

NATIONAL FORUM FOR EQUITY AND DEVELOPMENT



NFD

Usawa na Maendeleo

THE PARTY CONSTITUTION

CHAPTER 1

1.1 PREAMBLE

We, members of National Forum for Equity and Development (NFD);

VOW TO DEFEND: the supremacy of the Constitution of the Republic of Kenya for the common good of all, and in the Almighty God we believe;

WE PAY HOMAGE to those to who heroically struggled to bring freedom

and justice to our country; and promise to pass this heritage to future generations by teaching Youths the value of patriotism, nationhood, sustainable development and active citizenship.

WE COMMIT TO ADVANCE: the aspirations of all Kenyans for a government based on freedom, democracy, social justice and the rule of law;

WE PRIDE: in our ethnic, cultural and religious diversity and determined to live in peace and unity as one indivisible Democratic Party and Nation;

EXERCISING our sovereign and inalienable rights to determine the form of governance of our party and having participated fully in the making of this constitution;

ADOPT, ENACT and give this constitution to ourselves, as National Forum for Equity and Development's - National Delegates Conference, members of the National Forum for Equity and Development and to our future generations.

1.2 PRELIMINARY

1.2.1 This Constitution shall be cited as the National Forum for Equity and Development (NFD) Constitution and shall come into operation on such day as it is approved by the National Delegates Conference.

1.2.2 In this Constitution, unless the context otherwise requires:

"Party" means the National Forum for Equity and Development (NFD).

"**Registrar**" means the Registrar of Political Parties designated as such under the Political Parties Act, 2011.

"NFD" means National Forum for Equity and Development.

"**Political Party**" means any association or organization of persons, which has for its objects or purposes proposing or supporting of candidates for National or County authority elections.

"**Polling Station**" means polling station as defined by IEBC at the last General Election

"**Office bearer**" means any person who is elected by the members of the party to hold a particular office.

"Corporate" means a registered political party, which is a member of the National Forum for Equity and Development or vice versa.

"**Group Member**" means a registered organization e.g. Trade Unions, Professional Associations, Students' Unions, etc.

1.3 IDENTITY, VISION AND MISSION

1.3.1: Establishment

There is hereby established a Political Party known as the National Forum for Equity and Development (NFD) (hereinafter referred to as "the Party" or "(NFD)" in this Constitution).

1.3.2: The Symbol

The party's symbol or logo is a plumb bob (timazi), a tool used in construction to ensure walls and other structures are straight and level. This symbolizes equity and development, aligning with the party's mission and vision.



1.3.3: Party Flag

The Party's flag is embossed at the center with the party symbol interspersed by a streak of sky blue, yellow, White, Black, conspicuously inscribed in the mid-section, below the symbol is the party shorter slogan in words "Usawa na Maendeleo"; as is more particularly described in Schedule II hereto.



1.3.4: Party Slogan

The Party's slogan in full is "Usawa na Maendeleo"

1.3.5: Party Colours

The party colours are sky blue, gold, white and black.

1.3.6: Party Vision

NFD envisions Kenya that is prosperous, industrialized and modern, in which all citizens enjoy social, economic and democratic rights, and live in solidarity, with dignity and peace.

1.3.7: NFD Mission Statement

NFD's mission is to build a just, democratic, and inclusive society by promoting issue-based politics, empowering leaders, and advocating for equity and sustainable development.

We advance civic education, social accountability, and policy influence at all levels. Committed to Pan-Africanism, we strive to transform Kenya's political culture for a better future.

1.3.8: Physical, Postal and virtual Address of the Registered Office of the Party

a) Physical address: The registered office of the Party shall be as approved by a resolution of the National Executive Committee.

The Party shall have its Postal Address at P. O. Box 13407 – 00400, Tom Mboya Street, Nairobi.

b) The Website of the party will be <https://nfd.or.ke> and Email address of the party will be: nfdkenya@yahoo.com

1.3.9: NFD PARTY IDEOLOGY

NFD subscribes to and is guided by the Social Democratic Ideology. We are the human centric party of Kenya. Our party slogan – 'Usawa na Maendeleo' captures our spirit.

As a party rooted in social democracy, NFD advocates for the integration of democratic governance with social justice to foster a fair and cohesive society. We support a mixed economy where government intervention ensures equitable resource distribution and safeguards public welfare, while the private sector drives innovation and economic growth.

1.4.: Aims/ Objectives, Values and Guiding Principles

1.4.0 Aims and Objectives

Our aims and objectives, as detailed in the manifesto, are:

1.4.0.1 Eradicating Inequalities: Implementing policies to address disparities in access to healthcare, education, and economic opportunities.

1.4.0.2 Universal Access to Services: Providing affordable healthcare, free primary and secondary education, and social safety nets, as promised in the manifesto.

1.4.0.3 Youth and Women Empowerment: Developing programs to empower youth and women economically, politically, and socially.

1.4.0.4 Climate Action: Promoting environmental sustainability and climate resilience through actionable strategies outlined in the manifesto.

1.4.0.5 Fostering Unity: Building a peaceful and cohesive society by addressing ethnic, gender, and regional disparities. The National Forum for Equity and Development's objects are as follows:

1.4.0.6 To establish a Government of Kenya based on democratic and Constitutional principles of a pluralistic democracy and good governance founded on principles of Unity, Justice, Fairness, Peace, Liberty and Equality, and which is transparent and accountable to the electorate and all the people of Kenya;

1.4.0.7 To compete with other political parties for the purpose of winning elections and forming the government by nominating and fielding candidates in all elective offices including presidential, parliamentary and county assembly seats;

1.4.0.8 To engage in and provide quality, just, fair and accountable leadership to the Kenyan public in matters of political, economic and governance devoid of corruption, nepotism and all forms of discrimination;

1.4.0.9 To promote democratic, political governance within the framework of pluralist democracy based on the popular will of the people activities, (Delegated Democracy), on principles of transparency and accountability in public affairs, justice, liberty, equality and respect for the Rule of Law, and the separation of powers between the three arms of Government, namely the Legislature, the Executive, and the Judiciary;

1.4.0.10 To establish, enhance and entrench sound economic institutions and fiscal policies to ensure sustainable human, economic and physical development; accountable, free and fair usage of public resources and total elimination of corruption, nepotism and mediocrity;

1.4.0.11 To protect and enhance the enjoyment of human rights as enshrined in the Constitution of Kenya and any international Conventions to which Kenya is a signatory; to advocate, promote and comply with the United Nations International Bill on Human Rights, the African Charter of Human and People's Right and the Conventions Against Torture and other Cruel, Inhuman or Degrading Treatment and any other internationally recognized Conventions;

1.4.0.12 To improve the quality of life for all Kenyans through promoting the eradication of ignorance, poverty and disease;

1.4.0.13 To establish and put into practice systems of political governance aimed eradication discrimination, sectionalism, racism, oppression and exploitation;

1.4.0.14 To promote sound environmental management and conservation policies to ensure sustainable development and responsible utilization of our natural resources and protect all public utilities, national wealth and natural resources, for the betterment of the lives of all Kenyans and posterity;

1.4.1 Values

The National Forum for Equity and Development believes there is no single democratic model, but that certain core values are essential to all democracies. NFD's values reflect the core ideals of our manifesto and include, but are not limited, to:

1.4.1.1 Justice: Advocating for fairness in governance and resource distribution, consistent with our manifesto's policy of justice for all.

