee,
- (c) audit and compliance sub-committee;
- (d) electoral processes sub-committee,
- (e) civic and voter education sub-committee; and
- (f) finance and resource mobilization sub-committee.

(2) The National Committee shall elect not less than six members to the sub-committees, two of whom shall be the Chairperson and Secretary of the sub-committee

(3) The National Committee may co-opt into the sub-committees established under paragraph (1), any person whose knowledge and skills are considered necessary for the effective discharge of the functions of the Committee.

Vacancy in the National Steering Committee and sub-committees

11. (1) A vacancy in the National Steering Committee and sub-committees may arise –

- (a) upon resignation,
- (b) upon death;
- (c) where a member ceases to be a member of the political party that he or she is representing; or
- (d) upon the Political Parties Liaison Committee passing a vote of no confidence.

(2) A member of the National Committee who intends to move a vote of no confidence shall table a notice of motion in writing to the National Committee for inclusion in the agenda of the subsequent National Committee meeting.

(3) The motion in sub-regulation (2) shall be supported by at least one third of all political party representatives of the National Committee.

(4) A resolution in a meeting convened under sub-regulation (2) shall be passed by two thirds of all political party representatives of the National Committee.

(5) Principles of natural justice shall apply during the procedure under

sub-regulations (3) and (4).

Secretariat to the National Steering Committee.

12. The National Steering Committee and the Office of the Registrar shall appoint at least two staff members to serve as the secretariat to the Steering Committee.

### **PART III – MEETINGS**

Meetings of the Political Parties Liaison Committee.

13. (1) The National Committee shall meet at least once in every three months.

(2) The Steering Committee may meet at least once every three months.

Provided that during the year a General election is held and during by-elections, the Steering Committee shall meet at least once every month.

(3) The sub-committees may meet at least once every three months.

(4) The County Committee shall meet as determined by the National Steering Committee.

Notice of the Political Parties Liaison Committee meetings at National and County levels

14.(1) The Registrar or the Chairperson of the Commission, shall in consultation with the Chairperson, give at least seven days written notice which shall specify the agenda of the meeting of the Political Parties Liaison Committee, together with the minutes of the previous meeting, to every member of the Political Parties Liaison Committee.

(2) A special meeting of the National Committee may be convened by–

(a) the Chairperson;

(b) the Commission;

(c) the Registrar; or

(d) more than a third of political party members of the National Committee through a written petition submitted to the National Steering Committee.

(3) A special meeting convened under sub-regulation 2 (d) shall be held within fourteen days of receipt of the petition by the National Steering Committee.

(4) In the case of a special meeting, the Office of the Registrar shall give a written notice of the meeting together with the agenda, to every member of the Political Parties Liaison Committee.

Notice of National Steering committee meetings

15. (1) The Secretary to the National Steering Committee shall give at least three days written notice which shall specify the agenda of the meeting of the National Steering Committee, together with the minutes of the previous meeting, to every member of the National Steering Committee

(2) In the case of a special meeting, the Secretary to the National Steering Committee shall give written notice of the meeting, together with the agenda to every member of the National Steering Committee.

Notice of sub- committee meetings

16. (1) The Secretary to the sub-committee shall give at least three days written notice which shall specify the agenda of the meeting of the National Steering Committee, together with the minutes of the previous meeting, to every member of the sub-committee

(2) In the case of a special meeting, the Secretary to the sub-committee shall give written notice of the meeting, together with the agenda to every member of the sub-committee.

Quorum of meetings

17. (1) The quorum of the National Committee shall be the Chairperson or a designated member of the Commission, the Registrar or an Assistant Registrar and fifty percent of all the fully registered political parties.

(2) The quorum of the County Committee shall be a representative of the Commission, a representative of the Registrar and fifty percent of all the fully registered political parties

(3) The quorum of the Steering Committee and sub-committees shall be fifty percent of the members.

Provided that if after the first meeting the Steering Committee and sub-committees, the quorum is not achieved, the subsequent meeting shall proceed with those present

Procedure of meetings

18. (1) The Chairperson shall preside at every meeting of the National Committee

(2) The Chairperson of the National Steering Committee and sub-committee shall preside at every meeting of the National Steering Committee and sub-committee respectively and if absent, the deputy chairperson shall preside over the meeting.

Provided that in the absence of both the chairperson and deputy chairperson, the members of the National Steering Committee or the sub-committee shall elect a chair to preside over that meeting.

(3) Decisions of the Political Parties Liaison Committee shall be by consensus.

Proceedings of the Political Parties Liaison Committee and the National Steering Committee

19. (1) Minutes of a meeting of the National Political Parties Liaison Committee may be published in the Commission and Registrar's websites within fourteen days after signing by the Chairperson of the Commission or a representative, the Registrar or a representative and the Chairperson.

(2) The minutes of every meeting of the Steering Committee shall be prepared by the Secretary.

#### PART IV – ELECTIONS AND GENERAL PROVISIONS

Elections and term of members of the National Steering Committee and sub-committees

20. (1) There shall be an election of members of the National Steering Committee and sub-committees.

(2) The term of office of all elected party representatives under sub-regulation (1) shall be three years, provided that no person shall hold office for more than two terms.

Conduct of elections

21. (1) Elections under regulation 20 shall be presided over and conducted by the Commission.

(2) Every political party represented at the National Committee shall be entitled to one vote.

(3) Voting during elections shall be by secret ballot.

Allowances

22. Allowances shall be paid to the Political Parties Liaison Committee members as per the rates set out in the Second Schedule to these Regulations.

Transitional clause

23. The members elected to the National Steering Committee and the sub-committees holding office immediately before the commencement of these regulations shall continue to hold office until the end of their term.

**FIRST SCHEDULE**

**FORM PPLC 1**

**(r. 3(2))**

**APPOINTMENT OF POLITICAL PARTY REPRESENTATIVE TO THE NATIONAL  
POLITICAL PARTIES LIAISON COMMITTEE**

The representative of ..... Political party to the National  
Political Parties Liaison Committee is-

Name.....

ID/Passport No.....

Party Membership No .....

Telephone No .....

Gender .....

And the alternate representative is:-

Name.....

ID/Passport No .....

Party Membership No .....

Telephone No.....

Gender .....

Dated this ..... day of ..... 20.....

**Submitted by authorized officials:-**

1. Name .....

ID/ Passport No. ....

Telephone No .....

Signature .....

2. Name .....

Designation .....

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No. ....

Signature .....





**FORM PPLC 3**

**(r. 6(1)(a))**

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE NATIONAL POLITICAL PARTY LIAISON COMMITTEE**

Name of political party . . . . .

1. The following person has ceased to be the party representative to the National Political Party Liaison Committee

Full name	ID/Passport No	Gender (M/F)	Telephone/Contact Number
1.			
2.			

2. The following person has been appointed to be the new representative to the National Political Party Liaison Committee:

Full name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.			
2.			

Dated this . . . . . day of . . . . . 20 . . . . .

**Submitted by Authorized signatories:-**

1. Name .. . . . . .  
 ID/ Passport No. . . . . . .  
 Telephone No . . . . . . .  
 Signature . . . . . . .
2. Name . . . . . . .  
 Designation . . . . . . .

ID/Passport No. ....

Signature .....

3. Name .....

Designation .....

ID/Passport No .....

Signature ... ..

**FORM PPLC 4**

**(r.6(1)(b))**

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE COUNTY  
POLITICAL PARTY LIAISON COMMITTEE**

Name of political party .. ...

1. The following person has ceased to be the party representative to the County Political Party Liaison Committee.

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

2. The following person has been appointed to be the new representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No	Gender (M/F)	Telephone/Contact No.
1.				
2.				

Dated this ..... day of ..... 20 .....

**Submitted by Authorized signatories:-**

1. Name .....
- ID/ Passport No. ....
- Telephone No .....
- Signature .....
  
2. Name .....

ID/Passport No .....

Signature .....

3 Name .....

Designation .....

ID/Passport No. ....

Signature .....

**FORM PPLC 4**

**(r.6(1)(b))**

**NOTICE OF CHANGE OF POLITICAL PARTY REPRESENTATIVE TO THE COUNTY  
POLITICAL PARTY LIAISON COMMITTEE**

Name of political party . . . . .

1. The following person has ceased to be the party representative to the County Political Party Liaison Committee:

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2				

2. The following person has been appointed to be the new representative to the County Political Party Liaison Committee.

County	Full Name	ID/Passport No.	Gender (M/F)	Telephone/Contact No.
1.				
2.				

Dated this . . . . . day of . . . . . 20 . . . . .

**Submitted by Authorized signatories:-**

1. Name . . . . .  
 ID/ Passport No . . . . .  
 Telephone No . . . . .  
 Signature . . . . .
  
2. Name . . . . .

Designation .....

ID/Passport No. ....

Signature .....

3 Name .....

Designation .....

ID/Passport No. ....

Signature .....

**SECOND SCHEDULE**

**(r.22)**

**ALLOWANCES FOR POLITICAL PARTIES LIAISON COMMITTEE MEMBERS**

	<b>Daily Allowance (Kshs.)</b>
1 Chairperson	25,000
2 Members	20,000

Made on the ..... 2017

**Lucy K. Ndungu,**  
***Registrar of Political Parties***

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES  
(POLITICAL PARTIES LIAISON COMMITTEE) REGULATIONS, 2017**

**PART I**

**Name of Statutory Instruments:**

Political Parties (Political Parties Liaison Committee) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

The powers conferred by section 49 of the Political Parties Act, 2011

**Name of the regulatory-making authority:**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Political Parties Liaison Committee) Regulations is intended to enforce Section 38 of the Political Parties Act, 2011, which establishes the Political Parties Liaison Committee at the National and County level. This instrument provides for the structured guidelines for the composition, functions and procedures of the Political Parties Liaison Committee and other matters connected thereto.

The Regulations are divided into four parts –

Part I – Preliminary

Part II – Composition and functions of Committees

Part III – Meetings

Part IV – Elections and General Provisions

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed

regulations are vital to give effect and enhance implementation of section 38 of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However, there is need to operationalize the inclusion of the Political Parties Liaison Committee into legislation hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored.

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulation in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

## **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

## **8. Contact**

Lucy K. Ndungu, E.B.S

Registrar of Political Parties

Office of the Registrar of Political Parties

Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way

P.O Box 1131-00606

**Nairobi, Kenya.**

Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

*Annex 1 Table of Public Participation Events*

S/No.	Date	Venue	Stakeholders	Outcome
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> –25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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## *Annex 2      Regulatory Impact Assessment*

### 1. Objectives of the proposed legislation and reasons for them.

This Regulatory Impact Assessment (RIA) report discusses the potential regulatory impacts of adopting the new Political Parties (Political Parties Liaison Committee) Regulations, 2017 for the operationalization of section 38 of the Political Parties Act, 2011. The concept of the Political Parties Liaison Committee is not new, it was first established after the 2007 General Elections because of the post-election violence witnessed in Kenya. The Commission, known as the Independent Review Commission (IREC), headed by Justice (retired) Johann Kriegler from South Africa focused on, amongst other areas, the relationship between the Electoral Commission and Political Parties. In its recommendations it proposed a standing liaison committee to be set up comprising the ECK and political parties as a first step towards the enactment of nomination rules.

In July 2009, the Interim Independent Electoral Commission met with all registered political Parties and modalities for having a structured liaison framework between parties, the Registrar of Political Parties and the Commission was resolved. The Political Parties Liaison Committee (PPLC) was thus established through the Nakuru resolutions between the then registered parties (47 in number) and the Commission in Nakuru on 13<sup>th</sup> March 2010.

After the enactment of the Political Parties Act, 2011 the Political Parties Liaison Committee was established in law under section 38. This therefore necessitated the drafting of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 to govern the procedure by which the Committee would operate including membership to the PPLC, establishment of a Steering Committee and the meeting procedures. The objective of the regulations is therefore to:

- a) Provide for the composition of the Political Parties Liaison Committee at the national and county levels;
- b) Provide for the functions of the Political Parties Liaison Committee;
- c) Establish a National Steering Committee for the coordination of activities of the Liaison Committee;
- d) Provide for the procedure of meetings of the Political Parties Liaison Committee and the National Steering Committee and connected purposes;
- e) Provide for the conduct of elections and term of office of the member of the National Steering Committee; and
- f) Provide for other general provisions related to the operations of the Political Parties Liaison Committee.

## 2. Effect of the proposed legislation

The Political Parties (Political Parties Liaison Committee) Regulations, 2017 once published will govern the already existing liaison committee which has membership of all registered political parties, the Registrar of Political Parties and the Independent Electoral and Boundaries Commission.

The evaluation conducted in this Regulatory Impact Assessment (RIA) of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 indicates that the Kenyan political sector, including all registered political parties, the Office of the Registrar of Political Parties and the Independent Electoral and Boundaries Commission will be able to comply with all of the provisions of the regulations when they are gazetted.

The RIA has identified four categories of requirements with which political parties and the Office of the Registrar will be initially non-compliant and that will require the investment of time, staff resources, and financing in order to achieve full compliance. Compliance can however be achieved within three months from the beginning of the 2017/2018 financial year. These four categories are illustrated in *Table 1* below:

s/No.	Category of requirements	Non-Compliant entity	Timeline for Compliance
1.	Composition of County PPLC	Political Parties	7 days
2.	Frequency of meetings	Political Parties, Office of the Registrar	30 days
3.	Secretariat	Political Parties, Office of the Registrar	3 months
4.	Allowances	Office of the Registrar	3 months

*Table 1. Categories of requirements and non-compliance*

In order to fully implement the Regulations, the Office of the Registrar will need to coordinate and liaise with the National Treasury, Public Service Commission and other Government agencies to allocate adequate resources for the operations of the Liaison Committee.

