



**THE CONSTITUTION
OF
KENYA AFRICAN NATIONAL UNION
(REVISED EDITION 1991)**



**KANU
UHURU NA UMOJA**

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KENYA NATIONAL ASSEMBLY
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KENYA AFRICAN NATIONAL UNION

PREAMBLE TO THE CONSTITUTION

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

KANU will govern the country through the established structure of the Civil Service and administration. KANU's policies will be reflected and implemented in the actions, administration, policies and legislation of the country through the decisions of the Cabinet and Parliament and the establishment of the necessary machinery for consultation and co-operation between the Party, the public and Government. This will remain the free, democratic and voluntary decision of the people of Kenya. The freedoms entrenched in the Constitution of the Republic shall continue to guide the Party in its outlook. At the same time the Party shall strive for development of political, economic and social institutions based on the experiments that other countries may be making in these fields, KANU will firmly reject external interference or foreign ideologies. The interest of Kenya shall always be paramount in the efforts of any KANU Government.

Lastly the Party will work for a good and honest image of Kenya abroad contributing towards every efforts for Pan-African unity and for peace in the world.

On the other hand KANU as a mass movement has a very important role to play in Kenya. In this role KANU shall strive for unity and understanding among all the peoples of Kenya—breaking down tribal, linguistic, racial and cultural barriers. It

will be the responsibility of leaders of KANU to educate all the people of Kenya to appreciate the need to build a nation out of the sovereign state. KANU's activities shall aim at the education of the masses in the role they must play in independent Kenya and the contribution which they must each make.

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

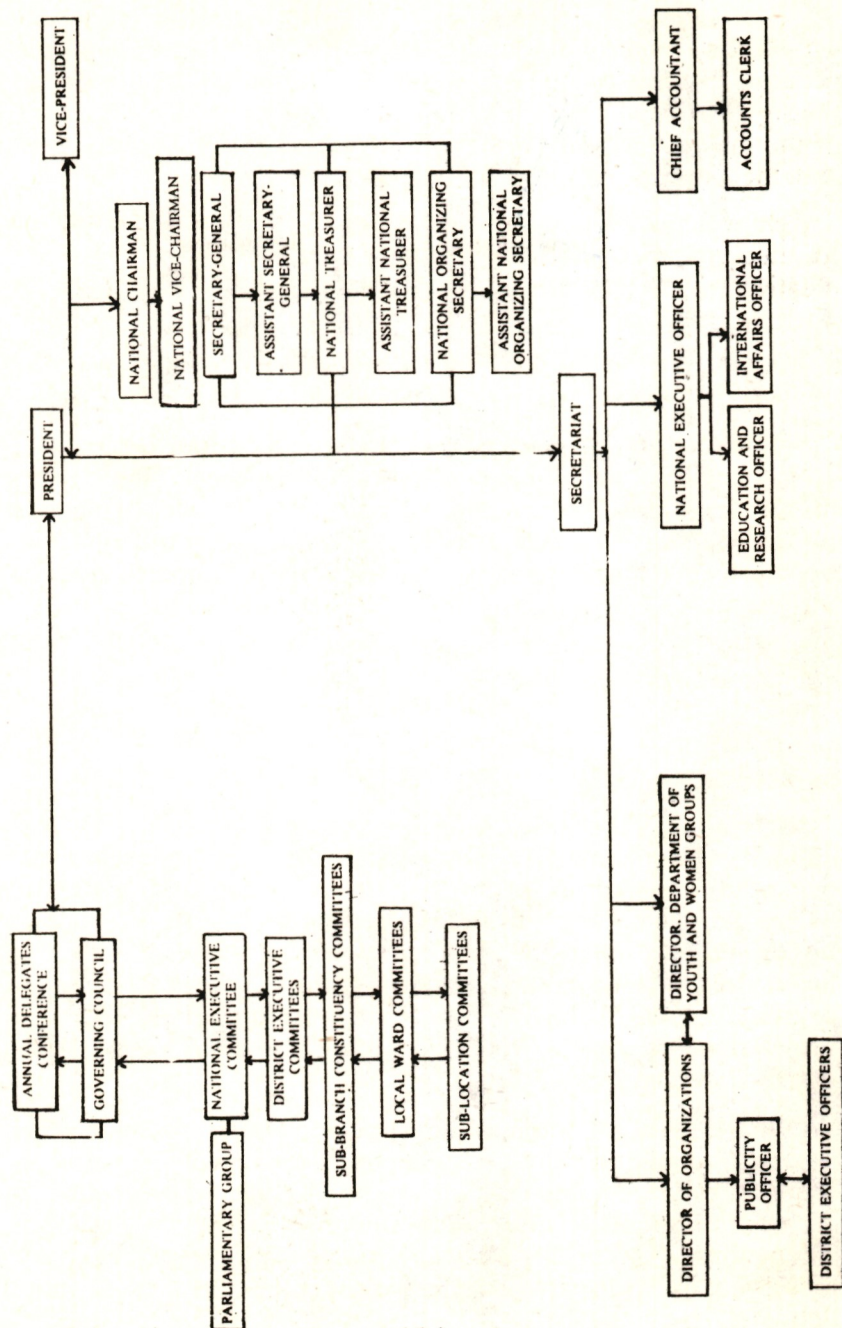
Here it might be useful to quote from the KANU Manifesto as published in 1963.