1.4.1.2 Solidarity: Building cohesive communities, echoing our manifesto's focus on creating a united Kenya.

1.4.1.3 Equality: Prioritizing equal access to opportunities, as outlined in our manifesto's social programs.

1.4.1.4 Development: Driving sustainable economic growth that benefits all citizens, aligning with our manifesto's vision for economic empowerment.

1.4.1.5 Accountability: Leaders are responsive to the public interest and people are able to hold their leaders responsible for their conduct through institutionalized checks and balances including regular, inclusive elections that are competitive and credibly reflect popular will;

1.4.1.6 Transparency: Political activity is open and subject to public oversight;

1.4.1.7 Inclusivity: Diverse voices and views are sought, respected and incorporated;

1.4.1.8 Pluralism: Free, open, and peaceful competition of ideas is universally embraced;

1.4.1.9 **Civic Participation:** People are able to exercise their political and civic rights and responsibilities freely, and do so actively, through collegiates, delegates and respectfully;

1.4.1.10 **Rule of Law:** Laws promulgated by duly elected representatives are consistent with universal human rights principles, adjudicated independently and enforced equally.

1.4.2 NFD's Guiding Principles:

Our guiding principles spell out how we translate values of democracy into our work plans with one another and our stakeholders to achieve our mission.

1.4.2.1 **Equity:** Ensuring every region and community benefits equally from national resources, as emphasized in our manifesto's commitment to equitable resource allocation.

1.4.2.2 **Inclusion:** Prioritizing the participation of marginalized groups, as articulated in our manifesto's focus on empowering women, youth, persons with disabilities, and minorities.

1.4.2.3 **Accountability:** Promoting integrity and transparency in public service, in line with our manifesto's promise to establish systems that prevent corruption and promote good governance.

1.4.2.4 **Sustainability:** Aligning with our manifesto's focus on environmental conservation and climate resilience to ensure long-term socio-economic development.

1.4.2.5 **Unity in Diversity:** Celebrating Kenya's diverse cultural heritage while fostering a shared national identity.

1.4.2.6 **Quality:** We strive individually and collectively for excellence through research-based innovation, evidence-based development and thought leadership, creatively learning and adapting based on evidence and respect for local context. We embrace total quality management, performance management in order to deliver value to the tax payers.

1.4.2.7 **Responsibility:** We are individually and collectively responsible for our behaviors, actions, and the consequences of our actions to each other and to anyone with whom we interact. We act at all times in ways that promote the security and wellbeing of our colleagues as well as those who support or benefit from our work, adhering to "do no harm "principles.

CHAPTER TWO: MEMBERSHIP OF THE PARTY

2.1. PROCEDURE FOR BECOMING A MEMBER

2.1.1 Any person who is a citizen of Kenya and is aged 18 years or above, who believes, in and accepts the objectives, policies, programs, discipline of the Party, and terms and conditions of membership of the Party contained in this Constitution, shall be eligible to apply for membership of the party.

2.1.2 Those eligible and desiring membership of the Party may apply in writing to any authorized official or agent of the Party for enrolment, or through any approved digital platform for enrolment and shall on payment of the prescribed fee, be issued with a membership number in a digital format, or a membership card and / or certificate that shall be renewed every beginning of the year when the members pays up the membership subscription fee.

2.1.3 A person who has become a member of the Party shall be entitled to all rights and privileges of a member except as may be provided otherwise in this Constitution or decided to the contrary by the National Executive Council from time to time.

2.1.4 The National Executive Council (NEC) shall have the right to reject or allow any application for membership based on the above requirements or any other requirement in this Constitution.

2.1.5 Notwithstanding the provisions of clauses 2.1.1 and 2.1.2 above the Party Leader may at his/her sole discretion, waive the requirement as to the payment of membership card fee and admit any person or group of persons to the membership of the Party as circumstances may warrant. Persons admitted under this clause shall be issued with membership cards and shall be entitled to all privileges and rights of a member as if admitted under clause 2.1. 2

2.1.6 Every applicant for membership shall be deemed to accept this constitution including the party's principles, vision, mission, values and objectives.

2.2 Categories of Members

2.2.1 The National Executive Council shall have power to create or establish such categories of membership for the advancement of the interests and objectives of the Party as circumstances may warrant.

2.2.2 Without prejudice to the generality of the provisions of clause 2.2.1. The categories of membership of the Party shall for the time being, be the following all of which shall be renewable annually unless stated otherwise by this Constitution or as approved by a resolution of the National Executive Council:

- a. Founder membership shall be open to individuals who in addition to paying the admission and subscription fees have contributed in cash or in kind to the initial set up of the party in its first year of existence and whose names shall have been entered in the NFD Party Constitution Founder Members Register;
- b. Regular membership shall be open to individuals upon payment of the standard admission and subscription fees as determined by the National Executive Council.;
- c. Life membership shall be open to individuals upon payment of the fees liable to be paid by life members as set by the National Executive Council.;
- d. Group membership shall be open to an organization or group of persons professional associations, cooperative societies, student unions, cooperative societies, community-based organizations, and others, which subscribe to the party's policies, ideologies, principles, aims and objectives;
- e. Party Representatives membership shall be for the elected, nominated or appointed members of the party;
- f. Diaspora membership shall be open to Kenyan citizens residing in foreign countries;
- g. Honorary membership may be granted to any person who has made contribution to the party and demonstrated unwavering support to the party and commitment its policies, ideologies, principles, aims and objectives.

(a) The subscription fees to be paid by each membership category shall be as follows:

S/No	MEMBERSHIP CATEGORY	SUBSCRIPTION FEES (Kshs./USD)
1.	REGULAR MEMBERSHIP	20.00
2.	FOUNDER MEMBERSHIP	2,000.00
3.	LIFE MEMBERSHIP	5,000.00
4.	GROUP MEMBERSHIP	50,000.00
5.	DIASPORA MEMBERSHIP	USD 35 per Annum
6.	GOLDEN MEMBERSHIP	10,000.00 per Annum
7.	PARTY REPRESENTATIVES MEMBERSHIP:	
	Elected MCA	5,000.00 per month
	Nominated MCA	8,000.00 per month
	Member of National Assembly	20,000.00 per month
	Member of Senate	20,000.00 per month
	County Governor	70,000.00 per month

(b) Any person who is qualified to become a member of the Party under this Article, if he so desires may become or convert from one category of membership to another

upon payment of the applicable membership fee. PROVIDED that a person who converts to a lower membership category shall not be refunded any fees whether in part or in whole of the membership previously held.

(c) Outstanding membership fees shall be deemed as a debt to the party and shall be recoverable against the member in accordance with the law.

(d) The National Executive Committee shall satisfy itself that no person, organization, political party or institution admitted as a member is likely to compromise the interests of the Party, or objects are significantly opposed to those of the Party, and in this regard, may impose such terms and conditions for group membership as circumstances may warrant.