## 3. Assessment of costs and benefits of the proposed regulations

Based on the requirements under the Regulations and the areas of non-compliance, the schedule of activities, resource needs, as well as labour and costs have been developed and presented in *Table 2*.

s/No.	Requirement	Activities	Resources	Cost per F/y
1.	Composition of the PPLC	Filing Forms with the ORPP	Human	-
2.	Meetings of the PPLC	Minimum quarterly meetings scheduled	Human and Financial	15,000,000
3.	Meetings of the National Steering Committee	Minimum quarterly meetings scheduled During an election year minimum monthly meetings	Human and Financial	1,800,000
4.	Secretariat	Recruitment of staff Recurrent expenditure for salaries and allowances for staff	Human and Financial	2,380,000
5.	Allowances payable to the PPLC members		Financial	10,820,000
	<b>TOTAL</b>			<b>30,000,000</b>

*Table 2 Schedule of activities, resource needs and costs*

The benefit of operationalizing the Political Parties Liaison Committee and consequently the publication of the Political Parties (Political Parties Liaison Committee) Regulations, 2017 are to first and foremost to create a forum for dialogue between political parties, the Office of the Registrar and the Independent Electoral and Boundaries Commission towards the holding of peaceful, free and fair elections.



Republic of Kenya

REGISTRAR OF POLITICAL PARTIES

REPORT OF A MEETING HELD BETWEEN ORPP AND A  
DELEGATION OF PARTY REPRESENTATIVES LED BY PPLC  
CHAIRPERSON

VENUE: ORPP BOARDROOM

LION PLACE, NAIROBI

DATE: 20<sup>TH</sup> MARCH, 2017

Lion Place, 1<sup>st</sup> floor  
Off Waiyaki way  
P.O. Box 1131-00606  
NAIROBI

Tel: +254 (020) 4022000  
Email: registrar@orpp.or.ke  
Website: www.orpp.or.ke

## **Present**

- a. Political Party Representatives (Participants List attached as Annex 1)
- b. Lucy K. Ndungu Registrar of Political Parties
- c. Rebecca Wahu Legal Officer, ORPP

## **Deliberations on the Political Parties (Political Parties Liaison Committee) Regulations 2017**

### **1. Philip Obonyo -Chair National Steering Committee**

The Chair supported by the members present stated that the discussions held over the Political Parties (Political Parties Liaison Committee) Regulations 2017 during the Maanzoni meeting held on 17<sup>th</sup> March 2017 were not exhaustive. It was noted that there various areas that needed further consensus and hence the need for them to have come to the ORPP's offices to have their input considered.

### **2. Lucy K. Ndungu – Registrar of Political Parties**

The Registrar agreed that indeed the Maanzoni meeting did not exhaustively look at the PPLC Regulations and therefore the group was welcomed in deliberating further on the same. The Regulations would then be presented to the parliamentary Committee on Delegated Legislation with the suggestions made for their approval and further action.

## **Deliberations and Way forward**

The following areas were considered by the members;

- i. The number of the steering committee members was agreed upon to constitute 10 members thus reducing the initial number of 16.
- ii. The sub-committees established were given names for better understanding of their functions.
- iii. The secretariat if working independently from the ORPP should be recruited by the Steering Committee together with the ORPP.
- iv. Procedure for a vote of no confidence for a member of the Steering Committee was deliberated and amended.

Attached as *Annex 2* is the Draft Political Parties (Political Parties Liaison Committee) Regulations 2017 as agreed upon

The meeting ended at 4:00 pm.

Prepared by;

Rebecca Wahu

Office of the Registrar of Political parties

**THE POLITICAL PARTIES ACT, 2011**

*(No. 11 OF 2011)*

**POLITICAL PARTIES (FUNDING) REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**

**PART I—PRELIMINARY**

- 1—Citation
- 2—Interpretation

**PART II—ADMINISTRATION AND MANAGEMENT**

- 3— Management and control of the Fund
- 4— Power of the Registrar
- 5— Declaration after full registration of a political party
- 6— Political Parties Fund account
- 7— Accounts of political parties

**PART III – FUNDING OF POLITICAL PARTIES**

- 8— Application for the Fund by political parties
- 9— Processing of Applications
- 10— Decision by the Registrar
- 11— Allocation of funds and Disbursement

**PART IV—ACCOUNTING AND REPORTING**

- 12— Functions of accounting officer of a political party
- 13— Annual accounts
- 14— Approval of accounts
- 15— Auditing of reports and accounts by Auditor General
- 16— Publication of reports by the Registrar
- 17— Inspection of Audited Accounts
- 18— Declaration before elections

**PART V—GENERAL PROVISIONS**

- 19— General guidelines on the management of the funds
- 20— Administrative and staff expenses
- 21—Revocation

**THE POLITICAL PARTIES ACT, 2011**  
*(No 11 of 2011)*

**IN EXERCISE** of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following Regulations—

**THE POLITICAL PARTIES (FUNDING) REGULATIONS, 2017**

**PART I—PRELIMINARY**

Citation. 1. These Regulations may be cited as the Political Parties (Funding) Regulations, 2016.

Interpretation. 2. In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties Act, 2011;

“financial year” means the period of twelve months ending on the thirtieth June each year;

“Fund” means the Political Parties Fund established under section 23 of the Act;

“Fund Account” means the account established under Regulation 7;

“political party” has the meaning assigned to it in Article 260 of the Constitution;

“work plan” in relation to a political party means a schedule showing the activities the political party intends to undertake, their costs and time frame.

**PART II—ADMINISTRATION AND MANAGEMENT**

Management and control of the Fund

3. The Registrar shall be the accounting officer of the Fund and shall be responsible for –

(a) the administration and management of the Fund;

(b) the accounting of the receipts to the Fund;

(c) the distribution of the Fund to political parties;

(d) the monitoring and evaluation of expenditures of the Fund by political parties;

(e) ensuring that proper books and records of income and expenditure of the Fund are kept;

(f) ensuring the reporting and disclosure of all monies received by Political Parties; and

(g) such other functions necessary for the effective implementation of the Act.

(2) The Registrar shall ensure that money held in the Fund, including any earnings or accruals is spent only for the purposes for which the Fund is established.

(3) The accounts of the Fund shall be audited annually and reported upon by the Auditor General in accordance with the Act, the regulations, the Public Finance and Management Act, Public Procurement and Disposal Act, the Public Audit Act and any other law relating to the management of public funds.

Power of the Registrar

4. (1) The Registrar shall have all powers necessary for the execution of the functions under these Regulations.

(2) Without prejudice to the generality of sub-regulation (1), the Registrar may -

(a) conduct investigations on the Registrar's own initiative or on a complaint made by any person;

(b) work in collaboration with other agencies in ensuring compliance with the Act;

(c) request for any information or attendance by any person necessary for the performance of its functions; and

(d) subject to section 21 (1)(g) of the Act, deregister a political party.

Declaration after full registration of a political party

5. (1) A political party shall, within sixty days after being issued with a certificate of full registration, submit to the Registrar a written declaration giving details of all assets and expenditure including, all contributions, donations or pledges of contributions or donations, whether in cash or in kind, made or to be made to the initial assets of the political party by its founding members in respect of the first year of its existence.

(2) The declaration submitted under sub regulation (1) shall—

(a) be in Form PPF 1,

(b) state the sources of all funds and other assets of the political party;

(c) contain such other relevant particulars as the Registrar may prescribe.

Political Parties Fund Account.

(d)

6. (1) The Registrar shall open an account to be known as the Political Parties Fund Account at a designated bank into which the National Treasury shall pay directly—

(a) all the funds approved or appropriated by the National Assembly in accordance with section 24 (1) (a) of the Act; and

(b) contributions or donations from any other lawful source as contemplated under section 24 (1) (b) of the Act.

(2) The Registrar shall declare in the annual report, all accruals, interest and liabilities related to the Fund.

Accounts of Political Parties

7. (1) Every registered political party qualifying to receive monies from the Fund shall open a bank account into which only disbursements from the Registrar shall be paid.

(2) Every registered political party shall open a bank account or bank accounts into which all donations and contributions from lawful sources other than the Fund shall be paid.

(3) A political party may open other accounts and every account shall for purposes of financial reporting be considered to be part of the account referred to under sub-paragraph (2).

(4) Every political party shall file Form PPF2 stating at least three officials authorised in the constitution or rules of the political party to sign accounts and bank accounts of the political party.

(5) At least three signatories shall be required for any withdrawal of funds from the account.

(6) A political party shall utilize the funds in sub-regulation (1) in accordance with the purposes set out in section 26(1) of the Act.

(7) A political party shall declare in the annual report, all accruals, interest and liabilities.

### **PART III— FUNDING OF POLITICAL PARTIES**

Application for the Fund by Political Parties

8. (1) The Registrar shall within fourteen days after receiving moneys in the Fund -

(a) notify all fully registered political parties in writing,

(b) require the eligible political parties to apply for the Fund.

(2) The Registrar shall within fourteen days after receiving moneys in the Fund publish a notice in the Gazette stating the political parties eligible to receive the Fund and their respective allocation.

(3) A political party eligible for allocation of moneys from the Fund shall make the application under paragraph (1) (b) in Form PPF 3.

(4) An application under paragraph (3) shall include a work plan containing a schedule of the activities and a budget that the political party intends to undertake in financial year, including an estimate cost and timeframe for every activity.

(5) The activities contained in the work plan referred to in sub-regulation (4) shall conform to the requirements of section 26 of the Act.

Processing of applications.

9. Upon receipt of the application under Regulation 9, the Registrar shall assess the application to ascertain whether the political party meets the requirements of the Act and in particular, whether—

(a) the party secured at least three per cent of the total number of votes at the preceding general elections computed as required under section 25 (3) of the Act;

(b) the political party has, in its governing body, representation of special interest groups.;

(c) all activities in the work plan relate and conform to the purposes for which the Fund should be used as set out in section 26 of the Act; and

(d) the application meets any other lawful requirement as may be set by the Registrar from time to time.

Decision by the Registrar

10. (1) The Registrar shall within fourteen days of the application made under Regulation 8, notify the political party of its decision in writing.

(2) where the application under regulation 8 is –

(a) approved, the Registrar shall notify the political party and effect the disbursement of the funds within fourteen days of such approval.

(b) declined, the Registrar shall notify the political party giving reasons for the decision and recommendations.

(3) Where an application is declined under paragraph (2)(b), the political party may reapply taking into consideration the recommendations under sub-regulation (2)(b).

Allocation of funds and disbursement

**11.** (1) In allocating the monies from the Fund, the Registrar shall in addition to the requirements under section 25 of the Act have regard to —

- (a) the approved work-plan of a political party, and
- (b) a clearance certificate from the Auditor General after auditing of funds of the previous financial year.

(2) Upon allocation of funds to a political party, the Registrar shall issue a confirmation letter of the disbursement of funds to the political party and require the political party to acknowledge receipt of the funds.

#### PART IV—ACCOUNTING AND REPORTING

Functions of accounting officer of a political party

**12.** The accounting officer of a political party shall -

- (a) ensure that the political party complies with the Act and these Regulations;
- (b) ensure that the funds allocated to the political party are not used for a purpose not authorized by the Act;
- (c) be accountable to the Registrar for monies allocated to the political party, and
- (d) perform any other duties imposed by any other law or by these Regulations

Annual accounts

**13.** (1) The accounting officer shall keep separate books and records of accounts in respect of the funds of the political party and all transactions for each financial year.

(2) The accounting officer of a political party, within three months after the end of each financial year and in accordance with section 32 of the Act and any other law, cause to be prepared annual reports and accounts of the political party.

(3) The annual report and accounts prepared under sub-regulation (2) shall be in Form PPF 4 and shall include—

- (a) an income and expenditure statement;
- (b) a statement of assets and liabilities,
- (c) a cash flow statement;

(d) a summary of activities undertaken within the financial year; and

(e) any other information as may be required by the Registrar.

Approval of accounts. **14.** (1) The governing body of a political party shall be responsible for approving all reports and annual accounts of the political party.

(2) The internal auditor of the political party shall express an opinion, in writing, on the accounts based on the results of each audit stating whether—

(a) all information and explanations considered necessary for the audit were received;

(b) proper records were maintained of all transactions as required under the generally accepted accounting practices;

(c) the accounts are in agreement with the records referred to under sub-paragraph (b);

(d) the accounts reflected fairly the financial position of the political party; and

(e) there are any recommendations by the auditor.

Auditing of Reports and accounts by Auditor General

**15.** (1) Subject to section 31(2) of the Act, the accounting officer shall concurrently submit the reports and accounts of the political party to the Registrar and the Auditor-General.

(2) The Registrar shall implement any recommendations of the Auditor-General made pursuant to section 31(3) of the Act.

Publication of reports by the Registrar

**16.** The Registrar may publish reports submitted by political parties in such a form and manner as may be determined by the Registrar.

Inspection of Audited Accounts

**17.** Any person shall be entitled to inspect the audited accounts filed by a political party pursuant to section 31 (5) of the Act, and upon payment of a fee prescribed by the Registrar be issued copies of the audited accounts.

Declaration before elections

**18.** Subject to section 30(1) of the Act, the accounting officer shall submit to the Registrar a statement of its assets and liabilities in Form PPF5.

**PART V— GENERAL PROVISIONS**

General guidelines on the management of the Fund

**19.** Subject to the provisions of the Act and any other law relating to public funds, the Registrar may from time to time, set general guidelines, conditions and requirements for the management of the Fund including—

- (a) the guidelines for the disbursement of monies from the Fund to any political party, programme or activity,
- (b) the rules and procedures related to the disbursement and management of funds;
- (c) the funding needs to support the objectives of the Fund, and
- (d) any other issue related to the operation of the Fund.

Administrative and staff expenses

**20.** For purposes of section 26 (1) (f) of the Act, administrative and staff expenses includes the payment of—

- (a) office rent and stationery;
- (b) office equipment;
- (c) property rates;
- (d) utility bills,
- (e) postage and other forms of communication expenses, and
- (f) staff salaries

Revocation of LN

**21.** The Political Parties (Funding) Regulations, 2009 are revoked

FORM PPF 1

(r. 6(2))

**STATEMENT OF ASSETS AND LIABILITIES UPON REGISTRATION OF A POLITICAL PARTY**

NAME OF POLITICAL PARTY.....CERT. NO.....