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

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

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

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



CONSTITUTION OF THE KENYA AFRICAN NATIONAL UNION (KANU)

ARTICLE 1—NAME

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

ARTICLE 2—AIMS AND OBJECTIVES

- (a) To form the Government of the country.
- (b) To promote national consciousness and unity and vigilantly to safeguard national interests.
- (c) To serve as the vigorous conscious political vanguard for removing tribal, racial, social and economic discrimination and exploitation, and all other forms of oppression.
- (d) To work for the speedy reconstruction of a better Kenya, raising the people's standard of living, wealth, education, health and welfare.
- (e) To secure for the workers and people of Kenya the full fruits of their industry and the most equitable distribution thereof by ensuring that the means of production, distribution and exchange are under the best obtainable system of popular control and fair play.
- (f) To work with other nationalist African Socialist movements in Africa and other continents, with a view to eradicating imperialism, colonialism, racialism and all other forms of national, racial or foreign oppression.
- (g) To promote in Kenya a national society accepting the concept, principles and ideals of African Socialism.
- (h) To strive for unity in Africa in every sphere economic, social and political based on the recognition of social justice, human dignity, and the sovereignty of all African States and guided by the ideals of Pan-Africanism.
- (i) To support all causes aimed at the total liberation of Africa and the emancipation of all peoples throughout the world.

(j) To maintain and conserve the environment for the good and enjoyment of posterity.

(k) To oppose all forms of foreign penetration, i.e. ideologies or materialistic leading to capitalism, communism or neo-colonialism.

ARTICLE 3—MEMBERSHIP

(a) Any Kenya citizen who is of the age of 18 or above, who believes in African Socialism and who accepts the objectives, policy, programmes and discipline of the Union, shall be eligible for membership.

(b) Application for membership shall be made either verbally or in writing to the Sub-location/Ward Secretary for consideration by the Sub-Branch Working Committee. (On enrolment each member shall be supplied with a membership and dues card).

(c) *Admission Fee.*—Each individual member of the Union shall pay on enrolment an admission fee of Sh. 10 per annum and/or as may be decided on from time to time by the National Governing Council.

(d) *Subsidiary Membership.*—There shall be formed:

- (i) A Kenya African National Union Parliamentary Group.
- (ii) A Kenya African National Union Youth and Women Leagues which shall be subsidiary organization of the Union. The Rules governing these organization shall be provided for under Articles 13, 14 and 15 of this Constitution.

(e) *Affiliate membership.*

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

(g) Any Kenya citizen qualified under Rule 3 (a) to become a member of the Union shall, if he desires to become a life member shall pay a fee of Sh. 3,000. Such member will be issued with a

Life Membership Certificate duly signed by the President and Life Membership Card and Badge. Life members who fail to comply with Party policies and general directives shall be brought before the National Executive Committee for such disciplinary action as the committee may see fit.

ARTICLE 4—NATIONAL OFFICIALS

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

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

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

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

(d) Duties of National Officials:

- (i) *The President.*—He shall be elected at the Annual Delegates Conference. He shall be the head of the Union. He shall ensure discipline and proper order in the Union. The President shall be empowered to suspend any member of the Union providing that such suspension by the President shall be ratified by the National

Governing Council within three months, failing which such suspension shall lapse. The President shall have full authority over the entire organization, i.e. the Union's Parliamentary Group, Branches, Youth and Women's League and their respective officials and ensure discipline subject only to ratification by the National Governing Council. He shall, in all respect, assume leadership of the Union, symbolize its unity, and be the Union's national and international spokesman. He shall ensure adherence to Union policy by all officials, members, the Parliamentary Group, and shall be empowered to discipline and suspend from office any person or groups of persons who act or speak contrary to Union policy.

The President shall be the leader of the Parliamentary Group as well as the leader of Government.

- (ii) *The Vice-President.*—The Party shall have one Vice-President elected at the Annual Delegates Conference for a term of five years. He shall act as Chairman of various Standing Committees set up by the National Governing Council or the National Executive Committee. He shall further the Party programmes and policy under the President's directions in the Republic and help to create the spirit of national unity.
- (iii) *The National Chairman.*—He shall be elected at the Annual Delegates Conference. The National Chairman will preside over the National Executive Committee and any other Party functions in the absence of the President and Vice-President. He shall also chair Provincial Conferences.
- (iv) *The National Vice-Chairman.*—He shall perform such duties as shown in (iii) above in the absence of the National Chairman.
- (v) *The Secretary-General.*—He shall be elected at the Annual Delegates Conference. He shall be responsible for all Union affairs and Secretariat under the direction

of the President and the National Executive Committee. He shall ensure that meetings of the National Executive Committee and the National Governing Council take place as prescribed by the Constitution and at such times as may be decided by the President. He shall keep or cause to be kept a proper record of minutes of all meetings of the National Executive Committee, National Governing Council and Annual Delegates Conference and ensure the distribution of such minutes to persons or branches concerned.