(e) The National Executive Council shall, upon the adoption of the new Constitution and pending the first Party elections under this Constitution, have authority to continue recruitment and registration of members in all Branches, Sub branches, Wards and Polling Centers.

2.3 REGISTER OF MEMBERS:

2.3.1 The Party shall maintain a digital and physical register of members that shall contain the following details of each individual Member:

- a) Name, Identity Card/ Passport & Telephone Numbers);
- b) Gender;
- c) Age;
- d) Ethnicity;
- e) County of birth; and
- f) Occupation.

2.3.2 The Secretary General shall be the custodian of the credentials of the digital platform and shall keep custody of the register of members.

2.3.3 The Branch Secretaries shall keep custody of the Branch Register of Members.

2.3.4 The Register of Members shall contain such additional details as provided by law and in conformity with the Political Parties' Act, 2011;

2.3.5 The Party shall continuously update its register of members.

2.4 Rights of Party Member

2.4.1 A member of the National Forum for Equity and Development shall have the right to:

- a) Participate in Party activities
- b) Take a full and active part in the discussion, formulation and implementation of Party policies;
- c) Receive copies of Party documents including the Constitution, Election and Nomination Rules, Party manifesto, party policies and any other party documents upon request;
- d) Receive and impart information on all aspects of Party policies and activities save where such right has been lawfully restricted;
- e) Offer constructive criticism any member, official, policy, programme or activity within the Party and its structures;
- f) Submit proposals or statements to the Branch, Region, National Executive Committee provided that such proposals are submitted through appropriate Party structures;
- g) Take part in elections through voting or delegates at appropriate levels and be eligible for Party and National Elections at all levels upon nomination.

2.4.2 Right to Inspect Party Books and Membership List

a. Any member of the public may request to inspect the party's financial records and membership list, subject to:

- i) A formal request made in writing to the Secretary-General.
- ii) Compliance with data protection laws to safeguard personal information.
- iii) Payment of any administrative fee as determined by the party.

b. Inspection shall be carried out at the party's headquarters during working hours under the supervision of authorized officer.

2.5: Duties of Party Member

2.5.1 A member of the National Forum for Equity and Development shall:

- a) Take all necessary steps to understand and carry out the objects, policies and programmes of NFD;
- b) Explain the objects, policies and programmes of the Party to others;

- c) Combat propaganda detrimental to the interests of the Party and defend the objects, policies and programmes of the Party;
- d) Popularize the Party;
- e) Observe discipline, the Party Code of Conduct and obey lawful decisions made by regular Party organs;
- f) Refrain from publishing and or distributing through the media any information deemed confidential, or any other view purporting the same to be the view of the Party without proper authority or mandate of a regular organ of the Party;
- g) Ensure that he or she is registered as a voter within any of the constituencies in the country and take all steps to participate during Party and national elections If a member holds an elective office in any sphere of governance at National, Branch or local level, be a member of the appropriate Party caucus and function within its articles, abiding by all lawful decisions under general provisions of this Constitution and structures of the Party:
- h) Be liable to pay such fees as shall be prescribed by the Party;
- i) Support the Party financially and materially when called upon to do so for a good cause.

2.6: Termination of Membership

2.6.1 A member of the Party shall cease to be one:

- a) Upon written resignation to the NFD Secretary General. Membership shall terminate with effect from the date of the receipt thereof, provided that the termination shall not absolve the member from performing any outstanding obligations owed to the Party or other members qua members;
- b) Has had his or her membership terminated upon a disciplinary procedure.
- c) By a resolution passed by the National Executive Council;
- d) By accepting an office, subscribing to or promoting activities of a Political Party or Organization whose aims and objectives are in competition with or in conflict with those of NFD;
- e) A member who joins; forms; or join in the formation of another political party; or in any way or manner publicly advocates for the formation of another political party;
- f) promotes the ideology interest or policies of another political party;
- g) Upon death;

h) Has failed to pay the subscriptions or any other dues after a warning letter by the National Executive Council;

l) By an operation of any prescribed law.

A person who has terminated his or her membership:

a) shall not be entitled to a refund of fees or subscriptions made by him or her to the Party prior to termination, and all rights, privileges and responsibilities or facilities granted to or enjoyed by him or her by virtue of his membership shall automatically terminate with effect from the date of receipt of written resignation from the Party;

b) Shall return all party property within his custody, possession or control;

c) Shall have his/her name struck off from the register of Party members and such decision shall be communicated to the Registrar of Political Parties. PROVIDED THAT the Party shall have a right to lay any claims against any person who has terminated his membership for any monies due and owing from him or for any damage or loss occasioned to Party property, which was in his custody, possession or control prior to termination of membership.

CHAPTER THREE: PARTY ORGANS

Article 3.1: Party Organs

There is hereby established the following Party organs:

a. National Delegates Conference	-	NDC
b. National Executive Committee	-	NEC
c. National Leadership Forum	-	NLF
d. Branch Executive Committee	-	BEC (County)
e. Sub Branch Executive Committee	-	SBEC (Constituency)
f. Ward Executive Committee	-	WEC
g. Polling Station Steering Committee	-	PSSC (Polling Stn.)
h. Council of Governors	-	COG
i. Party Parliamentary Group	-	PPG
j. Party County Assembly Group	-	PCAG
k. NFD Women League	-	WL
l. PWD League	-	DL
m. NFD Youth League	-	YL
n. Diaspora League	-	DL
o. Minority and Marginalized Communities League	-	
p. National Secretariat	-	NS
q. National Nominations Appeals Committee	-	NNAC
r. Internal Dispute Resolution Committee	-	IDRC
s. National Elections Board	-	NEB
t. Disciplinary Committee	-	DC

3.2: National Delegates Conference (NDC)

3.2.1. There is established the National Delegates Congress (NDC), which is the supreme organ of the party.

3.2.2. The NDC shall consist of:

A. The following national officials:

- a) Party Leader
- b) Deputy Party Leader
- c) Chairperson
- d) Deputy Chairperson
- e) Secretary General
- f) Deputy Secretary General
- g) Treasurer
- h) Deputy Treasurer
- i) Organizing Secretary
- j) Deputy Organizing Secretary
- k) Secretary Women Affairs
- l) Secretary Youth Affairs
- m) Secretary Disability Affairs

- n) Secretary International Affairs
- o) Secretary Minority and Marginalized Affairs
- p) Director Elections

B. Two (2) representatives of alternate gender from the majority of the counties where the party has a presence with the minimum members being from twenty-four (24) counties, each represented by 2 delegates; Maximum being forty-seven (47) counties;

C. Elected Governors;

D. Elected Members of the Senate;

E. Elected Members of the National Assembly;

F. Elected Members of the County Assembly;

3.2.3. The National Executive Council (NEC) may, in its wisdom, invite distinguished individuals who have made special contribution to the Party or who have special skills or experience and have demonstrated interest in the works and programs of the party to attend the Conference with no right to vote.