**PART I**

**STATEMENT OF ASSETS AND LIABILITIES AS OF .....**

*(This date being Sixty Days from date of full registration)*

**CURRENT ASSETS**

Cash on Hand	
Cash on Deposit	
Accounts Receivable	
Stocks, Other Short term Investments	
Inventory	
Surplus	
Others (Describe)	
<b>TOTAL CURRENT ASSETS</b>	

**FIXED/LONG TERM ASSETS**

Long term Investments	
Motor vehicle and machinery	
Furniture and Fixtures	
Office Equipment	

Land and Buildings		
Others (Describe)		
	<b>TOTAL FIXED ASSETS</b>	
	<b>TOTAL ASSETS (A)</b>	
		<b>A</b>

**CURRENT LIABILITIES**

Accounts Payable

Wages, Salaries Payable

Short Term Loans Payable

Deficit (if any)

Others (Describe)

	<b>TOTAL CURRENT LIABILITIES</b>	

**LONG TERM LIABILITIES**

Long Term Loans Payable

Debentures

Others (Describe)

	<b>TOTAL LONG TERM LIABILITIES</b>	
	<b>TOTAL LIABILITIES(B)</b>	
	<b>SURPLUS/DEFICIT (A-B)</b>	

**ITEMIZED DETAILS OF SOURCES OF ASSETS AND LIABILITIES**

**(1) CURRENT ASSETS**

**The Political Parties (Funding) Regulations, 2017**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Cash on Hand	(a)			
	(b)			
Cash on Deposit	(a)			
	(b)			
Accounts Receivable	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(2) FIXED/LONG TERM ASSETS**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Investments	(a)			
	(b)			
Furniture and Fixture	(a)			
	(b)			
Office Equipment	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(3) CURRENT LIABILITIES**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>

**The Political Parties (Funding) Regulations, 2017**

Accounts Payable	(a)			
	(b)			
Wages and Salaries Payable	(a)			
	(b)			
Short Term Loans	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**(4) LONG TERM LIABILITIES**

<i>Particulars</i>	<i>Name of Contributor</i>	<i>Address</i>	<i>Amount (Kshs)</i>	<i>Date Received</i>
Long Term Loans	(a)			
	(b)			
Debentures	(a)			
	(b)			
Other (Describe)	(a)			
	(b)			

**PART II**

**Statement of Income And Expenditure As Of .....**

**Income**

Membership Fees		
Dividends on Shares		
Rent Received		
Profit on Sale of Assets		
Others (Describe)		
<b>TOTAL INCOME(A)</b>		<b>A</b>

**EXPENDITURE**

Salaries		
Rent Paid		
Transport		
Electricity Bill		
Stationery, Printing, Photocopying		
Others (Describe)		
<b>TOTAL EXPENDITURE(B)</b>		<b>B</b>
<b>SURPLUS/DEFICIT (A-B)</b>		<b>C</b>

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

Made this ..... day of ..... 20.....

Name and signature of authorized Party officials:

1. Name.....

Signature .....

ID/Passport No .....
- 2 Name... ..

Signature... ..

ID/Passport No . . . . .

3. Name.....

Signature.....

ID/Passport No . . . . .

In the presence of a Commissioner of Oaths/Magistrate

**FORM PPF 2**

**(r. 8 (6))**

**DECLARATION OF SIGNATORIES TO POLITICAL PARTIES FUND ACCOUNT AND OTHER ACCOUNTS**

Name of Political Party:				
Full Name of Bank				
Account Number				
Address				
Town/Branch				
Name of Signatories	Designation	ID. No.	Specimen Signature	
1.				
2.				
3.				

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

Made this . . . . . day of . . . . . 20 . . . . .

Name and signatures of three party officials

1. Name . . . . .

Signature . . . . .

ID/Passport No . . . . .

2. Name . . . . .

Signature . . . . .

ID/Passport No ... ..

3 Name ... ..

Signature ... ..

ID/Passport No ... ..

In the presence of a  
Commissioner of Oaths/Magistrate

FORM PPF 3

(r. 9 (2))

**APPLICATION FOR FUNDING OF A POLITICAL PARTY**

**A. Party Information:**

- 1 Date of application. ....
- 2 Name of Party: .....
- 3. Registration No ..... ..
- 4. Physical Address: .....
- 5 Postal Address . . . . .
- 6. Tel No' . . . . . Fax' .....
- 7. Website URL . . . . . Email . . . . .

**B. Contact Information:**

*(Please provide contact information of person responsible for programme/project)*

- Name: .....
- Designation: .....
- Tel No' . . . . . Fax' .....
- Email: .....

**C. Bank account details**

- Name of Bank .....
- Bank Account No' ... ..
- Bank Account Name. ....
- Branch: .. ..

**D. Expenditure Information:**

1. Please list the project's budget expense items to be supported by this fund

	Type of expense	Amount	

**The Political Parties (Funding) Regulations, 2017**

A	Promoting representation of special interest groups		
B-C-D	Promoting active participation by citizens in political life & civic education  Broadcasting policies & shaping public opinion  Electoral expenses		
E	Administration		
	<b>TOTAL</b>		

**E. Workplan Template**

		<b>Activities</b>	<b>Amount</b>	<b>Total</b>
A.	Promoting representation of special interest groups  (not less than 30% of the allocation from the Fund)			
				Subtotal
B	Promoting active participation by citizens in political life & civic education			
				Subtotal
C.	Broadcasting policies & shaping public opinion			

The Political Parties (Funding) Regulations, 2017

				Subtotal
D.	Electoral expenses			
				Subtotal
E.	Administration (not more than 30% of the allocation from the Fund)			
				Subtotal
				TOTAL

**\* Attach any other supporting documentation.**

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

Made this ..... day of ..... 20.....

Names and signatures of three authorized party officials:

1. Name .....

Signature .....

ID/Passport No .....

2. Name .....

Signature .....

ID/Passport No .....

3. Name ... ..

Signature . . . . .

ID/Passport No . . . . .

In the presence of a

Commissioner of Oaths/Magistrate

FORM PPF 4

(r. 13(3))

**DECLARATION OF ASSETS AND LIABILITIES OF A POLITICAL PARTY**

NAME OF POLITICAL PARTY.....CERT. NO.....

**PART 1: STATEMENT OF ASSETS AND LIABILITIES AS OF**  
 .....

**CURRENT ASSETS**

Cash on Hand

Cash on Deposit

Accounts Receivable

Bonds, Stocks, Other Investments

Inventory

Other (Describe)


**TOTAL CURRENT ASSETS**

--

**FIXED ASSETS**

Investments

Furniture and Fixtures

Office Equipment

Land and Buildings

Others (Describe)


**TOTAL FIXED ASSETS**

**TOTAL ASSETS**


**A**

**CURRENT LIABILITIES**

Accounts Payable			
Wages, Salaries Payable			
Short Term Loans Payable			
Others (Describe)			
<b>TOTAL CURRENT LIABILITIES</b>			

**LONG TERM LIABILITIES**

Loans Payable			
Others (Describe)			
<b>TOTAL LONG TERM LIABILITIES</b>			<b>B</b>
<b>TOTAL LIABILITIES</b>			<b>C</b>
<b>SURPLUS/DEFICIT (A-C)</b>			

**PART 2: STATEMENT OF INCOME AND EXPENDITURE**

**INCOME**

Political Parties Fund		
Membership Fees		
Dividends on Shares		
Rent Received		
Profit on Sale of Assets		
Others (Describe)		
<b>TOTAL INCOME</b>		<b>A</b>

The Political Parties (Funding) Regulations, 2017

	From Political Parties Fund	From Other Sources	
Salaries			
Rent Paid			
Transport			
Electricity Bill			
Other Administrative expenses			
<b>TOTAL EXPENDITURE</b>			<b>B</b>
<b>SURPLUS/DEFICIT (A-B)</b>			<b>C</b>

**PART 3: Reporting of activities implemented with the money allocated from the Fund.**

		ACTIVITES	AMOUNT	TOTAL
A.	Promoting representation of special interest groups  (not less than 30% of the allocation from the Fund)			
				Subtotal
B.	Promoting active participation by citizens in political life & civic education			
				Subtotal
C.	Broadcasting policies & shaping public opinion			
				Subtotal
D.	Electoral expenses			

The Political Parties (Funding) Regulations, 2017

				Subtotal
E.	Administration (not more than 30% of the allocation from the Fund)			
				Subtotal
				TOTAL

**Attach:**

- (a) a cash flow statement, and
- (b) a summary of activities undertaken within the financial year

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

Made this. . . . . day of . . . . . 20.....

**Name and signature of three party officials**

1. Name... ..  
Signature .....  
ID/Passport No.. ..
  
- 2 Name .....  
Signature... ..  
ID/Passport No.....

3. Name.....  
Signature .....  
ID/Passport No ...

In the presence of a  
Commissioner of Oaths/Magistrate

FORM PPF 5

(r. 18)

**DECLARATION OF ASSETS AND LIABILITIES OF A POLITICAL PARTY**

**NAME OF POLITICAL PARTY.....CERT. NO.....**

**STATEMENT OF ASSETS AND LIABILITIES AS OF .....**

*(This date being Sixty Days before date of Election)*

**CURRENT ASSETS**

Cash on Hand

Cash on Deposit

Accounts Receivable

Bonds, Stocks, Other Investments

Inventory

Other (Describe)

<b>TOTAL CURRENT ASSETS</b>

**FIXED ASSETS**

Investments

Furniture and Fixtures

Office Equipment

Land and Buildings

Others (Describe)

<b>TOTAL FIXED ASSETS</b>
<b>TOTAL ASSETS</b>

**A**

**CURRENT LIABILITIES**

Accounts Payable			
Wages, Salaries Payable			
Short Term Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>CURRENT</b>	
	<b>LIABILITIES</b>		

**LONG TERM LIABILITIES**

Loans Payable			
Others (Describe)			
	<b>TOTAL</b>	<b>LONG</b>	<b>TERM</b>
	<b>LIABILITIES</b>		
	<b>TOTAL LIABILITIES</b>		<b>B</b>
			<b>C</b>
	<b>SURPLUS/DEFICIT (A-C)</b>		

**STATEMENT OF INCOME AND EXPENDITURE**

**INCOME**


Membership Fees	<b>TOTAL INCOME</b>		<b>A</b>
Dividends on Shares			
Rent Received			
Profit on Sale of Assets			
Others (Describe)			

**EXPENDITURE**

Salaries			<b>B</b>
Rent Paid			
Transport			
Electricity Bill			
Stationery, Printing, Photocopying			
Others (Describe)			
	<b>TOTAL EXPENDITURE</b>		<b>B</b>
	<b>SURPLUS/DEFICIT (A-B)</b>		<b>C</b>

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

Made this..... day of ..... 20.....

Name and signature of three party officials

1. Name.....

Signature... ..

ID/Passport No... ..

2 Name... ..

Signature . . . . .

ID/Passport No ... ..

3. Name . . . . .

Signature . . . . .

ID/Passport No . . . . .

In the presence of a

Commissioner of Oaths/Magistrate.

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES (FUNDING)  
REGULATIONS OF 2017**

**PART I**

**Name of Statutory Instruments**

Political Parties (Funding) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

Section 49 of the Political Parties Act, 2011

**Name of the Ministry /Department**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Funding) Regulations 2017 are intended to enforce Part III of the Political Parties Act, 2011, Section 23 of which establishes the Political Parties Fund to be administered by the Registrar. This instrument provides for the structured guidelines for the management, purpose of the fund as well as the process of application of the funds and other matters connected thereto.

The Regulations are divided into five parts –

Part I – Preliminary

Part II – Administration and Management

Part III – Funding of political parties

Part IV – Accounting and Reporting

Part V – General Provisions

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed regulations are vital to give effect and enhance implementation of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However, the regulations subsisting at the time continued to be in operation. The regulations enacted under the former Act have been in operation with alterations, adaptations and qualifications to bring it into conformity with the Constitution and the Political Parties Act, 2011. However, there is need to legislate the alterations hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored.

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulation in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

#### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

#### **6.4 Regulatory Impact Assessment**

The Statutory Instruments Act No. 23 of 2013 section 9 has been considered and the Office of the Registrar of Political parties is satisfied that these regulations are substantially complimentary to the Political Parties Act, 2011 as amended and does not fundamentally affect the legislation's application or operation. Consequently, a Regulatory Impact Statement need not be prepared.

#### **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

#### **8. Contact**

Lucy K. Ndungu, E.B.S  
Registrar of Political Parties  
Office of the Registrar of Political Parties  
Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way  
P.O Box 1131-00606

**Nairobi, Kenya.**

Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

**Annex 1 Table of Public Participation Events**

<b>S/No.</b>	<b>Date</b>	<b>Venue</b>	<b>Stakeholders</b>	<b>Outcome</b>
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12.	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> -25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 12*

*(Legislative Supplement No. 7)*

LEGAL NOTICE NO. 48

**THE REGISTRATION OF PERSONS ACT**

*(Cap. 107)*

IN EXERCISE of the powers conferred by section 16 of the Registration of Persons Act, the Cabinet Secretary for Interior and Coordination of National Government makes the following rules—

**THE REGISTRATION OF PERSONS (AMENDMENT) RULES**

1. These Rules may be cited as the Registration of Persons (Amendment) Rules, 2018. Citation

2. The Registration of Persons Rules is amended in rule 8 by deleting the words “shall not pay any fees” appearing in paragraph (6) and substituting therefor the words “shall pay to the authorized officer a fee of one hundred shillings”. Sub-leg

Dated the 9th February, 2018.