- (vi) *The National Treasurer.*—He shall be in charge of the Unions' financial offices and supervise branch financial transactions under the direction of the President, the National Executive Committee and the National Governing Council. He shall prepare and submit to the National Governing Council a financial statement every quarter of the year, and shall ensure that the Annual Statement of Accounts, duly audited, is circulated to all delegates at the same time as the notice concerning the Annual Delegates Conference are sent out.
- (vii) *The National Organizing Secretary.*—He shall supervise the work of the Director of Organization and through him ensure the proper effective functioning of all District Organizing Secretaries. He shall also supervise the work of the Department of Youth and Women's Affairs. He shall prepare and report on progress in the organization of the Party at every meeting of the National Governing Council
- (viii) *The Assistant Secretary-General.*—He shall be available for such duties as may be prescribed for him by the President or the Secretary-General. He shall assume the responsibilities of the Secretary-General in the latter's absence, and assist him in his duties.
- (ix) *The Assistant National Treasurer.*—He shall undertake the duties of the National Treasurer in the latter's absence, and generally assist in such matters as are prescribed by the National Treasurer or the President.

(x) *The Assistant National Organizing Secretary.*—He shall perform such duties as are allocated to him by the National Organizing Secretary with the approval of the National Executive Committee. He shall undertake the National Organizing Secretary's duties in the latter's absence.

(e) No national official of the Party shall hold at the same time an office in any branch of the Union.

(f) Any of the elected officials may be employed on a full-time basis at a salary to be decided by the National Executive Committee.

COMPONENT PARTS OF THE UNION

ARTICLE 5—NATIONAL EXECUTIVE COMMITTEE

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

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

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

- (i) It shall act as the executive body of the National Governing Council and the Annual Delegates Conference and shall ensure that all decisions and policies made are duly carried out.
- (ii) It shall supervise the administrative machinery of the Union at all levels and shall take such measures it deems necessary to enforce decisions and programmes of the Union as laid down by the National Governing Council and the delegates conference.
- (iii) It shall meet at least once every three months. In the event of an emergency, it shall assume full responsibility of the Union, and shall report to the National Governing Council as soon as possible.
- (iv) It shall work in close liaison with the Parliamentary Group and ensure that Party policies are adhered to in Parliament.
- (v) It shall report its activities to the Plenary Session of the National Governing Council.
- (vi) The National Executive Committee may suspend any member, ratify any suspension already ordered by the

President, act on the recommendations of the National Disciplinary Committee. The recommendations of the National Executive Committee shall be submitted to the National Governing Council where decision shall be final.

- (vii) The National Executive Committee shall have power to make rules and regulations governing the party from time to time.

ARTICLE 6—THE NATIONAL GOVERNING COUNCIL

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

- (i) All officials elected at the Annual Delegates Conference.
- (ii) The Branch Chairman, Secretary and Treasurer from each Branch Executive Committee.
- (iii) One representative of the KANU Parliamentary Group from each province elected by the elected members from that province.
- (iv) The Chief Whip and Secretary to the KANU Parliamentary Group.
- (v) Two members duly elected by each province at the Provincial Conference.

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

- (i) To carry out the policy and programme of the Union as laid down at the Annual Delegates Conference and/or Special Delegates Conference.
- (ii) To ensure proper organization and discipline in all branches of the Union.
- (iii) To enforce the Constitution and Rules, Standing Orders and By-laws of the Union, and to take any other action that it deems necessary for such purpose whether by way of suspension for any period or by expulsion of any member from the Union.

- (iv) To initiate and undertake all such activities as may further the aims and objectives of the Union.
- (v) To scrutinize candidates for National Assembly and Local Government Elections.
- (vi) To elect committees that will scrutinize and report on policies to be implemented by the departments of the Union as shown in the chart.
- (vii) The National Governing Council shall delegate to the National Executive Committee such powers as may be required to set up specialized departments and other advisory bodies at the Secretariat as may be required to carry out aims and objectives of the Union.
- (viii) Any vacancy occurring in the National Governing Council during the course of the year may be filled by nomination by the National Governing Council in the case of national officials and by branches in case of branch representatives and by election by the elected members of the provinces concerned in the case of representatives of the KANU Parliamentary Group, and such persons shall fill the said post or vacancy until the next Annual Delegates Conference.
- (ix) The National Governing Council shall meet in Plenary Session every six months.
- (x) Emergency meetings of the National Governing Council shall be convened as thought fit by the President or National Executive Committee or by written request made by 12 branches of the Union.
- (xi) The National Governing Council shall have power to make by-laws which are not inconsistent with the Constitution and Rules of the Union.
- (xii) The National Governing Council shall ensure that National Treasurer prepares and submits a financial statement which has been circulated to all the members of the council every three months, and all branches submit a monthly financial report to the headquarters of the Union.