3.2.4. The National Delegates Conference (NDC) shall be held once in every five (5) years to elect the national officials

3.2.5. The National Delegates Conference shall have the following specific powers, duties and obligations:

- a) To review, formulate and or approve all the policies of the party;
- b) To elect from among the eligible members of the party the national officials in accordance with this constitution;
- c) To receive reports from the National Executive Committee on the operations of the party; and
- d) To consider any such other matters as may be referred to it by the National Executive Committee.
- e) To perform any other duties and functions as the National Delegates Conference may deem fit.

3.3 The National Executive Committee (NEC)

3.3.1 The National Executive Committee shall be the executive organ and the Governing body of the Party and shall be composed of the following members:

- a) Party Leader
- b) Deputy Party Leader

- c) Chairperson
- d) Deputy Chairperson
- e) Secretary General
- f) Deputy Secretary General
- g) Treasurer
- h) Deputy Treasurer
- i) Organizing Secretary
- j) Deputy Organizing Secretary
- k) Secretary Women Affairs
- l) Secretary Youth Affairs
- m) Secretary Disability Affairs
- n) Secretary International Affairs
- o) Secretary Minority and Marginalized Affairs
- p) Director Elections
- q) The Executive Director as an ex officio member

3.3.2 The National Executive Committee shall be constituted by the National Delegates Conference to hold office for a term of five (5) years unless otherwise extended by the NDC. Clustering method will be used to guide peaceful elections to ensure national face, gender, regional, inclusion of Persons living with Disabilities, meritocracy and retention of institutional memory.

3.3.3 The National Executive Committee shall have the following functions and powers:

- a) To act as the executive body and carry out the decisions of the National Delegates Conference (NDC);
- b) To supervise the National Secretariat of the Party and to take such measure as it deems necessary to enforce the decisions and programmes of the Party as laid down by the NDC;
- c) To issue and send directives and instructions to and receive reports from the Branches;
- d) To convene the meetings of and prepare the agenda for and reports to the NDC;
- e) To oversee the operations of the subsidiary organs of the party, such as the: NFD Women League, NFD Youth League, PWD League, Diaspora League, Junior League, Party Parliamentary Group, the County Assembly Group and any other party organ(s);
- f) Set up committees, as it deems necessary from time to time for specified tasks and to determine their terms of reference;
- g) To operate and determine the manner in which the Party accounts and finances shall be prudently managed;

- h) To appoint and fix the Terms and Conditions of Service of the Executive Director and other members of staff in the employment of the party;
- i) To receive reports, supervise the work of, and delegate such functions to the National Secretariat and National Elections Board, Internal Dispute Resolution Committee, as it considers necessary;
- j) To initiate, prepare or cause to be prepared the necessary quarterly, semi-annual or annual financial statements for approval by the National Delegates Conference;
- l) To nominate and present a Party List to the ORPP and IEBC in accordance with the party nomination rules and provisions of the Law;
- m) To receive, consider, approve and implement reports and recommendations from the various standing, ad hoc and specialized committees or individuals;
- n) To liaise with the Party National Election Board in order to ensure the coordination of elections of Party Officials at all levels and Party nominations for Presidential, Parliamentary and County elections;
- o) To make Elections and Nomination Rules;
- p) To initiate all such activities as might further the aims and objects of the Party;
- q) To determine the maximum number of delegates to attend any National Delegates Convention;
- s) To grant such honoraria, out of pocket expenses, to any National Official so as to reasonably facilitate his or her attendance at meetings or to ameliorate his or her just and fair expenses, subject to the availability of funds, and in its own discretion, so long as those funds are not from Political Parties Fund (PPF)

Any vacancy occurring in the National Executive Committee during the course of the term before the next National Delegates Conference may be filled through nomination by the National Executive Committee from amongst members of the party.

3.3.4 Rights of Members of the Governing Body

Members of the governing body shall have the following rights:

- a. To participate in decision-making processes of the party.
- b. To vote on matters brought before the governing body.
- c. To access party records relevant to their duties.
- d. To propose and second motions during official meetings.
- e. To be heard before any disciplinary action is taken against them.

- f. To be protected from discrimination in the execution of their duties
- g. All other rights enjoyed by members of the party

3.3.5 Eligibility for Election to the Governing Body

A person shall be eligible for election to the governing body if they:

- 1. Are a registered member of the party for at least two years.
- 2. Have not been convicted of an election offence or offense involving moral turpitude or dishonesty.
- 3. Have demonstrated commitment to the party's vision and objectives.
- 4. Meet the leadership and integrity requirements under Chapter Six of the Constitution of Kenya.
- 5. Do not hold membership in any other political party.
- 6. Fulfill any additional criteria set out in the party's nomination rules

3.4 The National Leadership Forum

3.4.1 The **National Leadership Forum** (NLF) shall be an advisory organ, made up of elected and appointed members as follows:

- 1) All party officials comprising of the following:
 - a) Party Leader
 - b) Deputy Party Leader
 - c) Chairman;
 - d) Deputy Chairman
 - e) Secretary General
 - f) Deputy Secretary General
 - g) Treasurer
 - h) Deputy Treasurer
 - i) Organizing Secretary
 - j) Deputy Organizing Secretary
 - k) Secretary Women Affairs
 - l) Secretary Youth Affairs
 - m) Secretary Disability Affairs
 - n) Secretary International Affairs
 - o) Secretary Minority and Marginalized Affairs
 - p) Director Elections
 - q) The Executive Director as an ex officio member

2) The party's elected leaders

3.4.2 Role and Functions of NLF

1. NLF shall be the party's main national development policy and research think tank, to develop the Party manifesto and political, social, economic and cultural proposals to NEC;
2. Offer Advice to the NEC;
3. Carry and conduct public participation;
4. Carry out Research aimed at evidence-based development.

3.5: Party Parliamentary Group (PPG)

3.5.1 There shall be established the Party Parliamentary Group comprising of the following:

- a) Party Leader.
- b) Deputy Party Leader
- c) All Members of the Council of Governors & the Deputy Governors
- d) All NFD Members of Parliament (The Senate, National Assembly and EALA).

3.5.2 The duties of the Parliamentary Group shall include espousing, advancing and defending Party policies and programs within Parliament and shall, at all times, whether jointly or severally exercise due diligence in the discharge of their parliamentary duties.

3.5.3 The Parliamentary Group shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Committee for approval.

3.6: Party County Assembly Group (PCAG)

3.6.1 There shall be a Party County Assembly Group consisting of the Governor, & the Deputy Governor, all the NFD elected and nominated members of the County assembly to propagate the Party's agenda within their respective County Assembly.

3.6.2 The leader of the Party County assembly shall head the respective County Assembly Group in which they are members.

3.6.3 Each Party County Assembly Group shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Committee for approval.

3.7 NFD Women League (NFD WL)

a) It shall be open to women who are members of the Party.