FRED MATIANG'I,  
*Cabinet Secretary,  
Interior and Co-ordination of National Government.*

LEGAL NOTICE NO. 49

**THE EXPORT PROCESING ZONES ACT**

*(Cap. 517)*

**DECLARATION OF EXPORT PROCESSING ZONE**

IN EXERCISE of the powers conferred by section 15 (1) of the Export Processing Zones Act, the Cabinet Secretary for Industry, Trade and Co-operatives declares the parcel of land specified in the Schedule hereto to be an export processing zone.

**SCHEDULE**

All that piece of land being L.R. No. 5876/2 measuring approximately 20 acres or thereabout, situated in Ndumberi, Kiambu County.

Dated the 5th October, 2017.

ADAN MOHAMED,  
*Cabinet Secretary,  
Industry, Trade and Co-operatives.*

## LEGAL NOTICE No. 50

## THE ENERGY ACT

(No. 12 of 2006)

IN EXERCISE of the powers conferred by section 104 (2) (a) of the Energy Act, 2006, the Cabinet Secretary for Energy and Petroleum make the following Regulations—

THE ENERGY (APPLIANCES' ENERGY PERFORMANCE AND LABELLING) (AMENDMENT) REGULATIONS, 2018

1. These Rules may be cited as the Energy (Appliances' Energy Performance and Labelling) (Amendment) Regulations, 2018.

Citation

2. The Energy (Appliances' Energy Performance and Labelling) (Amendment) Regulations, 2016 is amended by deleting the Second Schedule and substituting therefore the following new Schedule—

L.N. 125/2016

SECOND SCHEDULE (r.5(2), (3) (c) and 16 (1) (b).)

Registration Charges and Application Fees.

Appliance	Category	Application Fees per model (KShs).
Self-Ballasted Lamps	CFL.	3000
Double Capped Fluorescent Lamps	FL.	3000
Ballasts for Fluorescent Lamps	BFL.	3000
Refrigerating Appliances	R.	5,000
Non-Ducted Air Conditioners	AC.	10,000
Three-Phase Cage Induction Motors.	M.	10,000

Dated the 7th February, 2018.

CHARLES KETER,  
Cabinet Secretary,  
Ministry of Energy and Petroleum.

## LEGAL NOTICE No. 51

## THE SACCO SOCIETIES ACT

(No. 14 of 2008)

IN EXERCISE of the powers conferred by section 15 of the Sacco Societies Act, the Sacco Societies Regulatory Authority makes the following Order —

THE SACCO SOCIETIES DEPOSIT LEVY (AMENDMENT) ORDER, 2018

1. This Order may be cited as the Sacco Societies Deposit Levy (Amendment) Order, 2018.

Citation

2. The Sacco Societies Deposit Levy Order 2011, hereinafter referred to as "the principal Order", is amended by deleting paragraph 2 (1) and substituting therefor the following new paragraph—

Sub-leg

2. (1) Subject to a maximum levy of ten million shillings per annum, a deposit-taking Sacco Society shall pay an annual levy (hereinafter called the deposit levy payable) at the rate set out in the schedule based on the total deposits held by the society as indicated in the last audited financial statements of the society.

3. The principal Order is amended by deleting paragraph 4.

SCHEDULE (p. 2 (1))

<i>Rate of deposit levy payable in percentage</i>	<i>Period of imposition of deposit levy payable</i>
0.125%	From January, 2018 to December, 2018.
0.15%	From January, 2019 to December, 2021.
0.175%	From January 2022.

Dated the 7th February, 2018.

By order of the Board.

JOHN MWAKA,  
*Chief Executive Officer,*  
*Sacco Societies Regulatory Authority.*

LEGAL NOTICE NO. 52

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

THE PROPOSED ACQUISITION OF THE ENTIRE ISSUED  
SHARE CAPITAL OF EKE PROPERTY LIMITED BY GATMA  
HOLDINGS LIMITED

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the proposed acquisition of the entire issued share capital of EKE Property Limited by Gatma Holdings Limited from the provisions of Part IV of the Act due to the following reasons—

- (a) the transaction will not affect competition negatively;
- (b) the acquirer's turnover for the preceeding year 2016 was KSh. 19,896,384, whereas the target's turnover was KSh. 134,520,457, therefore the combined turnover of the undertakings is and KSh. 154, 417, 281; and
- (c) the transaction meets the threshold required for mandatory notification as contained in the Merger Threshold Guidelines.

Dated the 23rd January, 2018.

WANG'OMBE KARIUKI,  
*Director-General.*

SACCO SOCIETIES DEPOSIT LEVY ORDER, 2011

[L.N. 188/2011.]



1. This Order may be cited as the Sacco Societies Deposit Levy Order, 2011 and shall come into operation on the 31st December, 2011.
2. (1) There shall be paid a levy (hereinafter called the deposit levy payable) based on the deposits held in any deposit-taking Sacco Societies at the rate of Zero point one zero per centum (0.10%) of the total deposits held as indicated in the last audited accounts, subject to a maximum deposit levy of Kenya Shillings five million (KSh. 5,000,000) only.  
(2) Upon issuance of a deposit-taking licence, the Authority shall assess the Sacco Society for purposes of this Order.  
(3) The deposit levy payable shall become due and payable not later than thirty (30) days after assessment of the same by the Authority, and service of an assessment notice on the Sacco Society.
3. The deposit levy payable by Sacco Societies on the year of first issuance of a deposit-taking licence shall be the equivalent of the pro-rated amount of the deposit levy payable with effect from the next month after the issuance of the licence.
4. The deposit levy payable by Sacco Societies for the financial year ending December 2012 upon the renewal of the deposit-taking licence, shall be the prescribed deposit levy payable, as provided under paragraph 2, less the pro-rated amount paid by the Sacco Society in the previous year.
5. The Sacco Societies Deposit Levy Order, No. 208 of 2010 is revoked.

By Order of the Board.



## EXPLANATORY MEMORANDUM

### EXPLANATORY MEMORANDUM TO THE SACCO SOCIETIES DEPOSIT LEVY (AMENDMENT) ORDER, 2018

#### PART I

**Name of the Statutory Instrument:** The Sacco Societies Deposit Levy  
(Amendment) Order, 2018

**Name of the Parent Act:** The Sacco Societies Act (Cap 490)

**Enacted Pursuant to:** Section 15 of the Sacco Societies Act (Cap 490)

**Name of the Ministry/ Department:** Ministry of Industry, Trade and Cooperatives

**Gazetted on** 23<sup>rd</sup> February, 2018

**Tabled on** ..... February, 2018

#### PART II

##### 1. Purpose of the Statutory Instrument

To increase Sacco Societies Deposit levy rate from the current 0.1 per cent to 0.125 per cent in the first year, second year 0.15 per cent and to 0.175 per cent in the fifth and subsequent years. The deposit levy is a major source of revenue for the effective exercise of the Authority's supervisory and regulatory mandate under the Act. The proposed increase in the rates will ensure financial sustainability for the Authority to effectively and efficiently carry out its mandate. ***Details of L.N. 51/2018 provided in Folio 2.***

##### 2. Legislative Context

The Policy of the Government through National Treasury on funding SAGA; (Semi-Autonomous Government Agencies) for initial three financial years of its

commencement of operations. From the fourth year onwards, it is expected that the industry being served or regulated should fully fund the operations through levies and fees provided in the law. The Authority is in its eighth year of operations with the current levy at 0.1 per cent charged vide the Sacco Societies Deposit levy Order (L.N. 188/2011) which only accounts for sixty (51) per cent of the Budget, with the deficit being from the exchequer. However, the funds from the exchequer have been fluctuating greatly affecting the operations of the Authority. It is the L.N.188/2011 that the Authority seeks to amend. *Details of L.N. 188/2011 provided in Folio 3.*

### **3. Policy Background**

The SACCO subsector contributes significantly to the overall attainment of Vision 2030 through financial inclusion, increased savings mobilization, improved access to credit and enhanced financial sector stability which are the key objectives of the Sacco Societies Act.

The number of licensed SACCOS increased from initial figure of ninety eight (98) in 2011 to a total of one hundred and seventy six (176) DTSSs in 2016 stretching available resources to the limit. The increased number of SACCOS coupled with opening of common bonds, expansion through branches and other service delivery channels, increased use of technology, diversified products and near-banking services present new challenges to the Authority.

The challenges include expanded risk exposure to deposit taking business and need to enhance regulatory capacity as well as industry capacity to keep up with the changing operating environment. There is dire need for new innovative ways of supervising the SACCOS including automation of risk analysis; feedback to boards and management; increased visibility of the Authority; more stakeholder engagement and continuously researching on regulatory and developmental policies for the good of the industry.

The foregoing reflects an industry that is transitioning to maturity or independent stage just like other financial sector industries underscoring the need to have a sustainable funding for the regulator to effectively supervise and develop the deposit taking SACCOS in partnership with industry stakeholders. The uncertainty on exchequer funding due to changing policy priorities undermines the execution of

Authority's mandate and hence policy objectives of having a competitive and stable Sacco subsector.

The foregoing has led to immense pressure on the resources available to the Authority hence the need to review the levy upwards before the Government funding is totally withdrawn. The following section provides specific justification for the proposed levy increase.

The growth of Saccos highlighted above has made it imperative for the Authority to review its regulatory and development strategies in order to enhance the financial soundness and competitiveness of the deposit taking Saccos. The specific strategic themes that the Authority will focus on with the increased funding include but not limited to:

#### **a) Policy Development and Implementation**

Kenya's financial sector has a reputation for innovation and stiff competition. The increasing convergence of market segments served by deposit taking Saccos and other deposit takers including mobile financial service providers demand new thinking for the Sacco business model to remain relevant and competitive. Developing requisite capacity in continuous research and policy formulation in both regulatory and development spheres of the Sacco subsector is a priority for the Authority. The following are a sample of the ongoing policy initiatives that have taken time due to resource constraints.

- i) **Central Liquidity Facility:** When successfully actualized will be a transformative initiative both for the financial stability and competitive of the Saccos as deposit takers.
- ii) **Policy on Shared Services for Saccos:** Operational sustainability is a major competitive advantage in deposit taking institutions moving forward. Saccos being cooperative can benefit from shared business infrastructure.
- iii) **Deposit Guarantee Fund:** Prudential regulation alone is inadequate to deal with failure of deposit taking Saccos. Deposit insurance is an important policy tool as Saccos increasingly offer near-banking services. A Kenyan in a Sacco expects the same protection for deposits as he/she gets from a bank.

- iv) **Consolidation/Mergers of Saccos:** Besides shared services policy framework, it is time that the Sacco subsector objectively considered the business pros and cons of a merging Saccos to enhance operating efficiency through economies of scale and scope.
- v) **Sacco Industry Performance Portal:** There is increased interest in the Kenya Sacco subsector performance from different stakeholders including universities, Government departments and agencies, policy analysts and development partners. The Authority receives numerous data requests from university students. This is a positive development and one we should fully support by creating a reservoir of Sacco performance data including membership, credit, deposits and overall performance. This requires resources to collect data and analyze in a presentable format.

The Authority plans to develop research capacity to provide leadership in innovative policy initiatives aimed at enhancing sectoral stability, efficiency and financial inclusion.

#### **b) Enhancing Offsite Analysis Capabilities**

The Deposit taking Saccos are currently able to electronically submit regulatory returns for analysis; however feedback takes time delaying corrective action that the Sacco Board and Management would otherwise be expected to take. It is for this reason that the Authority seeks to get additional funding by increasing Sacco levy to acquire and maintain a risk based supervision system capable of not only receiving data and analysis but also include a module where the Saccos can instantly download their prudential compliance summary report. The system will automatically conduct validation and consistency checks and give instance feedback report on monthly returns. Automation of offsite analysis will release supervision personnel for onsite inspections, which has increased with a total of 176 licensed Saccos.

In addition, the Authority will be able to hold more prudential meetings with Sacco management and/or directors to discuss regulatory concerns and give appropriate guidance. This will enhance the capacity of the Board to effectively oversee and direct the Sacco business.

### **c) Frequency and Depth of Onsite Inspections**

Unlike other financial sector providers whose head office are based in the capital city, Nairobi, the Sacco societies on the other hand are based where their members are hence geographically spread in about forty four counties. Conducting onsite inspections therefore costs more due to travel and accommodation requirements which the current resource envelope is inadequate to cover.

The Authority's future policy with increased funding is to have every licensed Sacco inspected once every two years. In addition, the length of an onsite will be increased as appropriate to provide more time to deeper understand and evaluate the Sacco business strategies and operations. Regular on -site inspections combined with improved offsite analysis will ensure early detection of financial problems for timely corrective action.

The foregoing is critical in entrenching a proactive risk based supervisory approach that focuses on early detection of prudential non-compliance and strengthening the Sacco's capacity to address the business challenges. Implementation of the above plan will avert closure and revocation of licenses for deposit taking that is largely attributed to inadequate institutional capacity and to take timely action on identified Sacco. ***Details of policy brief on Sacco Societies Deposit levy provided in Folio 4.***

### **4. Consultation Outcome**

The Ministry and the Sacco Societies Regulatory Authority held consultations with the stakeholders which included but not limited to the SACCO leaders, officers of the Sacco and National Cooperative Organizations.

The stakeholder engagement process was commenced by creation of awareness to the Sacco leaders and County government officers on the need to increase the Sacco Societies Deposit Levy with the objective of the regulator attaining financial sustainability to be able to effectively and efficiently execute its mandate and ensure safety of Sacco member's funds.