ARTICLE 7—DELEGATES CONFERENCE

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

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

- (i) Members of the National Executive Committee.
- (ii) All KANU members of the National Assembly.
- (iii) Twenty-four members from each branch of the Party.
- (iv) Twelve delegates duly elected by each sub-branch.

(c) Annual Delegates Conference:

- (i) The Annual Delegates Conference shall be held every year at a place and date which shall be decided by the National Executive Committee.
- (ii) Notice in writing of such Annual Delegates Conference, accompanied by the Annual Statement of Accounts and the agenda for the meeting, shall be sent by the Secretary-General to all branches and persons entitled to attend the conference where practicable not later than 21 days before the date of the conference, and by Press advertisement not less than 14 days before date of the conference.
- (iii) The agenda for the Annual Delegates Conference shall consist of the following:
 - 1. Confirmation of minutes of the previous Annual Delegates Conference and matters arising therefrom.
 - 2. Report of Secretary-General.
 - 3. Report of National Treasurer and Statement of Accounts duly audited.
 - 4. Election of a qualified auditor or firm of auditors who may not be members of the Union.
 - 5. President's address.
 - 6. Resolutions.
 - 7. Any other business with the approval of the President.

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

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

- (i) The Executive Committee of all the branches.
- (ii) At least two officials from KANU Headquarters.
- (iii) Presided over by the National Chairman or one of the national officials.

(f) *Special Branch Delegates Conference.*—Special Branch Delegates Conference may be called for any specific purpose by the Branch Executive Committee. Notice in writing of such meeting shall be sent to all sub-branches (constituencies) not less than seven days before the date of such meeting. The conference shall not discuss any other matter other than that for which it has been convened. The composition of a Special Branch Delegates Conference shall be the same as that for the general meeting of the branch.

ARTICLE 8—BRANCH ORGANIZATION

(a) The branch shall be organized on the basis of administrative district and one for the Nairobi Province.

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

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Organizing Secretary, Branch Youth Leader and Women Leader.

- (ii) The Chairman, Secretary, Treasurer and Organizer of each sub-branch within the branch.
 - (iii) Members of the National Assembly from the district.
 - (iv) A Branch Executive Officer who shall be appointed by the President in consultation with the Branch Executive Committee will be in attendance.
- (c) Duties of the Branch Executive Committee shall be:
- (i) To carry out propaganda and organization work among the people in order to realize the aims, objectives, policies and programmes of the Union.
 - (ii) To promote political and general education amongst the people.
 - (iii) To recruit new members to the Union.
 - (iv) To represent the views and interests of the members in the branch to the National Governing Council.
 - (v) To foster amongst the people a spirit of self-reliance and self-help and to encourage them to organize collectively for the task of nation building.
 - (vi) To ensure discipline and adherence to Union policies and programmes among individual Party members and the Women and Youth Leagues. The Branch Executive Committee is empowered to suspend any member and order an investigation into any of its subsidiary organizations.
 - (vii) The Branch Executive Committee shall meet at least once in every three months.
- (d) The general meeting of the branch shall be held annually. The general meeting shall be convened by the Branch Executive Committee not later than 31st July. The meeting shall consist of:
- (i) Office-bearers of the branch, including the Branch Executive Officer who shall be in attendance.
 - (ii) 100 delegates from each sub-branch elected at a general meeting.
 - (iii) The agenda of the general meeting shall include:

1. Minutes of the last general meeting and matters arising therefrom.
2. Report from Branch Secretary.
3. Report by the Treasurer with an audited Statement of Accounts.
4. Branch Chairman's speech.
5. Appointment of auditors or firm of auditors.
6. Any other business.

(e) The Office-Bearers and their Duties (Branch, Sub-branch, Location/Ward and Sub-location):

- (i) *The Chairman*.—The Chairman shall preside over all meetings of Branch Committees and the Annual General Meeting. He shall be the Branch Spokesman on all Party matters.
- (ii) *The Vice-Chairman*.—The Vice-Chairman shall perform such duties as shown in (a) above in the Chairman's absence.
- (iii) *The Secretary*.—The Secretary shall keep proper record of all proceedings and minutes of the meetings of the Party. He shall issue notices convening all meetings of the Party and perform all such duties as may from time to time be assigned to him by the Committee including handling of correspondence.
- (iv) *The Assistant Secretary*.—The Assistant Secretary shall assume the duties of the Secretary in his absence, and shall perform any other duties that may be assigned to him from time to time by the Branch Executive Committee or the Secretary.
- (v) *The Treasurer*.—The Treasurer shall be in-charge of the Party finances and accounting; shall prepare and submit to the Committee the financial Statements of Accounts.
- (vi) *The Assistant Treasurer*.—The Assistant Treasurer shall undertake the duties of the Treasurer in the latter's absence; and shall generally assist in such matters as are prescribed by the Treasurer or the committee.

- (vii) *The Organizing Secretary.*—The Organizing Secretary shall organize and supervise the programme of work of the Party; through him ensure the proper effective functioning of other organs of the Party including Youth and Women Groups.
- (viii) *The Branch Executive Officer.*—He shall be the Union's Revenue Officer in the district. He shall supervise and co-ordinate the activities of the Union and all revenue collectors in the district. All monies paid to or accruing to the Union shall be paid to him. He shall remit all such monies to the National Treasurer and the Branch Treasurer according to the percentages set out in article 21 (c) of the Constitution. The District Executive Officer shall assist in the preparation of a full Statement of Accounts to the National Treasurer every month.