- b) It shall operate at national, county, branch and sub-branch levels.
- c) Its objective shall be to rally and unite women leadership within the party and society for their empowerment in confronting challenges facing the women of Kenya.
- d) It shall operate as an auxiliary body within the overall structure of the Party with its own principles, rules and regulations as shall be approved by NEC.
- e) It shall operate in accordance to this Constitution and shall be subject to the general direction of the NEC.
- f) The Party as approved by NEC shall establish an executive committee of the NFD Women League at national, county, branch and sub-branch levels comprising of such number of members as may be deemed necessary for proper execution of Its mandate.
- g) The officials of the NFD Women League executive committees at national, county, branch and sub-branch levels shall be League members; elected by the members of the respective caucus forming the Women league
- h) Application for membership shall be made verbally, electronically or in writing to the nearest party offices or executive committee of the NFD Women League.
- i) Confirmation of membership shall be made electronically or in writing.

3.8: NFD Youth League (NFD YL)

- a) It shall be open to persons aged between eighteen (18) and thirty-five (35) years who are members of the Party.
- b) It shall operate at national, county, branch, sub-branch and polling station levels.
- c) Its objective shall be to rally and unite the youth leadership within the party and society for their empowerment in confronting challenges facing the young people of Kenya.
- d) It shall operate as an auxiliary body within the overall structure of the Party with its own principles, rules and regulations as shall be approved by NEC.
- e) It shall operate in accordance to this Constitution and shall be subject to the general direction of the NEC.
- f) The Party as approved by NEC shall establish an executive committee of the NFD Youth League at national, county, branch, sub-branch and polling station levels comprising of such number of members as may be deemed necessary for proper execution of its mandate.
- g) The officials of the NFD Youth League executive committees at national, county, branch, sub-branch, and polling center levels shall Youth League; be elected by the members of the respective caucus forming the

h) Application for membership shall be made verbally, electronically or in writing to the nearest party offices or executive committee of the NFD Youth League.

i) Confirmation of membership shall be made electronically or in writing.

3.9 Minority and Marginalized Communities league

a) The Minorities and Marginalized Communities League shall be open to members of the Party who are considered minorities and marginalized in accordance with the Constitution of Kenya and other written Laws.

b) The League shall operate at the national, county, branch, sub-branch and polling station unit levels.

c) The objectives of the Minorities and marginalized League shall be to unite minorities and other members that are marginalized in order to fully participate in the affairs of the Party and society, pursue their own personal development and provide leadership regarding the protection and promotion of the rights of the minorities and marginalized persons to ensure that they make full and meaningful contributions to the work of the Party and Nation.

d) The Party shall establish an executive committee of the Minorities and Marginalized Communities League at both the National and County levels of Governance consisting such number of committee members as shall be deemed necessary.

e) The Minorities and Marginalized Communities is an auxiliary body within the overall structure of the Party and an integral part of the Party with the authority to make its own guidelines, policies, and procedures provided they shall not conflict with this Constitution and shall be subject to the general direction of the NEC and the Party's general control and discipline at all levels.

f) The officials of the executive committee of the Minorities and Marginalized League at all levels shall be elected by the members of the respective caucus forming the Minority and Marginalized Communities league;

g) Application for membership shall be made verbally or in writing to the nearest executive committee of the Minorities League or the nearest Party office

3.10 The Persons with Disabilities League

a) It shall be open to persons with disabilities who are members of the Party and shall have structures at the national, county, branch, sub-branch and polling station levels.

b) Its objective shall be to defend and promote the rights of persons with disabilities as provided in this constitution, the National Constitution and enabling legislation on persons with disabilities.

c) It shall operate as an auxiliary body within the overall structure of the approved by NEC. Party with its own principles, rules and regulations as may be

d) The Party shall establish an executive committee of the Persons with Disabilities and marginalized League at the national, county, branch and such other levels as shall be determined by the NEC consisting of such number of members as shall be deemed necessary.

e) The officials of the executive committee of the Persons with Disabilities League at all levels shall be elected by the members of the respective caucus forming the Persons with Disabilities League

f) Application for membership shall be made verbally, electronically or in writing to the nearest party offices or executive committee of the Persons with Disabilities League.

g) Confirmation of membership shall be made electronically or in writing.

3.11 Diaspora League

i. There may be established Diaspora chapters across different parts of the world.

ii. These branches shall have their activities governed by the provisions of this Constitution.

iii. The role of the Diaspora chapters shall be to promote the affairs of the party in their respective branches.

iv. The Diaspora branches shall elect officials among themselves who shall be the liaison people between the Diaspora and the party.

v. The chairperson of the chapter shall seek formal recognition by the party through the National Executive Committee

3.12. Branch Executive Committees (BEC)

3.12.1 The Party shall establish Branches at the county level and with each branch having the discretion of devolving further below. The sub branch will be at the Constituency level in Kenya.

3.12.2 A Branch shall report to the National Executive Committee. Each Branch shall be managed by a Branch Executive Committee consisting of Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Treasurer, Secretary for Women Affairs (NFD Women League Leader), secretary for Youth Affairs (NFD Youth League Leader), Secretary for Marginalized Minority Communities and Secretary for PWDs, all of who shall be elected by universal suffrage by the party members resident in the branch.

3.12.3 The duties of the office bearers of the Branch, -Branch, and Polling station Executive Committee shall be as follows:

a. **The Chairperson**

He/she shall convene and preside over all meetings.

b. **The Deputy Chairperson**

He/she shall perform such duties as shall be assigned to him by the Chairperson.

He/she shall assist and assume the office of the chairman in the latter's absence.

c. **The Secretary**

The Secretary shall keep proper records of all proceeding and minutes of the meetings of the Branch. He/she shall issue notices convening all meetings of the Branch under the direction of the Chairperson and perform all such duties as may from time to time be assigned by the Committee including handling of correspondence.

d. **The Treasurer**

The Treasurer shall be in charge of the Branch Finances and accounting. He/she shall prepare and submit to the Committee the Financial Statement of Accounts.

e. **Deputy Treasurer**

He/she shall perform such duties as shall be assigned to him by the Treasurer, He/she shall assist and assume the office of the Treasurer in the latter's absence

f. **The Organizing Secretary**

The Organizing Secretary shall organize and supervise the programme of work of the Party at the Branch level, and shall ensure the proper and effective functioning of the organs of the Party at the Branch level. He/she shall ensure the proper and effective functioning of the other organs of the Party at the Branch level, including Youth and Women Groups.

3.12.4 The duties of the **Branch Executive Committee** shall be to:

- i) Promote party policies and activities among the people in the county in order to realize the Party's objectives, policies and programs.
- ii) Recruit members to the Party.
- iii) Represent views and interests of the Branch members at the National County Collegiate and the Devolved National Delegates Conference.

- iv) Ensure discipline and adherence to Party policies and programmes among individual Party members and the NFD Women and NAP- K Youth League Leagues.
- v) Investigate any allegations of misconduct of any member and make recommendations to the National Executive Committee.
- vi) Promote political and general civic and voter education amongst the people for the benefit of the Party.
- vii) The Branch Executive Committee shall meet at least once every three Months.

3.13: The Sub-Branch Executive Committee (SBEC)

3.13.1 There is here by established a Party Sub Branch in each of the constituency in Kenya. The Sub-Branch shall be under the general direction of the Branch as the case may be.