(a) The Authority in the first phase, engaged Stakeholders at the regional level in March, 2016. This involved creation of awareness to the target audience

which included regional leaders and county government officials. **Folio 5 sets out documents relating to this phase of consultation which include:**

- i) Invitation letters
- ii) Policy Brief discussed at the forums
- iii) Presentation by the Authority
- iv) Programmes and attendance lists for the meetings

(b) In the second phase, the Authority engaged Stakeholders in the month of November, 2016, this included invitation of comments from stakeholders on the proposed increase, analysis of comments and providing responses on the same. A total of 47 submissions were received out of which 65 per cent were in support of the increase while 37 per cent were against the increase. **Folio 6 sets out documents relating to this phase of consultation which include:**

- i) Invitation Letters
- ii) Policy Brief on the Levy Increase
- iii) Comments received for stakeholders
- iv) Analysis on the comments
- v) Responses by the Authority to the stakeholder comments

(c) In the third phase, the comments from the stakeholders were further considered at the Stakeholder validation workshop held on 24<sup>th</sup> November, 2016 at 680 Hotel in Nairobi and attended by all stakeholders to further discuss the proposals, comments received and reach an agreement. **Folio 7 sets out documents relating to this phase of consultation which include:**

- i) Invitation letters for the stakeholders workshop
- ii) Presentations by the Authority
- iii) Responses to stakeholders comments
- iv) Report on final stakeholder meeting
- v) Programme and attendance list for the meeting

The stakeholders after due consideration of the proposed increase unanimously agreed to increase Sacco Societies Deposit levy rate from the current 0.1 per cent to 0.12 per cent in the first year, second year 0.15 per

cent and to 0.175 per cent in the fifth and subsequent years. The maximum levy rate payable capped at Kenya shillings ten million (Kshs. 10,000,000).

## 5. Guidance

5.1 The Sacco Societies Regulatory Authority has been in engagement with Sacco leaders and members on the need for the increase of the levy to facilitate effective and efficient prudential regulation to safeguard members' funds. This will continue through education forums on tangible benefits aligned to the economic pillar under Vision 2030. The SACCO subsector through prudential practices enforced by the Authority shall contribute significantly to the overall attainment of Vision 2030 through financial inclusion, increased savings mobilization, improved access to credit and enhanced financial sector stability.

## 6. Impact

6.1 The amendment shall have no fundamental effect to the rights.

Sacco Deposits are only used as a basis for levy calculation; otherwise the levy is an expense which is expended in the income statement of the Sacco. Thus, the impact of the levy can be measured as a proportion of the turnover. On average, the levy charged has been 0.37% of the consolidated Sacco turnover. With an increase to 0.125% in 2018 the proportion of levy to total turnover shall be 0.5% and 0.56% in 2019 when the levy rate shall be 0.15% before reaching 0.59% of turnover at a levy rate of 0.175% in 2022. There shall be gradual decline in this proportion as the rate stabilizes at 0.175%. This is tabulated below:

Amounts (Kshs)	Projected (@15%)		2018	2019	2020	2021
	2016	2,017				
Deposits	272,578,602,087	313,465,392,400	360,485,201,260	414,557,981,449	476,741,678,666	548,252,930,466
Total Income	55,257,986,466	63,546,684,436	73,078,687,102	84,040,490,167	96,646,563,692	111,143,548,246
Assessed Levy	204,564,111	317,503,507	406,697,804	499,431,731	547,025,318	595,433,592
Proportion Levy to Total	0.370%	0.500%	0.557%	0.594%	0.566%	0.536%
Levy Rate	0.10%	0.125%	0.150%	0.175%	0.175%	0.175%
Savings from Capping	68,014,491	74,328,233	134,029,997	226,044,737	287,272,619	364,009,037

6.2 The amendment will enhance level of supervision to ensure safe and sound deposit taking SACCOS thereby enhancing financial stability.

## **7. Monitoring and review**

**7.1** The success criteria of this regulation will be measured by the increased in revenue for the Authority to undertake effective and efficient supervision.

## **8. Contact**

**8.1 John Mwaka, Chief Executive Officer SASRA.**

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0722 843927

LEGAL NOTICE NO.....

**THE POLITICAL PARTIES ACT, 2011**

*(No. 11 of 2011)*

**THE POLITICAL PARTIES (REGISTRATION) REGULATIONS, 2017**

**ARRANGEMENT OF REGULATIONS**

*Regulation*

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#### **SCHEDULES**

##### **FIRST SCHEDULE—FORMS**

##### **SECOND SCHEDULE—FEES**

**THE POLITICAL PARTIES ACT, 2011**  
*(No 11 of 2011)*

**IN EXERCISE** of the powers conferred by section 49 of the Political Parties Act, 2011 the Registrar of Political Parties makes the following Regulations—

**THE POLITICAL PARTIES (REGISTRATION) REGULATIONS, 2017**

**PART I-PRELIMINARY**

Citation. 1. These Regulations may be cited as the Political Parties (Registration) Regulations, 2017.

Interpretation. 2. In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties Act, 2011;

“register” means the register of particulars of political parties kept by the Registrar under section 34 of the Act;

“registered political party” means a political party that is fully registered under the Act.

**PART II— REGISTRATION OF A POLITICAL PARTY**

Application for provisional registration of a political party.

3. (1) An application for provisional registration of a proposed political party in accordance with section 6 of the Act shall be in duplicate, in Form PP 1 together with a declaration in support of the application in Form PP 2 set out in the First Schedule.

(2) A request for the registration of the colours of the proposed political party under section 5 (4) of the Act shall—

(a) specify a combination of at least three colours; and

(b) identify the printing code of each colour.

(3) An application under sub regulation (1) shall be signed by three of the founding members of the proposed political party who shall attach certified copies of their National Identity cards or valid Kenyan Passport to the application.

(4) The Registrar, on receipt of an application under sub regulation

(1) and (2), shall within fourteen days, publish a notice in the *Gazette* and in at least two newspapers with nationwide circulation, inviting objections from any person or any other political party concerning the registration of the name, symbol, colour of the political party, or any other issue relating to the registration of the political party.

(5) The Registrar, if satisfied that the conditions for provisional registration have been fulfilled, shall within thirty days of such receipt, and upon payment of the prescribed fee specified in the Second Schedule –

(a) register the name, colours and symbol of the political party; and

(b) issue a certificate of provisional registration.

(6) A political party may, upon registration of the colours and symbol under sub regulation (5), print or display such logo and symbol.

(7) The certificate of provisional registration of a political party shall be in Form PP 3 set out in the First Schedule.

Application for full registration of a political party.

4.(1) An application for full registration of a political party in accordance with section 7 of the Act shall be in duplicate in Form PP 4 set out in the First Schedule, and shall be submitted to the Registrar together with a declaration in Form PP 5 set out in the First Schedule.

(2) The Registrar, on receipt of an application under sub regulation (1), will scrutinise it, and if satisfied that the conditions for full registration have been fulfilled, shall within thirty days of such receipt issue a certificate of full registration on payment of the prescribed fees specified in the Second Schedule.

(3) The certificate of full registration of a political party shall be in Form PP 6 set out in the First Schedule.

(4) Upon being issued with a certificate of full registration of a political party, the applicant shall surrender the certificate of provisional registration to the Registrar.

(5) If for any reason the certificate of provisional registration cannot be surrendered as required under sub regulation (4), the applicant shall submit an affidavit and a police abstract explaining the circumstances of its unavailability and the Registrar shall, if satisfied by the reasons, file the

documents and cancel the provisional certificate.

Notice of change  
of office holder.

5. (1) Where an office holder of a registered political party ceases to hold office, and another person is elected to that office, the political party shall, within fourteen days of the appointment, send notice thereof to the Registrar.

(2) A notice under sub regulation (1) shall be in duplicate in Form PP 7 set out in the First Schedule.

Notice of change  
of location of head  
office, postal  
address, etc

6.(1) If a registered political party changes the location of its head office or county office, the postal address, email address or telephone numbers of its head office or county office, the political party shall, within fourteen days of such change, send notice thereof to the Registrar.

(2) A notice of change of location shall be in duplicate in Form PP 8 set out in the First Schedule.

(3) A notice of change of postal address, email address or telephone number shall be in duplication in Form PP 9 set out in the First Schedule.

Notification of  
changes,  
alterations in  
name, colour,  
symbol,  
constitution of  
political party.

7.(1) A notification by a registered political party of its intention to change its name, abbreviation of the name, colour or symbol shall be in duplicate in Form PP 10 set out in the First Schedule, and the Registrar shall, in writing, notify the applicant of the decision thereon.

(2) A notification by a registered political party of its intention to change any of the provisions of its constitution or rules shall, be in duplicate in Form PP 11 set out in the First Schedule.

(3) The Registrar shall, prior to refusing to effect a change under this regulation, notify the intention and reasons for the refusal to the political party concerned and shall give the political party an opportunity to submit reasons, if any, why the application should be granted.

(4) If within two weeks of receiving the notification from the Registrar under sub regulation (3), the political party fails to submit reasons why the Registrar should effect the proposed changes, the Registrar shall dispense with the application made by that political party to effect changes under this regulation.

(5) Where the name of a registered political party is changed, the Registrar shall issue a new certificate of registration upon the original certificate being surrendered to the Registrar, unless its absence is accounted for to the satisfaction of the Registrar by way of an affidavit and a police abstract.

Approval of  
change.

8. A notification to the Registrar under regulations 5, 6 and 7 shall be accompanied by a copy of the minutes of the meeting of the body authorized at which the resolution to effect the change was passed, certified as a true copy and signed by three authorised officials of the political party.

Register of  
political parties

9. (1) The register of political parties required to be kept under section 34 (e) of the Act shall be in Form PP 12 set out in the First Schedule.

(2) The register of political parties shall include the following information relating to each political party—

- (a) a duplicate copy of the registration certificate of the political party;
- (b) a copy of the constitution of the political party;
- (c) a status report of the political party indicating whether the political party is active, suspended or deregistered;
- (d) an accurate and updated list of offices of the political party;
- (e) an accurate and updated list of members of the political party;
- (f) an accurate and updated list of the political party officials including their full names, addresses, telephone numbers and email addresses;
- (g) the election rules of the political party;
- (h) the nomination rules of the political party; and
- (i) any other particulars which the Registrar may, from time to time, determine.

(3) The Registrar shall record in the register all, changes of the name, abbreviation of the name, symbol or colour of the political party and any other particulars.

(4) Any person may inspect the register and any other document lodged

with the Registrar relating to a political party pursuant to the Act, and may, on payment of the prescribed fee, obtain a copy of any document from the Registrar.

Correction of information.

10. (1) The Registrar or a person authorised by the Registrar, may correct any clerical error or omission in the register or in a certificate issued to a political party.

(2) The signature of the Registrar or authorised person and the date of the correction shall be inserted against the correction.

(3) A correction of an error or omission under sub regulation (1) shall be made without rendering what was written illegible and without erasing the original entry.

(4) If the Registrar determines that any information required to be included in the register is missing, the Registrar shall notify the political party to furnish such information within fourteen days of such notification.

(5) Where after fourteen days the required information under sub regulation (4) is not furnished, the Registrar may suspend any service to the political party until the information is furnished.

Removal of particulars of a political party from the register.

11.(1) The Registrar may remove the name and particulars of a political party from the register in case of —

- (a) a provisionally registered political party which has not applied for full registration within one hundred and eighty days from the date of provisional registration;
- (b) deregistration of the political party;
- (c) winding-up of the political party; or
- (d) dissolution of the political party.

(2) Where the name, symbol and colours of a political party have been removed from the register under sub regulation (1), the Registrar shall not register a political party with the same or a similar name, symbol, or colours for a period of five years.

Reports

12. The Registrar may, at any time, require a political party to

submit a report relating to the constitution, objectives and purpose of the political party, the office holders and membership of the political party.

Designation of signatories.

13. Every political party shall within fourteen days of full registration file in Form PP 13 the names and specimen signatures of party officials authorized in its constitution to sign -

a) documents presented to the Registrar, including membership register, coalition agreements, mergers, and other reports to the Registrar;

b) documents presented to the registrar for changes of name, constitution, rules, symbol and colour of the political party;

c) the bank accounts of the political party;

d) the audited annual accounts and financial statements of the political party;

e) any report or document of the political party required under the Act or any other written law;

f) the nomination certificates for any nomination for general and by-elections; and

g) the return on elections of the political party officials.

Notices by Registrar to be sent by registered post, physical address or official e-mail address

14. Any notice which the Registrar is required to give to any political party shall be deemed to have been given to the political party if -

a) sent by registered post;

b) delivered to the registered physical address; or

c) sent to the official e-mail address.

Notification of suspension of a party

15. Where a political party is suspended under section 21 of the Act, the Registrar shall notify the political party in Form PP 14 set out in the First Schedule.

Notification of deregistration of a political party.

16. (1) Where the Registrar intends to deregister a political party under section 21 of the Act, the Registrar shall notify the political party in Form PP 15 set out in the First Schedule.

(2) The Registrar shall, within fourteen days of deregistration of a

political party or upon its declaration as a prohibited organisation under any law, issue a notice in Form PP 16 set out in the First Schedule and cause a notice of the deregistration to be published in the *Gazette*.

### PART III— MEMBERSHIP OF POLITICAL PARTIES

Recruitment of members of a political party.

17. (1) A political party shall require every person it has recruited as a member to complete the party membership recruitment form as set out in Form PP17 in the First schedule.

(2) A political party shall not recruit members before the proposed political party has been issued with a certificate of provisional registration.

(3) A political party shall, within twenty one days of the recruitment of a member, insert the details in sub regulation (1) in the membership register and submit to the Registrar.

(4) The Registrar may from time to time require a political party to submit the register of members in a specific format including electronic

Party membership card.

18. (1) A political party shall issue a party membership card to each member as evidence of the person's membership.

(2) A political party may incorporate electronic formats of the membership card.

(3) A membership card issued under this regulation shall be in Form PP 18 set out in the First Schedule.

Verification of party membership status

19. (1) Upon receipt of the political party membership lists, the Registrar shall publish a notification to the effect that the list of all members of political parties is publicly available.

(2) The Registrar shall put in place measures to enable registered political party members to verify their membership status electronically.

Resignation of member of a political party.

20. For purposes of section 14 (5) of the Act, a member of a political party shall have resigned from a political party upon —

- (a) a resolution of the national executive committee of the political party constituted to determine the membership of the person based on a pre-determined criteria contained in its constitution or rules and procedure for expulsion of a member;
- (b) a declaration based on a reasonably justifiable complaint from any person to the Registrar after following the procedure stipulated in regulation 21; or
- (c) an order of a court or the Political Parties Disputes Tribunal to that effect.