ARTICLE 9—SUB-BRANCH (CONSTITUENCY)

(a) Each branch shall, in the interest of efficient organization, be subdivided into sub-branches organized on the basis of the constituencies of the National Assembly throughout the country.

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

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer.
 - (ii) The Sub-branch Youth Leader, Women Leader and their Secretaries from each of the Women and Youth Group.
 - (iii) An organizer, appointed by the Branch Executive Committee in consultation with the Sub-Branch Working Committee who shall supervise the work of the area Party collectors in the sub-branch and help in the Party organization.
 - (iv) The Chairman, Secretary and Treasurer from each Location/Ward Working Committee.
 - (v) The constituency member.
- (c) Duties of the Sub-Branch Committees shall be:
- (i) Similar to those of the branch but at a sub-branch level,

except that it shall have no power to suspend any member, but shall report misconduct of any member to the Branch Chairman who will place the matter before the Branch Executive Committee.

- (ii) All monies collected shall be paid by location collectors direct to the Branch Executive Officer and the sub-branch shall present all their claims for financial assistance to the Executive Committee through the Branch Treasurer.
- (iii) The working committee shall meet at least once in every three months.
- (d) (i) The Committee shall hold a meeting annually not later than the 30th June.
 - (ii) The meeting shall consist of:
 - (1) Office-bearers.
 - (2) Twenty delegates from each location/ward within the sub-branch, provided that all office-bearers, five representatives each from Women and Youth Groups shall form part of the twenty delegates.
 - (iii) Such meeting shall have the following items on its agenda.
 - 1. Confirmation of minutes of the last meeting and matters arising therefrom.
 - 2. Secretary's report.
 - 3. Treasurer's Statement of Account of monies expended, and audited by the Executive Officer.
 - 4. Chairman's address.
 - 5. Any other business with the consent of the Chairman.

ARTICLE 10—LOCATION/WARD COMMITTEE

- (a) Each sub-branch shall be divided into location/ward.
- (b) Each location/ward shall be governed by a Location/Ward Working Committee which shall consist of:

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer who shall be office-bearers.
 - (ii) Youth Leader and Women Leader.
 - (iii) (1) For location: Chairman, Secretary and Treasurer from each sub-location.
 - (2) For ward: Ten members elected every 5 years at the annual meeting of all KANU members in the ward.
 - (iv) The councillor whose electoral area covers the location/ward.
 - (v) The Locational/Ward Committee shall meet at least once in every three months.
- (c) The functions of the Location/Ward Working Committee shall be similar to those of a sub-branch but at location level. Collections of subscriptions and membership dues must be forwarded to the Branch Executive Officer. Location/Ward Committees shall submit their claims for funds to the Branch Treasurer through their respective sub-branches for consideration by the Branch Executive Committee.
- (d) The location/ward shall have its annual meeting not later than 31st May of each year. In the case of a ward it shall consist of all KANU members who have paid up their subscriptions in the area. The agenda of each annual meeting shall include:
- (i) Minutes of the last location/ward annual meeting and matters arising therefrom.
 - (ii) Report by Secretary.
 - (iii) Treasurer's statement of money expended by the Treasurer, together with statement of remittance to district headquarters audited by the District Executive Officer.
 - (iv) Chairman's speech.
 - (v) Any other business.
- (e) Location/ward collectors shall be appointed by the Branch Executive Committee. Every collector shall be given a distinctive badge which has been numbered and which shall be used at all times when he/she is on duty.

ARTICLE 11—SUB-LOCATION COMMITTEE

Each location shall be divided into sub-locations based on administrative sub-locations. Each sub-location shall be governed by a Sub-Location Committee which shall consist of:

- (i) Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer who shall be office-bearers.
- (ii) Women Leader and Youth Leader.
- (iii) Ten members elected every five years at an annual meeting.
- (iv) The Sub-Location Committee shall meet at least once every three months.

ARTICLE 12—KANU OFFICIALS ELECTIONS

(a) Elections shall be held every five years or at any time as the President of the Party may deem necessary.

(b) At the sub-location/ward general meeting all paid-up members of KANU shall be eligible to attend and take part in all deliberations and elections.

(c) For locations KANU general meeting each ward shall be represented by 20 delegates, provided 5 of whom shall be women and 5 youths and will include sub-location officials.

(d) At the sub-branch general meeting each Location/Ward Committee shall be represented by 20 delegates, provided 5 of whom shall be women and 5 youths and shall include all locations/wards officials.

(e) All branch officials of the Union shall be elected at the general meeting of the branch by lining up. They shall hold office for five years and shall be eligible for re-election at the expiry of their terms of office. At the branch general meeting, each sub-branch shall be represented by 100 delegates, who should be drawn equitably from the locations/wards in the sub-branch.