3.13.2 The Sub-Branch shall be governed by a Sub Branch Executive Committee which shall consist of: Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Treasurer, Secretary for Women Affairs (NFD Women League Leader), secretary for Youth Affairs (NFD Youth League Leader), Secretary for Marginalized and Minority Communities and Secretary for PWDs, all of who shall be elected by universal suffrage by the party members resident in the SUB BRANCH.

3.13.2 Duties of the Sub-Branch Executive Committee shall be similar to those of the Branch.

3.13.3 The Chairperson of a Sub-Branch may invite one or more of the Local Opinion Leaders to attend a Sub-Branch Executive Committee meeting if it is in the best interest of the Party. Such invited leaders shall have the right to speak but not to vote thereat.

3.13.4 The Sub-Branch Executive Committee shall meet at least once a month.

3.14 The Ward Executive Committee

3.14.1 There is established a Ward Executive Committee of the party at every ward.

3.14.2 Each ward shall be managed by the Ward Executive Committee consisting of; Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Treasurer, Secretary for Women Affairs (NFD Women League Leader), secretary for Youth Affairs (NFD Youth League Leader), Secretary for Marginalized and Minority Communities and Secretary for PWDs, all of who shall be elected by universal suffrage by the party members resident in the WARD.

3.14.3 Functions of the Ward Executive Committee

- i To oversee the daily affairs of the party in the ward;
- ii Propagate party policies;
- iii Submit to the Constituency Executive Committee candidates seeking nomination to any party elective offices;
- iv Assist the Elections Board in the conduct of party nominations and elections;
- v Implement the decisions of the National Executive Committee at the ward level;
- vi Coordinate fundraising and publicity of the party; and, vii. Perform other functions assigned to it by the National Executive Committee.

3.15.: Branch Offices

3.15.1 The National Secretariat shall establish Branch Offices in the majority of the Counties, which shall be managed by a Branch Executive Coordinator under the direction of the Branch Executive Committee. He/she shall together with the Branch Secretary maintain accurate and permanent records regarding membership registers, particulars of any contributions made, inventory of Party assets and an inventory showing Party stock and materials in store.

3.16 THE NATIONAL SECRETARIAT

3.16.1 There is hereby established a National Secretariat with employees who will be guided by the Party Service Charter. The employees of the National Secretariat shall include -

- (i) An Executive Director; and
- (ii) Such number of employees as shall be authorized by the NEC.

3.16.2 The Executive Director and employees shall be engaged on agreed contractual terms renewable upon application and approval by the National Chairperson in consultation with the National Executive Council.

3.16.3 The Secretariat shall be headed by the Secretary General assisted by the Deputy Secretary General and the Executive Director.

3.16.4 The National Executive Council shall determine the number and designation of the departments in the National Secretariat.

3.16.5 The Secretariat shall, under the general direction of the National Executive Council, run the day-to-day functions of the Party, coordinate and implement actions and decisions of Organs of the Party and do anything connected therewith for the achievement of all or any of the objectives of the Party, and shall;

- a. Under the general direction of the Secretary General draw agenda for the meetings of National Delegates Conferences; National Executive Council; any other party meetings and organize the realization of those meetings;
- b. Serve the Branch, Sub-Branch, Ward and Polling Centre Committees or any other field office in order to ensure the strengthening and popularization of the Party at the grassroots level, and ensure that the reports from the field are attended to promptly and the Branches are adequately guided;
- c. Provide administrative services to the National Delegates Conference and National Executive Council;
- d. Co-ordination of the activities of all organs of the party;
- e. Maintaining a national register of members;
- f. Carrying out such other functions as may be assigned to it by the National Executive Council;
- g. To do all things mandated to be done by the Secretariat under this Constitution.

3.16.6 The Secretary General with the assistance of the Executive Director in consultation with the National Executive Committee shall prepare a Working Manual for each Department detailing, among other matters

- a The head thereof;
- b Sections into which the Department is divided and the heads thereof;
- c Functions of the Department and those of the sections;
- d Working procedures and discipline.

3.16.7 The Manual referred to above shall be amended from time to time to reflect changes that have occurred in or recommended for the Departmental and/or Section detailing among other matters:

- A. The head thereof
- B. Sections into which the department is divided and the heads thereof
- C. Functions of the departments and those of the sections
- D. Working procedures and discipline

3.16.8 The Executive Director shall be responsible for overall co-ordination of party activities, budget and resource allocation and programme management and shall report to the secretary general in the performance of his duties

3.16.9 The Executive Director shall cease to hold office if -

- (i) Ceases to be a member of the Party;

- (ii) Resigns by a notice in writing to the Secretary General;
- (iii) Circumstances arise as would disqualify him/her from holding such office in Kenya in accordance with the Constitution of Kenya and any other written law;
- (iv) The NEC passes a resolution that the Executive Director so vacates office in the interest of the Party; or
- (v) Death or incapacity

3.16.10 The Executive Director and other employees of the National Secretariat shall serve on such terms and conditions as the NEC will determine.

3.16.11 The NEC may terminate services of an employee in accordance with applicable employment laws.

CHAPTER FOUR

PARTY OFFICIALS AND OFFICE BEARERS

4.0: Election and Nomination of Party Officials

4.0.1 The Election and nomination of party officials shall be conducted on the guiding principle that at least one third shall be of either gender.

4.0.2 Elections to party positions shall be done using a regional, gender and cluster system

4.0.3 All party officials shall hold office for a term of five years for up to three (3) terms unless otherwise removed in line with the provisions of this constitution. There shall be rotational positioning of the officials on a regional basis after expiry of the term limit.

4.0.4 All party officials other than the Secretary for Women Affairs, Secretary for Youth Affairs, Secretary for Disability Affairs and Secretary Marginalized and Minority Communities Affairs shall be elected by the National Delegates Conference (NDC).

4.0.5 The Secretary for Women Affairs, Secretary for Youth Affairs, Secretary for Disability Affairs and Secretary Marginalized and Minority Affairs shall be elected by the members of the respective caucuses.

4.0.6 Elections shall be through secret ballot or any other method of voting acceptable to the delegates in session and, where an office is contested by more than one candidate, the vote shall be decided by a simple majority. Where only one candidate is nominated to an office at the close of the nominations, that candidate shall be

4.1: Duties and Responsibilities of Party Officials

4.1.1 All office bearers shall perform their functions within the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the Party. Subject to an any other duty expressly provided for by this Constitution, the main duties of elected National Officials shall be:

4.1.2 The Party Leader shall:

- i. Provide leadership and vision to the Party.
- ii. Promote national cohesion and wholesome integration of all Party members in national development.
- iii. Articulate Party's aspirations and charter a clear course or strategy for the achievement of such aspiration or implementation of Party's objects.
- iv. Champion the Party's campaign to form the next Government.