Resignation following a complaint.

21. (1) Whenever the Registrar receives a complaint from any person requesting that a member of a political party be deemed to have resigned, the Registrar shall assess whether the complaint is justified or not.

(2) If the Registrar is satisfied that the conduct of the member against whom the complaint was made does not present sufficient grounds for the member to be deemed to have resigned, the Registrar shall dismiss the complaint and inform the complainant of the decision.

(3) Where the Registrar is of the opinion that there is a reasonably justifiable cause, the Registrar shall notify the member so complained of and the political party and require it to, within seven days of the notification, convene the requisite party organ to consider whether or not the member should be expelled, and to notify the Registrar accordingly.

(4) Where the Registrar is satisfied that the complaint has been duly addressed by the political party in accordance with the procedure in the party constitution and rules under sub paragraph (3), the Registrar shall uphold the decision of the political party.

(5) Where the Registrar is not satisfied that the complaint has been duly addressed by the political party in accordance with the procedure in the party constitution and rules, the Registrar shall send it back to the political party setting out the breach of procedure.

Resignation following an order of the court or Tribunal

22. Upon receipt of an order of the Political Parties Disputes Tribunal or a court of competent jurisdiction to the effect that a member

has resigned, the Registrar shall within fourteen days remove the name of the member from the membership register of the political party

Removal from membership register

23. Where a person has resigned from a political party, under regulation 20 and 21 the Registrar shall within seven days of the resignation remove the name of the member from the membership register of the political party.

#### PART IV— OFFICES OF A POLITICAL PARTY

Requirement to maintain a functioning office.

24. Every political party shall maintain offices in accordance with section 7(2)(f)(ii) and (iii) which shall —

- (a) be open for at least eight hours a day of each working day;
- (b) be manned by employees during working hours;
- (c) be accessible to the public; and
- (d) have signage and branding.

Location of party offices.

25. (1) The office of a political party shall be a public office, open for inspection and shall not be located in -

- (a) a house concurrently used as a residence by any person;
- (b) a public officers' place of work; or
- (c) any place that is restrictive to any section of the general public.

(2) Where the office of the political party is—

- (a) rented, details of the lease agreement shall be maintained in the office; and
- (b) provided as support to the political party, the agreement to that effect shall be maintained in the office and be available for inspection.

Documents to be kept in political party offices. Notification of closure of office.

26. A political party shall maintain at its offices, all the documents required under section 17 of the Act.

27. If any political party office is closed or ceases to function, the

political party shall notify the Registrar of the fact in Form PP 19 set out in the First Schedule.

#### PART V—POLITICAL PARTY COALITIONS

Formation of coalitions.

28. (1) Political parties which have agreed to form a coalition shall deposit the coalition agreement with the Registrar, together with Form PP 20 set out in the First Schedule, accompanied by-

- (a) a declaration showing that the rules and procedures of the political parties entering into the coalition relating to the formation of the coalition have been followed; and
- (b) minutes of the meeting of the governing bodies of each of the political parties entering into the coalition, sanctioning the coalition.

(2) Upon receiving the coalition agreement and the documents specified in sub regulation (1), the Registrar shall scrutinise the documents deposited and if satisfied that the coalition agreement is in accordance with the Act and the party constitution or rules, issue a letter confirming that the coalition has complied with the Act and the party constitution or rules, within five working days of receipt of the documents.

(3) Upon issuing the letter of confirmation of a coalition under sub regulation (2), the Registrar shall publish a notice in at least two newspapers with national circulation stating the name of the coalition and the political parties that are members of the coalition.

(4) Where the Registrar is not satisfied that the coalition agreement is in accordance with the Act and the rules and the constitution or rules of the Political Parties entering into the coalition, the Registrar shall request for additional information to be submitted within seven working days of the request.

(5) Where the political parties entering a coalition do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall not issue a letter of confirmation and shall inform the political parties that are proposed members of the coalition of the decision within two days of the lapse of the period specified in sub regulation (4).

Dissolution of coalition.

29.(1) If a coalition is dissolved in accordance with the coalition

agreement, the decision to dissolve the coalition shall be in writing and shall be—

- (a) accompanied by signed minutes containing the resolution of the governing body of the political party;
- (b) signed by the authorised officials of the political party; and
- (c) submitted to the Registrar within two weeks after the date of the decision.

(2) If a coalition is dissolved in accordance with sub-regulation (1), the Registrar shall publish a notice of the dissolution in at least two newspapers with national circulation.

Amendment of coalition agreements

30. The coalition agreements deposited under regulation 28 may be amended in accordance with the coalition agreement.

#### PART VI—POLITICAL PARTY MERGERS

Merger by forming a new political party

31. (1) Political parties entering into a merger by forming a new political party shall deposit the merger agreement with the Registrar together with—

- (a) Form PP 21 set out in the First Schedule;
- (b) documentation showing that the rules and procedures of each of the political parties entering into the merger relating to the formation of the merger have been followed;
- (c) minutes of the meeting of the governing bodies of each of the political parties entering into the merger sanctioning the merger;
- (d) certificates of full registration for the merging parties;
- (e) constitution, rules and regulations of the new political party;
- (f) name, symbol, and colours of the new political party;
- (g) particulars of members of the governing body of the new political party; and
- (h) list of location and address of new party head and county offices.

(2) A merger agreement shall set out the matters specified in Form PP 21.

Scrutiny by the Registrar.

32. (1) Upon receiving the merger agreement under Regulation 31, the Registrar shall scrutinize the documents deposited.

(2) Where the Registrar is satisfied that the documents under Regulation 31 are in accordance with the Act the Registrar shall—

(a) immediately withdraw and cancel the certificates of registration of all the political parties that have merged;

(b) gazette the dissolution of the merged parties; and

(c) within seven days issue a certificate of full registration to the new political party.

(3), The gazette notice to be issued under sub-regulation 2(b) shall contain—

(a) the names of the merging parties;

(b) The name, symbol, and colours of the new political party;

(c) Particulars of members of the governing body of the new political party; and

(d) List of location and address of new party head office.

(4) Where the Registrar is not satisfied that the merger agreement is in accordance with the requirements of the Act, and the rules and procedures of the merging political parties, the Registrar may request for additional information to be deposited within two days.

(5) Upon receipt of the required additional information the provisions of sub regulations (1), (2) and (3) shall apply.

(6) Where the political parties entering a merger do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall reject the agreement and notify the political parties within two days of the lapse of the period specified in sub regulation (2(c)).

Merger by merging into an already registered political party

33. (1) Political parties entering into a merger by merging into an already registered political party shall deposit the merger agreement with the Registrar together with—

- (a) Form PP 22 set out in the First Schedule;
- (b) documentation showing that the rules and procedures of each of the political parties entering into the merger relating to the formation of the merger have been followed;
- (c) minutes of the meeting of the governing bodies of each of the political parties entering into the merger sanctioning the merger;
- (d) certificates of full registration for the parties that have resolved to dissolve;
- (e) constitution, rules and regulations of the merged political party;
- (f) name, symbol, and colours of the merged political party;
- (g) particulars of members of the governing body of the merged political party; and
- (h) list of location and address of party head and county offices of the merged political party.

(3) A merger agreement shall set out the matters specified in Form PP 22.

Scrutiny by the Registrar

34. (1) Upon receiving the merger agreement under Regulation 33, the Registrar shall scrutinize the documents deposited.

(2) where the Registrar is satisfied that the documents under Regulation 30 are in accordance with the Act the Registrar shall—

- (a) immediately withdraw and cancel the certificates of registration of all the political parties that have resolved to dissolve; and
- (b) within seven days gazette the dissolution of the parties that have resolved to dissolve and the merged party.

(3), The gazette notice to be issued under sub-regulation 2(b) shall contain—

- (a) the names of the parties that have resolved to dissolve;
- (b) the name, symbol, and colours of the merged political party;

(4) Where the Registrar is not satisfied that the merger agreement is in accordance with the requirements of the Act, and the rules and procedures of the merging political parties, the Registrar may request for additional information to be deposited within two days.

(5) Upon receipt of the required additional information the provisions of sub regulations (1), (2) and (3) shall apply.

(6) Where the political parties entering a merger do not submit the information requested by the Registrar under sub regulation (4), the Registrar shall reject the agreement and notify the political parties within two days of the lapse of the period specified in sub regulation (2)(c).

Effect of merger  
of political parties

35. Where political parties merge in accordance with the Act and these regulations, the Registrar shall, within forty five days of the publication of the Gazette Notice, remove the particulars of the dissolved political parties from the register including their names, symbols, and colours.

Access to  
information

36. A person who intends to access information held by the Registrar may, subject to payment of the prescribed fee, apply for an official search.  
(2) The Registrar shall respond to the application not later than twenty one days from receipt of the application.

Revocation of  
LN 111/2008

37. The Political Parties (Registration) Regulations, 2008 are revoked.

**FIRST SCHEDULE**

**FORM PP 1**

(r. 3(1))

**APPLICATION FOR PROVISIONAL REGISTRATION OF A POLITICAL PARTY**

Application is hereby made for provisional registration of .....

(Name of political party) (Hereinafter called “the party”) under the Political Parties Act, 2011.

1. The Head office of the party is situated at .....

2. The postal address of the party is .....

3. The titles, names, postal addresses and telephone number of the founder members  
 Title.....  
 Name .....

4. The abbreviation of the proposed party is .....

5. We annex hereto marked “A” two true copies of the constitution and rules of the party and the proposed emblem. Provision has been made in the constitution of the political party for the matters specified in the Second Schedule to the Act.

	<b>Matters to be set forth in the constitution or rules</b>	<b>Number of the rule under which provision is made for each matter</b>
1.	The name of the party and any abbreviation (if used).	
2	The logo and symbol of the political	

	party and party colours	
3.	The objects of the political party.	
4.	Clearly defined vision, mission, guiding principles and values	
5.	The physical and postal address of the registered office of the party.	
6.	<p>Membership requirements including;</p> <ul style="list-style-type: none"> <li>• the eligibility criteria;</li> <li>• subscription fees for joining the party and for being a member of the party;</li> <li>• the criteria for resignation from party membership or ceasing to be a member; and</li> <li>• the rights and duties of members of the party;</li> <li>• membership details to be contained in the register including identification details, region, ethnicity, disability, gender and county;</li> <li>• the procedure for conducting the annual general meeting or the other general meetings of the political party, including matters which may only be decided upon by a meeting of the party members or, as the case may be, of the county representatives of the party;</li> <li>• the continuous updating of the membership register.</li> </ul>	

7.	<p>Governing body requirements including;</p> <ul style="list-style-type: none"> <li>• the name of the governing body</li> <li>• the eligibility criteria for election to the governing body;</li> <li>• the positions, titles and term of office;</li> <li>• the rights and duties of members of the governing body;</li> <li>• the procedure for the election of members of the governing body and other party organs, including committees;</li> <li>• guidelines for the operations of the governing body and its committees;</li> <li>• quorum;</li> <li>• frequency of meetings;</li> <li>• decision making powers; and</li> <li>• guidelines for meetings: procedures of convening meetings; procedure of meetings and the official recording of resolutions passed at meetings.</li> </ul>	
8.	<p>A list of party management structure of the political party and systems to be documented at the party offices including-</p> <ul style="list-style-type: none"> <li>• the employee details and terms of employment;</li> <li>• the party human resource, financial and audit and administration and management policies and procedures; and</li> <li>• the party sub- branches within each county.</li> </ul>	
9.	The forming of party branches,	

	including in the diaspora, and their roles and responsibilities.	
10.	<p>The financial structure and system including-</p> <ul style="list-style-type: none"> <li>• the roles and responsibilities of individual party officials, organs and governing bodies with regard to the finances of the political party;</li> <li>• the periodical audit of accounts of the political party; and</li> <li>• the purposes for which the funds may be used, and in particular the prohibition against the distribution of funds among members.</li> </ul>	
11.	The general organisation structure and management of the party, including the county structures and systems and county governing bodies.	
12.	The establishment and management of National Assembly, Senate and County Assemblies Caucuses.	
13.	<p>The disciplinary measures against a member or official of a political party including-</p> <ul style="list-style-type: none"> <li>• the methods and procedure of disciplinary action in accordance with Article 47 and 50 of the Constitution;</li> <li>• possible disciplinary actions and reasons;</li> <li>• criteria for various disciplinary actions; and</li> <li>• consequences of each action for the national and county levels.</li> </ul>	
14.	The right to inspect the books or list of members of the political party by a member of the party or a member of the public.	
15.	The officials of the party authorized to	

	<p>sign on behalf of the party-</p> <p>(a) documents presented to the registrar including membership register, mergers, coalitions and other reports to the registrar;</p> <p>(b) the accounts of the party;</p> <p>(c) the annual report of the party;</p> <p>(d) the financial reports of the party;</p> <p>(e) any report or document of the party required under this Act or any other written law;</p> <p>(f) the nomination certificates for any nomination or election of a member of the political party;</p>	
16.	The policy documents which the party will develop and on which the party will perform including the manner and procedures in which they will be developed, approved and implemented	
17.	The policy reporting documents and their regularity which the party will produce including the manner and the procedures in which they will be developed, approved and publicized.	
18.	Asset management policies and procedures, the custody and investment of the funds and property of the party, and the designation of the persons responsible for them.	
19.	<p>The political party rules and regulations with respect to—</p> <p>(a) elections of the party officials;</p> <p>(b) nomination of candidates for</p>	

	elections; and Nomination of candidates to political party lists	
20.	Provisions for the amendment of the name, symbol, party colours, constitution, and rules of the party.	
21.	Rules for mergers and coalitions including- <ul style="list-style-type: none"> <li>• the circumstances and criteria for mergers and coalitions; and</li> <li>• the procedure and guidelines for such mergers and coalitions as approved by an annual general meeting of the political party.</li> </ul>	
22	Provisions on dissolution of the party, including – <ul style="list-style-type: none"> <li>• provisions on the disposal of the property of the political party; and</li> <li>• the manner of and procedures to be followed for the dissolution of the party or any branch of the party.</li> </ul>	
23.	Internal party dispute resolution mechanism in accordance with Article 47 and 50 of the Constitution.	
24.	Democratic practices that cover gender, affirmative action for minorities and marginalized groups.	
25.	Reflect democratic practices covering human rights and gender.	
26.	The manner of implementing national values and principles of governance as provided in the Constitution.	