(f) *National Officials.*—All national officials of the Union shall be elected at the delegates conference by queuing. They shall hold office for five years and shall be eligible for re-election.

ARTICLE 13—KANU PARLIAMENTARY GROUP

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

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

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

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

ARTICLE 14—KANU YOUTH LEAGUE

(a) The league shall consist of Union members who have attained the age of 18 years but have not attained the age of 35 years. Application for membership shall be made verbally or in writing to the Sub-Location/Ward Secretary. On enrolment each member shall be supplied with a Youth League Card.

(b) While retaining a measure of self-identity, the organization of the KANU Youth League shall be an integral part of the Party and amenable to the Union's control and discipline at sub-location, location/ward and branch level.

(c) *The Sub-Location/Ward Youth League Committee.*—Each Sub-Location Youth League Committee shall consist of:

(i) Chairman, Secretary and Organizing Secretary.

(ii) Ten members.

(d) *The Location Youth League Committee.*—The Location Youth League Committee shall consist of:

(i) Chairman, Secretary and Organizing Secretary.

(ii) The Chairman and Secretary from each Sub-Location Youth League.

(e) *The Sub-Branch Youth League Committee.*—The Sub-Branch Youth League Committee shall consist of:

(i) Chairman, Secretary and Organizing Secretary.

(ii) The Chairman and Secretary of the Location/Ward Youth League Committee.

(f) *Branch Youth League Committee.*—The Branch Youth League Committee shall consist of:

(i) The Branch Youth Leader, Secretary and Organizing Secretary.

(ii) Chairman and Secretary of each Sub-Branch Youth League Committee.

(g) General Meeting of the Youth Leagues:

(i) Youth League shall hold general meetings to coincide with those of the main Party organs with which they are constituted.

(ii) Elections of officials to the league shall be carried out at the general meetings.

(iii) At the Sub-location/Ward Youth League general meeting all paid up members of the KANU Youth League shall be eligible to attend and take part in all deliberations and elections.

(iv) At the Location Youth League General Meeting, each sub-location shall be represented by 5 delegates and all the officials of the Location Youth League.

(v) At the Sub-branch Youth League general meeting, each location shall be represented by 5 delegates, and all the sub-branch officials.

(vi) The Branch Youth League general meeting shall consist of:

(1) Officials of the Branch Youth League.

(2) Committee members of the Branch Youth League.

(3) 10 delegates from each Sub-branch Youth League Committee.

(4) The Branch Executive Officer.

(h) At its annual meeting the Branch Youth League shall have the following agenda:

- (i) Minutes of the last annual league meeting and matters arising therefrom.
- (ii) Report by the Branch Youth Secretary.
- (iii) Programmes for self-help and voluntary league activities.
- (iv) Any other business with the permission of the leader.
- (i) The league shall have the following functions:
 - (i) To work in close co-operation with Branch, Sub-branch, Location/Ward Committees to ensure the success of the policy and programme of the Union.
 - (ii) They shall have no original powers of expenditure, but shall be given funds by the branches in order to enable them to fulfil their duties.
 - (iii) They shall organize self-help, voluntary work, youth rallies, sports and organize meetings among youth in the district.
- (j) (i) The President of the Union may from time to time convene a National Convention of Youth League over which he shall preside.
- (ii) Such convention shall consist of 6 representatives elected by the Branch KANU Youth League Committee.
- (iii) The convention shall discuss such matters as are prescribed by the President.

ARTICLE 15—KANU WOMEN LEAGUE

(a) The membership of the KANU Women League shall be open to all women who are fully paid up members of KANU.

(b) The structure and organization of the Women League shall be similar in every respect to the provisions for the Youth League under Article 14 (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j).

(c) The Women League shall have branch leaders who will work closely with Community Development Officers so as to assist in organizing Women Self-Help and Voluntary groups. The Women League shall organize seminars, group discussions, literacy groups, women rallies and other activities intended to create national consciousness among the women of Kenya.

ARTICLE 16—INTERNATIONAL RELATIONS

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

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

ARTICLE 17—QUORUM

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

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

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

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

ARTICLE 18—PRESS AND PUBLICATIONS

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

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

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

ARTICLE 19—AMENDMENT TO THE CONSTITUTION AND RULES

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

ARTICLE 20—PROCEDURE OF MEETINGS

(a) All meetings of the National Executive Committee, the National Governing Council, the Parliamentary Group or a Delegates Conference, the President or in his absence, the Vice-President or in the absence of both the President and the Vice-President the National Chairman or in his absence the National Vice-Chairman shall take the chair. In the case of Branch, Sub-branch, Location/ward and Sub-location meetings, the Chairman or in his absence the Vice-Chairman, or in the absence of both these officials a member elected by the meeting, shall take the chair.

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

(c) Resolutions, unless otherwise stated in this Constitution, shall be decided by simple majority. Voting shall be by show of hands.

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

ARTICLE 21—FINANCE

(a) Each member of the Party shall pay his/her membership fee or annual subscription to his/her respective sub-location/ward

organization as it is primarily at the sub-location/ward level that members shall enrol.