- v. Imbue Party members with charisma and lead the membership to newer heights of loyalty and patriotism to Party ideals, values and objectives.
- vi. Lead the Party at political negotiations to form a working coalition with any other Party or Parties with the sole purpose of forming the Government as may be desirable in the circumstance.
- vii. Provide wise counsel and judicious directives to National Officials specifically or to Party members in general on any matter in dispute or under controversy within any Party organ or amongst Party members.
- viii) To provide leadership and oversee overall management and running of the Party affairs.
- ix) To articulate and defend Party policies and communications as the final spokesman of the party.
- x) To instill onto members a sense of loyalty and patriotism to the objects, policies and programmes of the Party.
- xi) To ensure discipline and proper order within the Party in accordance with the Party's Constitution.
- xii) To execute the letter forwarding the party nominated names on the party lists
- xiii) To convene and preside over meetings of all the national Organs of the party including NDC, NEC and NLF. The party leader may however delegate this duty in writing to national chairperson.
- xiv) To veto any matter posing a threat to the wellbeing of NFD.
- xv) To appoint Internal disciplinary committee members in consultation with the NEC;
- xvi) To appoint the National Elections Board members
- xvii) To append signature committing the party into coalition agreements and or any other strategic agreements.
- xviii) To be a mandatory signatory to any bank accounts of the party;
- xix) Confer honors of recognition, merit, distinction, commendation, or accolade to a member of the Party or any other person who, in the considered opinion of the National Executive Committee, has made an outstanding contribution to the Party in the achievement of its objects, policies or programmes or in furtherance of the same.

4.1.3 Deputy Party Leader

1. The Deputy Party Leader shall –

a. Deputize the Party Leader and shall perform such duties and functions as may be expressly delegated to him/her by the Party Leader.

b. Perform the functions conferred by this Constitution.

2. Without prejudice to the generality of paragraph (b) of Clause (1) above, the Deputy Party Leader shall –

a. Assist in carrying out the duties of the Party Leader in his/her absence.

b. Assist the Party Leader in development and implementation of policy.

c. Assist in formulating and implementing the Party's policy direction.

d. Assist the Party Leader in development and implementation of strategy.

e. Assist the Party Leader in formulating and implementing the Party's strategic plan

4.1.4 National Chairperson

The duties and responsibilities of the National Chairperson shall include:

a. To chair and preside over meetings OF NEC and other organs of the party upon delegation and on behalf of the party leader

b. To articulate and defend Party policies;

c. To ensure discipline and proper order within the Party in accordance with the Party's Constitution;

d. To ensure that the Party members adhere to Party objects, policies programmes and laws made under this Constitution;

e. To forge a strong sense of unity within Party organs inter se and amongst Party rank and file and to ensure a pleasant working relationship between Party officers and members;

f. To ensure order at all meetings of the Party organs; and

g. To consult and take counsel from the Party Leader on any matter in dispute or under controversy within any Party organ or amongst Party members.

4.1.5 Deputy Chairperson

The Deputy Chairpersons shall deputize the National Chairperson in his/her roles

4.1.6 Secretary General

He or she shall be a Party Spokesperson in concurrence with the National Party Leader and be responsible for the management of the National Secretariat and remain the principal custodian of Party records from grassroots to the national level. His/her responsibilities shall include:

- i) Ensuring that all meetings including the National Executive Committee, National Delegates Collegiate take place as provided for in the Constitution at such time as may be decided by the National Executive Committee;
- ii) Keeping or causing to be kept a proper record of minutes of all meetings of the National Delegates Conference (NCC), National Executive Committee, National Leaders forum and ensuring the distribution of such minutes and conveying of decisions made to persons and branches concerned.
- iii) Correspondence on behalf of Party organs in concurrence with the Party Leader, and sending out notices of all meetings of the organs concerned.
- iv) Preparing annual reports on the work of the National Executive Committee (NEC), the National Leadership Forum (NLF) and the National Delegates Conference (NDC).
- v) Be the depository and custodian of Party documents including Party Seal, Minutes. Register of all party Branches and Party members' register.
- vi) Perform any other duties conferred upon him or her by this Constitution or the National Executive Committee.

4.1.6 Deputy Secretary General

The Deputy Secretary General shall deputize the Secretary General in the performance of his/her duties.

4.1.7 National Treasurer

The National Treasurer shall be in charge of Party finances and shall supervise all financial transactions at all Party levels under the direction of the National Executive Committee. He or she shall also:

- i) Receive and bank all monies on behalf of the National Executive Committee and operate a banking account together with the National Chairperson and such other signatories as may be specified by the National Executive Committee;
- ii) Keep such books of account as may be necessary to record clearly the financial position of the Party;
- iii) Prepare Annual Party Budgets or Estimates and overall fiscal planning;

- iv) Monitor financial allocations and expenditure according to departmental votes as may be approved by the National Executive Committee;
- v) Ensure the execution of prudent stewardship standards and best financial practices to protect Party's finances;
- vi) Prepare and submit to the National Executive Committee a Financial report every quarter of the year and ensure that copies of duly audited Annual Accounts are circulated to all delegates at the same time the notice convening the Devolved National Delegates Conference (DNDC) is sent out;
- vii) Be responsible, in conjunction with Party's Finance and Resource Mobilization Committee, for the formulation and execution of resource mobilization plans and strategies.

4.1.8 Deputy National Treasurer

The Deputy National Treasurer shall deputise the National Treasurer in his/her roles.

4.1.9 National Organizing Secretary

The National Organizing Secretary shall supervise organizations of the party and in particular:

- i. Organize public meetings, functions, and meet the people tours;
- ii. Be responsible for promoting and mobilizing for party activities including the recruitment of Party members at branch level;
- iii. Coordinate effective functioning of all branches and ensuring they hold meetings in accordance with the requirements of this Constitution;
- iv. Maintaining and developing new relationships with party supporters in the Diaspora in consultation with the Secretary International Affairs

4.1.10 Deputy National Organizing Secretary

The Deputy National Treasurer shall deputise the National Organizing Secretary in his/her roles.

4.1.11 Secretary for International Affairs

The Secretary for International Affairs shall:

- i) Be responsible for matters of foreign policy, contact with foreign organizations and creation of mutually beneficial links with foreign organizations and states;
- ii) Perform such other related duties as may be directed by the National Executive Committee.

4.1.12 Secretary for Women Affairs (NFD Women League Leader)

The Secretary for Women Affairs shall;

- i. Articulate special interest and needs of women for incorporation into party policy.
- ii Educate and sensitize women on party policies and the need for their participation in party and national matters.
- iii Advice all party organs on matters relating to women.

4.1.13 Secretary for Youth Affairs (NFD Youth League Leader)

The Secretary for Youth Affairs shall:

- i) Be a person aged between 18 and 35 years at the time of elections;
- ii) Provide leadership in overall mobilization of the youth participation in the party affairs;
- iii) Provide leadership in the formulation youth party policies;
- iv) Guide the party in special needs and interests peculiar to the youth in the formulation of party policies; and,
- v) Organize relevant activities and programmes for the youth in the country in liaison with the National Executive Committee

4.1.14 Secretary Minority and Marginalized Groups

The Secretary for Minority and Marginalized Groups shall:

- i. Promote the interest of minority and marginalized within the Party and mainstream their representation and participation in Party structures and activities;
- ii. The identification and mobilization of special interest groups and ensuring that special interest groups have a national presence and profile within the Party;
- iii. Perform such other related duties as may be directed by the National Executive Committee.