6. We annex hereto marked “B” a declaration in Form PP.2 in support of this application.



FORM PP2

(r.3(1))

**DECLARATION IN SUPPORT OF AN APPLICATION FOR PROVISIONAL  
REGISTRATION OF A POLITICAL PARTY**

We, the founding members, whose signatures are subscribed hereto, do hereby solemnly declare as follows–

- 1 That the constitution or policy of our party –
  - (a) does not advocate or further the interests of –
    - (i) any religious belief or group, or
    - (ii) only a particular area within Kenya;
  - (b) does not accept or advocate the use of force or violence as a means of attaining its political objectives; and
  - (c) does not advocate or aim to carry on its political objectives exclusively in one part of Kenya.
2. That the party will carry out periodic and democratic elections of its leadership as provided in the constitution submitted with the application for provisional registration.

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

Made this ..... day of ..... 20.....

Names and signatures of three founding members

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .. .. .

Signature .. . . . .

ID/Passport No .. . . . .

In the presence of a

Commissioner for Oaths/Magistrate

FORM PP 3

(r. 3 (6))

Serial No. ....

**CERTIFICATE OF PROVISIONAL REGISTRATION OF A POLITICAL PARTY**

I hereby certify that ..... has this day been provisionally registered as a political party under the Political Parties Act, 2011

Dated this ..... day of ..... 20...

This certificate is valid for one hundred and eighty days from the date of issue.

.....  
REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 4

(r. 4(1))

APPLICATION FOR FULL REGISTRATION OF A POLITICAL PARTY

PART I

Application is hereby made for full registration of  
.....  
(Name of the party) as a political party under the Political Parties Act, 2011.

1. The political party has been provisionally registered under Certificate of Provisional Registration No .....which is annexed hereto, marked "A".
2. The party has fulfilled all the conditions with regard to:
  - (a) obtaining not less than one thousand members who are registered as voters from each of more than half of the counties;
  - (b) ensuring the members referred to in paragraph (a) reflect regional and ethnic diversity, gender balance and representation of special interest groups;
  - (c) ensuring the composition of its governing body reflects regional and ethnic diversity, gender balance and representation of special interest groups;
  - (d) ensuring that not more than two-thirds of the members of its governing body are of the same gender;
  - (e) having demonstrated that members of its governing body meet the requirements of Chapter Six of the Constitution and the laws relating to ethics;
  - (f) the location of its head office, which shall be a registered office within Kenya and a postal address to which notices and other communication may be sent, as stated in our declaration in Form PP.5 which is annexed hereto, marked "B";
  - (g) the location and addresses of the branch offices of the political party, which shall be in more than half of the counties, as stated in our declaration in Form PP.5 which is annexed hereto;
  - (h) submitting an undertaking to be bound by the Act and the Code of Conduct which is annexed hereto;
  - (i) the nomination and disposition of the party leadership, as stated in our declaration in Form PP 5 which is annexed hereto; and
  - (j) we annex hereto, two true copies of the constitution and rules of the party;

Dated this ..... day of ..... 20 .....

Names and signatures of three officials:

1 Name .....

Signature .....

ID/Passport No. ....

2 Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature .....

ID/Passport No. ....

In the presence of:

Commissioner for Oaths/Magistrate

**FORM PP. 5**

(r.4 (1))

**DECLARATION IN SUPPORT OF AN APPLICATION FOR FULL  
REGISTRATION OF A POLITICAL PARTY**

..... (Name of the  
political party)

We, the applicants whose signatures are subscribed hereto do hereby solemnly declare as follows—

1. The political party in respect of which we seek full registration has been provisionally registered and the provisional registration is subsisting.
2. The names of the members of the governing body of the party are indicated in Part I of this Form.
3. The party has recruited as members, not fewer than one thousand registered voters from each of more than half of the counties the details of which are indicated in Part II of this Form.
4. The location of its head office, which shall be a registered office within Kenya and party branch offices of the political party which shall be in more than half of the counties indicated in Part III of this Form.

**PART I**

**PARTICULARS OF MEMBERS OF THE GOVERNING BODY OF THE  
POLITICAL PARTY**

Name	Gender	Special interest (Indicate category)	County	Address/ Telephone	Designation /Position Held	Date of Appointment/ Election


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

Dated this .....day of ..... 20 .....

Names and signatures of three authorised officials:

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature .....

ID/Passport No. ....

**PART II**

**NUMBER OF MEMBERS OF THE POLITICAL PARTY ACCORDING TO COUNTIES**

S/No.	Name of County	Number of members
1.		
2.		

3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
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23.		
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28.		
29.		
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31.		
32.		
33.		
34.		
35.		
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		

46.		
47.		
	<b>TOTAL</b>	

**PART III**

**LOCATION AND ADDRESS OF PARTY HEAD OFFICE AND COUNTY BRANCH OFFICES**

The location of the head office of the political party is.....  
 ..... and the address is P.O. Box or/and Telephone Number  
 ..... (Add building, L.R No., street, road or nearest location)

The location and address of party branch offices which shall be in more than half of the counties are as follows:

S/No.	County	Location	Address/Telephone No.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			

22			
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33			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			

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

Dated this .....day of ..... 20 .....

Names and signatures of three authorised officials:

1. Name .....

Signature .....

ID/Passport No. ....

2. Name .....

Signature .....

ID/Passport No. ....

3. Name .....

Signature .....

ID/Passport No .....

FORM PP.6

(r. 4(3))

Serial No. ....

**CERTIFICATE OF FULL REGISTRATION OF A POLITICAL PARTY**

I hereby certify that .....  
has this day been fully registered as a political party under the Political Parties Act, 2011.  
Dated this ..... day of ..... 20 .....

.....  
REGISTRAR OF POLITICAL PARTIES  
Official Stamp

FORM PP.7

(r.5(2))

**NOTICE OF CHANGE OF PARTY OFFICIALS**

Name of political party .....

1. The following persons have ceased to be party officials:

Full name	Designation	National Identification No./ Valid Passport	Postal Address/ Email/ Telephone No.	Date of Vacating office
1.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
2.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

2. The following persons have been appointed/elected as party officials—

Full name	Designation	National Identification No./ Valid Passport	Postal Address/ Email/ Telephone No.	Date of Appointment / Election to Office
1.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
2.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
3.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Dated this ..... day of ..... 20 .....

Names and signatures of three authorised officials:

- Name .....
- Signature .....
- ID/Passport No. ....
- Name .....

Signature .....

ID/ Valid Passport No. ....

3. Name .....

Signature .....

ID/ Valid Passport No. ....

\*We annex confirmed minutes containing the resolution for change of party officials.

FORM PP. 8

(r. 6 (2))

**NOTICE OF CHANGE OF LOCATION OF HEAD OFFICE /COUNTY OFFICE  
OF A POLITICAL PARTY**

Notice is hereby given that the location of the head office/... ..county office of the political party known as ... .. was on the ... .. day of ... 20 ... .. changed from ... .. to ... ..

Dated this ... .. day of ... .. 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
2.....	.....	.....	.....
3.....	.....	.....	.....

\*We annex confirmed minutes containing the resolution for change of location of head or county office.

FORM PP.9

(r. 6 (3))

**NOTICE OF CHANGE OF POSTAL ADDRESS/EMAIL/TELEPHONE NUMBERS OF A POLITICAL PARTY**

Notice is hereby given that the postal address/Email/ telephone number of the political party known as ..... was on the ..... day of ..... 20 .....

changed from ..... to .....

Dated this .....day of ..... 20 .....

.....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
.....	..	...	...
2.....	.....	.....	.....
.....	..	...	...
3.....	.....	.....	.....
.....	..	...	...

\*We annex confirmed minutes containing the resolution for change of postal address/email/telephone numbers of the political party.

FORM PP. 10

(r.7 (1))

**NOTICE OF CHANGE OF NAME/SYMBOL/COLORS OF A POLITICAL PARTY**

Notice is hereby made for an intention to change the name/symbol/colors of the political party known as

.....

From .....to .....

.....

Dated this ..... day of ..... 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	...	...
2.....	.....	.....	.....
...	...	...	...
3.....	.....	.....	.....
...	...	...	...

\*We annex confirmed minutes containing the resolution for change of name/ symbol/ colors of the political party.

FORM PP. 11

(r.7 (2))

**NOTICE OF CHANGE OF CONSTITUTION OR RULES OF A POLITICAL PARTY**

Notice is hereby given that the political party known as .....  
.....  
has changed its Constitution/Rules in the following respects, that is to say:  
.....  
.....

Dated this ..... day of ..... 20.....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	...	...
2.....	.....	.....	.....
...	...	...	...
3.....	.....	.....	.....
...	...	...	...

\*We annex confirmed minutes containing the resolution for change of constitution or rules of the political party.

FORM PP 12

(r.9(1))

**REGISTER OF PARTICULARS OF POLITICAL PARTIES**

FOLIO No. ....

1. Name of Political Party ..... File No .....

2. Postal Address of Party .....

3. Location of Head Office of Party .....

4. Particulars of Provisional Registration—

(a) Date of receipt of application for provisional registration.....

(b) Date when application refused or granted (delete as applicable on).....

(c) Certificate Serial No.(Form PP.3).....

(d) Date of issue of provisional licence.....

5. Particulars of full registration of political party—

(a) Certificate of full registration serial No.(From PP.6).....

(b) Date of issue.....

(c) Date of cancellation.....

6. Change of name of political party:

(a) New name .....

(b) Date of change of name .....

(c) Change of constitution/rules (date) .....

(d) Change of office holders.....

Dated the .....20.....

**Registrar of Political Parties**

FORM PP 13

(r 13)

**DESIGNATION OF SIGNATORIES OF A POLITICAL PARTY**

Name of Political Party:				
Name of Signatories	Designation	ID. No.	Specimen Signature	Category of documents authorized to sign
1.				
2.				
3.				
4.				
5.				
6.				
7.				

We the undersigned do hereby certify that the above information is true to the best of our knowledge, information and belief.

Dated the .....day of.....20.....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
...	...	...	.....
2.....	.....	.....	.....
...	.....	.....	.....
3.....	.....	.....	.....

In the presence of:

Commissioner for Oaths/Magistrate

**FORM PP 14**

(r.15)

Serial No. ....

**NOTIFICATION OF SUSPENSION OF A POLITICAL PARTY**

To .....Political Party

Notice is hereby given that, in exercise of the powers conferred by section 21 of the Political Parties Act, 2011, the political party known as

.....  
is suspended on the ground(s) that

.....  
.....  
.....  
.....

Dated this..... day of ..... 20.....

.....  
REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 15

(r.16(1))

Serial No. ....

**NOTIFICATION OF INTENTION TO DEREGISTER A POLITICAL PARTY**

To .....Political Party

Notice is hereby given that, in exercise of the powers conferred by section 21 of the Political Parties Act, 2011, the Registrar intends to deregister the political party known as.....

.....  
Ninety days from the date hereof unless the political party remedies the breach or contravention or otherwise show cause why the party should not be deregistered.

on the ground(s) that

.....  
.....

Dated this..... day of ..... 20 .....

REGISTRAR OF POLITICAL PARTIES

Official Stamp

FORM PP 16

(r. 16(2))

Serial No. ....

**NOTIFICATION OF DEREGISTRATION OF A POLITICAL PARTY**

Notice is hereby given that, in exercise of the powers conferred by section 16 or 21 of the Political Parties Act, 2011, the Registrar has this day deregistered the political party known as

.....  
on the ground that

.....  
.....  
.....  
.....  
.....  
.....

Dated this..... day of ..... 20 .....

.....  
REGISTRAR OF POLITICAL PARTIES  
Official Stamp

FORM PP17

(r. 17(1))

**PARTY MEMBERSHIP RECRUITMENT FORM**

Name of County.....  
Name of Member .....  
Age.....  
Gender.....  
Special Interest (indicate category) .....

Occupation.....  
Profession.....  
Religion.....  
Residence (Constituency).....  
Postal Address/ Telephone No. ....

.....  
Party Membership Card No. ....

Issued (date) ..... at ..... (place)

ID/Passport No. ....

I the undersigned do hereby affirm/declare/confirm/verify that I am not a registered member of any other registered political party in Kenya.

Signature of Member .....

Name and Signature of Recruiting person .....

\*Note: These particulars must be given in respect of at least 1000 party members in a majority of the counties in Kenya.

FORM PP 18

(r. 18(3))

**POLITICAL PARTY MEMBERSHIP CARD**

COUNTER FOIL	MEMBERSHIP CARD
<ol style="list-style-type: none"> <li>1. Party name and Code</li> <li>2. Party symbol</li> <li>3. Membership card number</li> <li>4. Name of the member</li> <li>5. ID/passport number of the member</li> <li>6. Gender</li> <li>7. Date of birth</li> <li>8. Phone Number</li> <li>9. County</li> <li>10. Special interest category (if any)</li> <li>11. The subscription / membership fee</li> <li>12. Date of issue</li> <li>13. Place of issue</li> <li>14. The signature of the member</li> <li>15. The signature of the recruiter</li> </ol>	<ol style="list-style-type: none"> <li>1. Party name and Code</li> <li>2. Party symbol</li> <li>3. Membership card number</li> <li>4. Name of the member</li> <li>5. ID/passport number of the member</li> <li>6. Gender</li> <li>7. Date of birth</li> <li>8. Phone Number</li> <li>9. County</li> <li>10. Special Interest category (if any)</li> <li>11. The subscription / membership fee</li> <li>12. Date of issue</li> <li>13. Place of issue</li> <li>14. The signature of the member</li> <li>15. The signature of the recruiter</li> </ol>

FORM PP19

(r.27)

**NOTIFICATION OF CLOSURE OF COUNTY OFFICE**

Notice is hereby given that the county office of the political party known as ..... was on the ..... day of .....20 closed.