(b) Each Sub-Location Organization of KANU shall remit all monies received in membership fees and monthly dues to the Branch Headquarters. The same ruling applies to sub-branches/wards, whenever they receive membership fees or dues.

(c) The finances of the Party shall be apportioned as follows:

(i) The branch shall retain 50 per cent of all membership fees and dues received from sub-location/ward and remit 50 per cent to the National Headquarters.

(ii) Branches shall ensure that not less than 20 per cent of the money received from sub-locations is remitted to cover the expenses in the sub-branch/location and sub-location/ward.

(iii) Nomination fees as follows:

Parliamentary Elections 50 per cent to branch and 50 per cent to KANU Headquarters. Local Authority Elections 50 per cent to branch and 50 per cent to headquarters.

All Branch Treasurers shall remit a monthly statement to the National Treasurer not later than the first week of the month showing monies received from sub-location/ward, in the district and the amount remitted to the National Headquarters.

(d) Funds collected at public rallies and meetings shall be retained by the organizing organs for specific purposes decided on before such rallies or meetings.

(e) All monies received by the National Treasurer, Branch Treasurer, Sub-Branch/Ward Treasurer shall be deposited in a bank or Post Office Savings Account approved by the National Executive Committee/Branch Executive Committee.

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

(g) KANU Youth and Women League shall adhere to the above procedure in so far as it affects any of their organizations and the Treasurer shall retain an account of all monies expended which shall be checked by the Branch Executive Officer. All monies collected by the two leagues shall be remitted to the Branch Treasurer and the Branch Executive Committee shall approve a budget and all expenses of the leagues.

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

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

(j) Every branch shall appoint a qualified auditor at its Branch Annual General Meeting.

(k) The Branch Auditor shall have access to all Branch Accounts and shall audit the annual Statement of Accounts prepared by the Branch Treasurer. A copy of the Branch Accounts duly audited shall be sent to sub-branch and three copies shall in addition be forwarded to the National Headquarters of the Union.

(l) The National Executive Committee will appoint an Inspector of Books who shall audit, or cause to be audited, the accounts of all branches. The Inspector of Books, or a person authorized by him in writing, shall have access to all Union Accounts at all levels.

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

(i) Is guilty of misappropriation of funds.

(ii) Consistently ignores directives contained in this Constitution, or in any rules made by the National Governing Council, for the proper management of the Union's

finances whether at the national, branch, sub-branch or sub-location/ward levels.

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

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

(p) The National Executive Committee shall ensure that a Statement of Accounts is prepared quarterly for presentation to the National Governing Council.

(q) A sum agreed to by the National Executive Committee, the Branch Executive Committee and the Sub-Branch Working Committee may be kept by the Treasurer as petty cash for which proper accounts shall be kept duly vouched by two persons other than the Treasurer.

ARTICLE 22—PROCEDURES FOR SELECTING PARTY CANDIDATES

(a) Candidates in respect of Local Government Elections:

(1) Any member of Kenya African National Union wishing to stand as a candidate for the Local Government Elections must make an application on a prescribed KANU form of application to the Branch Executive Committee of the Kenya African National Union attaching curriculum vitae. A copy of the application should be sent to the Secretary-General. Such form will include:

- (i) The name of the candidate.
- (ii) The Republic of Kenya Identity Card.
- (iii) The voter's registration number of the applicant.
- (iv) The applicant's membership number.
- (v) The name of the sub-branch to which the applicant belongs.

Provided that the prospective candidate:

- (i) Should be a holder of a valid Life Membership Certificate of the Party.

- (ii) Should not have a criminal record or have engaged in corrupt and/or subversive activities.
- (iii) Should fulfil all laid conditions as provided for under the Election Laws of Kenya.

(2) The Branch Executive Officer shall supply applicants with KANU application forms and pledges of loyalty. Each applicant should submit one completed copy of the forms to the Branch Chairman in accordance with Rule 1, and another copy to Secretary-General.

(3) The application shall be accompanied by a non-refundable fee of shillings five thousand (Sh. 5,000).

(4) The Branch Executive Committees shall interview all prospective candidates wishing to contest seats in their area for Local Government Elections and submit a report to KANU Headquarters.

(5) Every Kenya African National Union candidate at an Election for Local Government shall sign the following pledge of loyalty which shall be forwarded together with the deposit fee mentioned in paragraph 3 of this Rule.

PLEDGE OF LOYALTY

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

- (i) I will at all times be loyal to the President of the Party;
- (ii) I will at all times give my full support to the Constitution of the Party and principles of unity of all peoples of Kenya;
- (iii) I will at all times give my unqualified support to the Manifesto of KANU and the policies and programmes of development of KANU Government; and
- (iv) I will adhere at all times to the Constitution of the Republic of Kenya.

Signed
Candidate

Witnessed by

(b) Candidates in respect of Presidential and National Assembly Elections:

(1) Any member of Kenya African National Union wishing to stand as a candidate for the National Assembly Elections must make an application on a prescribed KANU form of application to the President of the Party attaching curriculum vitae through the KANU branch concerned, with copy to the Secretary-General. Such form will include—

- (i) The name of the candidate.
- (ii) The Republic of Kenya Identity Card.
- (iii) The voter's registration number of the applicant;
- (iv) The applicant's membership number;
- (v) the name of the sub-branch to which the applicant belongs:

Provided that the prospective candidate should:

- (i) Be a holder of a valid Life Membership Certificate of the Party.
- (ii) Does not have a criminal record or have engaged in corrupt and/or subversive activities.
- (iii) Fulfills all laid down conditions as provided for under the Election Laws of Kenya.
- (iv) If has been an employee of the Government of the Republic of Kenya, a Local Authority, a Statutory Board, Quasi-Government body or holds any office sponsored by the Party, resigned three or more months immediately preceding the date of nomination for the Preliminary Elections.

(2) The National Executive Officer shall supply all applicants with KANU application forms and pledges of loyalty. Each applicant should submit one completed copy of the forms to the President of the Party attaching curriculum vitae, through the KANU branch concerned, with copy to the Secretary-General.

(3) The application shall be accompanied by a non-refundable fee of shillings ten thousand (Sh. 10,000.)

(4) The Branch Executive Committee shall interview all prospective candidates wishing to contest seats in their branch for Parliamentary Elections and submit a report to KANU Headquarters.

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

PLEDGE OF LOYALTY

I.....
wish to seek the nomination of Kenya African National Union
as a candidate in the forthcoming Parliamentary Election for the

.....
Constituency, hereby make a solemn pledge that, if I am elected
a Member of the National Assembly and so long as I continue as a
Member on behalf of the Kenya African National Union, I will—

- (a) remain loyal to the President and the Party;
- (b) give my full support to the Constitution and Manifesto to
the Union and the unity of all citizens of Kenya;
- (c) give my full support to the policies of the KANU
Government; and
- (d) in all things adhere to the Constitution of the Republic of
Kenya.

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

Date.....day of....., 19.....

Signed
Candidate

Witness

(c) KANU Nomination Process:

1. Nomination of KANU candidates, for Parliamentary and
Civic elections shall be by secret ballot.

2. There shall be nomination process in every constituency/
ward where there are more than three candidates.

3. The KANU Nomination process shall be held in accordance
with the KANU Nomination Rules made by the National

Executive Committee and ratified by the National Governing Council.

ARTICLE 23—TRUSTEES

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

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

- (i) voluntary resignation in writing;
- (ii) becomes bankrupt; or
- (iii) so conducts himself that a motion calling for his removal is passed by a two-thirds votes of the National Governing Council.

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

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

(e) The trustees shall collect, repair and lease the properties and submit their Annual Report and Accounts to the National Executive Committee under the Trust Act.

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

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

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

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

ARTICLE 24—DISCIPLINE

(a) THE NATIONAL DISCIPLINARY COMMITTEE.

- (i) There shall be a National Disciplinary Committee, whose membership and composition shall be determined by the President with the approval of the National Executive Committee from time to time.
- (ii) The National Executive Officer of the Kenya African National Union shall act as Secretary to the National Disciplinary Committee.
- (iii) The National Disciplinary Committee shall have powers to hear and determine cases recommended by the Branch Executive Committee and others which may be referred to it by the President of KANU, the National Executive Committee and the National Governing Council.
- (iv) The National Disciplinary Committee shall have Guidelines, Rules of Procedures and Rules of Conduct approved by the National Executive Committee and National Governing Council which shall guide its deliberations.

(b) The President of the Union shall be empowered to suspend any member or office-bearer of the Union for misconduct or breach of the Constitution, and such suspension shall prevail until such time as the National Governing Council either sets aside or ratifies the suspension.

(c) Each Branch Executive Committee shall have powers to suspend any member or office-bearer in the district. **Such suspension shall be reported to the National Disciplinary Committee which shall consider such cases and report to the National Governing Council, through the National Executive Committee, which shall either ratify or set aside the suspension.**

(d) The President may, in consultation with the National Executive Committee, appoint a Commission to investigate the affairs of any Branch, Sub-Branch, Location or Sub-Location/Ward Committee. The President may act on any decision reached by the Commission, and such decision shall stand until such time

as the National Governing Council shall either ratify or set aside the decision.

(e) The President may, with the approval of the National Executive Committee, dissolve any branch or subsidiary Party organ and order fresh elections.

ARTICLE 25—DISSOLUTION

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

ARTICLE 26—INTERPRETATION

In this Consitution, unless otherwise required by the context:

- (a) "Union" shall mean the Kenya African National Union.
- (b) "Branch Executive Committee" shall mean a KANU committee within an administrative district as the area comprising a branch.
- (c) "Sub-branch" shall mean the National Assembly Constituency Area.
- (d) "Location/Ward Committee" shall mean committee elected by the Union members of an administrative location or Ward.
- (e) "Sub-Location Committee" shall mean a KANU Committee within an administrative Sub-Location.
- (f) "Collector" shall mean any person charged with the responsibility of collecting and/or receiving money on behalf of KANU.

“UHURU NA KAZI”

KANU YAJENGA NCHI