Dated this .....day of ..... 20 .....

Full name	Designation	Signature	ID/Passport No.
1.....	.....	.....	.....
.	.	.	.
2.....	.....	.....	.....
.	.	.	.
3.....	.....	.....	.....
.	.	.	.

Form PP 20

(r.28)

**FORMATION OF PRE-ELECTION/POST ELECTION COALITION OF POLITICAL PARTIES**

1. Name of the coalition:  
.....
2. Abbreviation/acronym of the name of coalition:  
.....
3. Names of all constituent political parties:  
.....  
.....  
.....
4. Address and location of the coalition head office (include email address):  
.....  
.....
5. Particulars of coalition officials:

S/No.	Name	ID No./ Valid Passport No.	Designation	Telephone / Email Address
1.				
2.				
3.				
4.				
5.				

6. Documents which must be submitted together with this form:
  - (a) Coalition agreement including terms and conditions of the coalition;  
and
  - (b) Signed minutes of the governing bodies of each of the political parties entering into the coalition containing the resolution sanctioning the coalition .

It is hereby declared that the contents of this declaration together with all the attachments are true and correct.

Dated this.....day of.....20

.....  
Authorized officials of constituent party (A)

.....  
Authorized officials of constituent party (B)

.....  
Authorized officials of constituent party (C)

Form PP 21

(r.31 (1))

**MERGER OF POLITICAL PARTIES INTO A NEW POLITICAL PARTY**

1. Name of the new political party:  
.....
2. Abbreviation/acronym of the new political party:  
.....
3. The symbol, and party colours of the new party:  
.....
4. Names of all constituent political parties:  
.....  
.....  
.....
5. Address and location of the new political party head office including email address and telephone number:  
.....  
.....
6. Chairperson of the new political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....  
.....
  - (c) Telephone number:  
.....
  - (d) Email:  
.....
7. Secretary General of the new political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....  
.....
  - (c) Telephone number:  
.....
  - (d) .....
8. All political parties entering into a merger shall submit together with the form:
  - (a) merger agreement including terms and conditions of the merger;
  - (b) certified copies of the resolution adopted by the executive committee of each political party consenting to the merger;

- (c) signed minutes of the meetings of all the political parties to the agreement sanctioning the merger;
- (d) certificates of full registration for the dissolving parties;
- (e) constitution, rules and regulations of the merged/new political party in Form PP1 in the First Schedule;
- (f) particulars of members of the governing body of the merged/new political party in Form PP5 in the First Schedule; and
- (g) list of location and address of merged/new party head and county offices in Form PP5 in the First Schedule.

It is hereby declared that –

- (a) the contents of this declaration together with all the attachments are true and correct.
- (b) the political parties have followed their procedures and rules with regards to entering into merger agreements.

Dated this.....day of.....20.....

.....  
Authorized signatories of political party (a)

.....  
Authorized signatories of political party (b)

In the Presence of:

Commissioner for Oaths/Magistrate

Form PP 22

(r.33 (1))

**MERGER OF POLITICAL PARTIES INTO AN EXISTING POLITICAL PARTY**

1. Name of the merged political party:  
.....
2. Abbreviation/acronym of the merged political party:  
.....
3. The symbol and party colours of the merged party:  
.....
4. Names of all political parties entering into the merger:  
.....  
.....  
.....
5. Name of the political party into which other political parties are merging:  
.....
  
6. Address and location of the merged political party head office (include email address):  
.....  
.....  
.....
7. Chairperson/Leader of the merged political party:
  - (a) Full Name:  
.....
  - (b) Address:  
.....
  - (c) Telephone number:  
.....
  - (d) Email:  
.....
  
8. General Secretary of the new political party:
  - (e) Full Name:  
.....
  - (f) Address:  
.....
  - (g) Telephone number:  
.....
  - (h) .....

9. All political parties entering into a merger shall submit together with the form:
- (a) merger agreement including terms and conditions of the merger;
  - (b) certified copies of the resolution adopted by the governing body of each political party consenting to the merger;
  - (c) signed minutes of the meetings of all the political parties to the agreement sanctioning the merger; and
  - (d) certificate of full registration of the dissolving parties.

It is hereby declared that the contents of this declaration together with all the attachments are true and correct.

Dated this.....day of.....20.....

.....  
Chairperson of the merged party

.....  
Secretary General of the merged party

.....  
Authorized signatories of dissolving political party (a) \*

.....  
Authorized signatories of dissolving political party (b) \*

In the presence of:

Commissioner for Oaths/Magistrate

**SECOND SCHEDULE**

(r. 3(4), (4(2)))

**FEEES**

Matter	Fees (Kshs.)
1. Application for provisional registration .....	100,000
2. Application for full registration .....	500,000
3. Application for official search .....	500
4. Application for a copy of any certificate or filed document or for a certified extract from the register (per page) .....	5

Made on the .....2017

**Lucy K. Ndungu,**  
**Registrar of Political Parties**

**EXPLANATORY MEMORANDUM TO THE PROPOSED POLITICAL PARTIES  
(REGISTRATION) REGULATIONS, 2017**

**PART I**

**Name of Statutory Instruments**

Political Parties (Registration) Regulations, 2017.

**Name of the Parent Act:**

Political Parties Act, 2011, No. 11 of 2011.

**Enacted pursuant to:**

The powers conferred by section 49 of the Political Parties Act, 2011

**Name of the Ministry /Department:**

Attorney General's Office and the Department of Justice

**Gazetted on:**

**Tabled on:**

**PART II**

**1. Purpose of the Statutory Instrument**

The Political Parties (Registration) Regulations is intended to enforce Part II of the Political Parties Act, 2011, which provides for the registration and regulation of political parties. This instrument provides for the structured guidelines for the process of application for provisional and full registration, procedure for entering into coalitions and mergers, deregistration of political parties and other matters connected thereto.

The Regulations are divided into six parts –

Part I – Preliminary

Part II – Registration of political parties

Part III – Membership of political parties

Part IV – Offices of political parties

Part V – Coalitions

Part VI – Mergers

**2. Legislative Context**

Pursuant to the promulgation of the Constitution in 2010, Parliament was mandated to enact legislation to govern political parties under Article 92 of the same. The Political

Parties Act, 2011 therefore came into effect in November 2011 to govern the registration, regulation and funding of political parties and for connected purposes. The proposed regulations are vital to give effect and enhance implementation of the Political Parties Act, 2011.

### **3. Policy Background**

The Political Parties Act, 2011 repealed the Political Parties Act, 2007. However the regulations subsisting at the time continued to be in operation. The regulations enacted under the former Act have been in operation with alterations, adaptations and qualifications to bring it into conformity with the Constitution and the Political Parties Act, 2011. However, there is need to legislate the alterations hence informing the drafting of the proposed regulations. The proposed regulations provide precise procedures for implementation of the Act. The regulation was developed following various consultative meetings with fully registered political parties and stakeholders where the need to have the regulation was underscored.

### **4. Consultation Outcome**

The consultation process has taken place since the enactment of the parent Act in 2011, with key stakeholders being the political parties, Independent Electoral and Boundaries Commission, Kenya Law Reform Commission, The Judiciary, The Political Parties Dispute Tribunal, the Office of the Attorney General, the National Gender and Equality Commission and Kenya National Commission on Human Rights. There have been a total of sixteen stakeholder forums held with the final one held on 30<sup>th</sup> August 2016. Attached as *Annex 1* is the *Table of Public Participation Events*.

All stakeholder recommendations were consolidated and drafters from the Office of the Attorney General and Kenya Law Reform Commission came up with initial draft regulations. The Office of the Registrar of Political Parties then tabled the regulations before the Parliamentary Committee on Delegated legislation in September 2016 where the members of the Committee gave their recommendations. The recommendations were incorporated into the draft regulations by a team of drafters who produced the final draft.

### **5. Guidance**

The ORPP has developed and published simplified versions of the Act and Regulations in the form of manuals which have been disseminated to all political parties, key stakeholders and the general public.

### **6. Impact**

#### **6.1 Impact on fundamental rights and freedoms**

This regulation will enhance the rights of citizens to make political choices stipulated under Article 38 of the Constitution.

#### **6.2 On private sector**

It will be a long term benefit to the private sector since the political environment will be effectively regulated and fair to promote peace during the electoral cycle. This will enhance achievement of the Kenya Vision 2030 Political objectives.

#### **6.3 Public sector**

The Kenyan citizenry will be aware of their political rights, the management of political parties and the importance of political parties in promoting democracy.

#### **6.4 Regulatory Impact Assessment**

The Statutory Instruments Act No. 23 of 2013 section 9 has been considered and the Office of the Registrar of Political parties is satisfied that these regulations are substantially complimentary to the Political Parties Act, 2011 as amended and does not fundamentally affect the legislation's application or operation. Consequently, a Regulatory Impact Statement need not be prepared.

### **7. Monitoring and Review**

The Office of the Registrar of Political Parties will undertake continuous monitoring and evaluation in line with the mandate conferred to the Office vide Section 34 of the Political Parties Act, 2011.

### **8. Contact**

Lucy K. Ndungu, E.B.S  
Registrar of Political Parties  
Office of the Registrar of Political Parties  
Lion Place 1<sup>st</sup> Floor Westlands, off Waiyaki Way  
P.O Box 1131-00606  
**Nairobi, Kenya.**  
Telephone: +254(020)4272000, Email: [rpp@iebc.or.ke](mailto:rpp@iebc.or.ke)

*Annex 1 Table of Public Participation Events*

S/No.	Date	Venue	Stakeholders	Outcome
1.	18 <sup>th</sup> – 21 <sup>st</sup> July 2013	Ocean Beach Resort Malindi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• Judiciary</li> <li>• Kenya Law Reform Commission</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• International IDEA</li> <li>• National Democratic Institute</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
2.	29 <sup>th</sup> November – 1 <sup>st</sup> December 2013	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• Political Parties</li> <li>• Political Parties Disputes Tribunal</li> </ul>	Deliberated on the draft regulations and gave suggestions as to appropriate amendments
3.	6 <sup>th</sup> – 8 <sup>th</sup> Feb 2014	Manzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Consultants</li> <li>• Political Parties Representatives</li> </ul>	Further proposals were given to the draft regulations
4.	28 <sup>th</sup> – 30 <sup>th</sup> May 2014	Sentrim Lodge Elementaita Naivasha	<ul style="list-style-type: none"> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments A taskforce formed to further deliberate on the draft regulations and follow up with the process
5.	7 <sup>th</sup> July 2014	ORPP Office	<ul style="list-style-type: none"> <li>• Meeting between ORPP and Taskforce</li> </ul>	Taskforce adopted draft regulations and came up with timelines for the procedure of tabling the same in Parliament
6.	11 <sup>th</sup> July 2014	Anniversary Towers	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adoption of the draft regulations with amendments

			<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> </ul>	
7.	14 <sup>th</sup> July 2014	Anniversary Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Democratic Institute</li> <li>• National Political Parties Liaison Committee</li> </ul>	Adoption of the draft regulations with amendments
8.	16 <sup>th</sup> July 2014	ORPP Offices , Lion Place Westlands, Nairobi	<ul style="list-style-type: none"> <li>• Office of the Attorney General</li> <li>• Judiciary</li> <li>• Commission on the Implementation of the Constitution</li> <li>• Independent Electoral and Boundaries Commission</li> <li>• Political Parties Disputes Tribunal</li> <li>• National Democratic Institute</li> <li>• Political Parties Liaison Taskforce Members</li> <li>• Electoral Institute for Sustainable democracy in Africa</li> <li>• IED</li> </ul>	Draft regulations adopted with amendments
9.	22 <sup>nd</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations incorporating stakeholder comments

10.	25 <sup>th</sup> July 2014	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> </ul>	Drafting of the regulations finalized
11.	21 <sup>st</sup> July 2015	ORPP Offices, Lion Place Nairobi	<ul style="list-style-type: none"> <li>• Political Parties Liaison Taskforce Members</li> </ul>	Adopted draft regulations with amendments
12.	29 <sup>th</sup> October – 1 <sup>st</sup> November 2015	Sarova Lion Hill Lodge Nakuru	<ul style="list-style-type: none"> <li>• Kenya Law Reform Commission</li> <li>• Office of the Attorney General</li> <li>• Political Parties Disputes Tribunal</li> <li>• Electoral Institute for Sustainable</li> <li>• IED</li> </ul>	Drafting of the regulations finalized
13.	23 <sup>rd</sup> -25 <sup>th</sup> August 2016	Kenya Law School Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• National Political Parties Liaison Committee</li> </ul>	Briefed parties on status of the regulations 2016 as the same had been forwarded to the Parliamentary Committee on Delegated Legislation
14.	30 <sup>th</sup> August 2016	Lilian Towers Nairobi	<ul style="list-style-type: none"> <li>• Independent Electoral and Boundaries Commission</li> <li>• IDEA KENYA</li> <li>• Electoral Institute for Sustainable Democracy in Africa</li> </ul>	Adopted the draft regulations 2016 with amendments
15.	15 <sup>th</sup> – 16 <sup>th</sup> November 2016	Maanzoni Lodge Machakos	<ul style="list-style-type: none"> <li>• Kenya Law reform Commission</li> <li>• Office of the Attorney General</li> </ul>	Incorporated final proposals to the draft regulations
16.	17 <sup>th</sup> March 2017	Maanzoni Lodge	<ul style="list-style-type: none"> <li>• Independent Electoral and</li> </ul>	Adopted the draft regulations 2017 as

		Machakos	Boundaries Commission • National Political Parties Liaison Committee	presented
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