4.1.15 Secretary PWD Affairs

The Secretary Persons with Disabilities shall;

- a Provide leadership in overall mobilization of the PWD's participation in the party affairs;
- b Provide leadership in the formulation of party policies to incorporate PWDs interests;

- c Guide the party in special needs and interests' peculiar to the PWDs in the formulation of party policies; and,
- d Organize relevant activities and programmes for the PWDs in the country in liaison with the National Executive Committee.

4.1.16 Director of Elections

The Director of Elections shall advise the National Executive Committee on matters party elections

4.2 COMMITTEES

4.2.1 The National Executive Committee may establish standing, ad hoc and / or specialized committees as it may deem necessary.

4.2.2 The Internal Audit Committee shall be one of the standing committee of the party

4.2.2.1 The Internal Audit Committee

- a) There is hereby established an Internal Audit Committee consisting of not less than three (3) and not more than five (5) members to be appointed by NEC.
- b) The members of the Internal Audit Committee shall elect • chairperson, deputy chairperson and its secretary from among themselves.
- c) The Internal Audit Committee shall: -
 - (i) Oversight the financial reporting process, the audit process, the party's system of internal controls and compliance with the relevant laws and regulations;
 - (ii) Monitor and evaluate the party's books of account;
 - (iii) Review the results of external audits with the secretariat and external auditors; and
 - iv. give assurance and advisory services to NEC
 - (v) Perform such other duties as recommended by the NEC.

CHAPTER FIVE

DISCIPLINE AND DISPUTE RESOLUTION

5.1 Internal Dispute Resolution Committee (IDRC)

5.1.1 There is established the Internal Disputes Resolution Committee which shall be comprised of not less than three (3) and not more than nine (9) members including the Chairperson. The members shall be appointed by the National Executive Committee. The membership must meet the two-third gender rule.

5.1.2 The Chairperson and Secretary of the Internal Disputes Resolution Committee shall be appointed by the National Executive Committee.

5.1.3 The members of the Internal Disputes Resolution Committee shall elect one of their members who shall be the Deputy Chairperson. The Deputy Chairperson shall be the opposite gender of the Chairperson.

5.1.4 The Internal Disputes Resolution Committee shall have jurisdiction to hear and determine all party disputes other than disputes arising from party nominations, elections.

5.1.5 The qualifications of the members of the Internal Disputes Resolution Committee shall be as set out below:

- a) The Chairperson shall be a person with a legal background;
- b) Citizens of Kenya above the age of 18 years;
- c) Reputable, knowledgeable competent and impartial;
- d) Persons not holding any other office in the party;
- e) Fully Paid up members of the party;
- f) Meet the requirements of Chapter Six of the Constitution

5.1.6 Members of IDRC shall not be members of NEC.

5.1.7 IDRC shall carry out its duties and perform its function independently and shall not under direction of anybody or any organ of the party

5.2 Procedure before the IDRC

5.2.1 Any member of the party may through a written complaint refer a dispute to the Committee through the National Executive Council which shall constitute the Committee within seven (7) days of receipt of the complaint.

5.2.2 The IDRC shall within twenty-one (21) days of its constitution determine the dispute in question. The IDRC may however extend such period for another 7 days where necessary. The reason(s) for such extension shall be communicated in writing to all parties concerned.

5.2.3 An appeal from IDRC shall lie with the National Executive Committee (NEC). NEC shall within twenty days (21) of receipt of the appeal render a decision on the appeal which shall be final and not subject to review by any other organ of the party.

5.2.3 No member as a condition-precedent for membership of the Party shall resort to a Court of Law for the resolution of any dispute arising out of the conduct of any Party matter, issue or affairs, unless the machinery herein established has been exhausted. It shall be an act of gross misconduct for any member of the party to disregard the dispute resolution and disciplinary mechanism under this Constitution and to proceed directly to court or any other body without exhausting the internal dispute resolution mechanism.

5.2.4 The Internal Disputes Resolution Committee shall in accordance with Articles 47 and 50 of the Constitution of Kenya make rules to govern procedures and the conduct of its affairs which shall be ratified by the National Executive Committee.

5.3 THE DISCIPLINARY COMMITTEE

5.3.1 There shall be established a National Disciplinary Committee.

5.3.2 The National Disciplinary Committee shall be composed of not less than three (3) and not more than seven (7) members including the chairperson AND which membership shall be determined from time to time by the National Executive Council PROVIDED that not more than two thirds of the Membership shall be of same gender.

The Members of the National Disciplinary Committee shall be appointed by the National Executive Council from among persons who are:

- (i) Citizens of Kenya of above the age of 18 years
- (ii) Reputable, knowledgeable competent and impartial
- (iii) Persons not holding any other office in the party
- (iv) Paid up members of the party

5.3.3 The Chairperson and the Secretary of the National Disciplinary Committee shall be appointed by the National Executive Council.

5.3.4 The Chairperson of the National Disciplinary Committee shall be a person with a legal background and who is in compliance with Chapter Six of the Constitution of Kenya.

The members of the National Disciplinary Committee shall appoint one from among themselves to be the Deputy Chairperson and who shall be of the opposite gender to the Chairperson.

5.3.5 The National Disciplinary Committee shall have original jurisdiction to hear and determine matters relating to or concerning discipline within the party.

Any party member may, by a written and signed complaint, refer to the NEC an issue of discipline. NEC shall through the Secretary General refer the matter to the Disciplinary Committee.

5.3.6 The National Disciplinary Committee shall have original jurisdiction to hear matters referred to it by the National Executive Council.

In all its proceedings, the Disciplinary Committee shall afford every person a fair hearing with reasonable opportunity to defend themselves against the charges or allegations in accordance with this Articles 47 and 50 of the Constitution.

Any party member under a disciplinary process shall be entitled to represent him/herself in person or by a representative of his/her choice.

5.3.7 The decision of the National Disciplinary Committee shall stand until and unless set aside, varied or substituted by the National Executive Committee.

5.3.8 The National Disciplinary Committee shall report its findings and decisions to the National Executive Council for adoption, ratification, variation or substitution.

A decision to expel a member shall be ratified by a majority of members of the NEC

5.3.9 The Decision of the National Executive Council in respect thereto shall be final.

5.3.10 The National Disciplinary Committee shall make rules, regulations and guidelines governing the procedures to be employed by it.

5.4 Matters that Constitute Disciplinary Measures

(a) Disciplinary action shall be instituted against a member in cases of:

- i) Gross misconduct;
- ii) Corruption;
- iii) Misappropriation of Party funds and / or misuse of Party facilities;
- iv) Disloyalty to the Party
- v) Allegiance to another political party;
- vi) Acting or advancing positions contrary to the party position
- vii) Failure, refusal or neglect to carry out directives or instructions of the Party;
- viii) Failure to make remittance / or pay dues to the Party;
- ix) Lack of respect to decisions of the party and the organs of the Party

- x) Failure to abide by the Code of Conduct of the Party;
- xi) Acting in a manner that brings the party into disrepute.
- xii) Violating the party's constitution, policies, or code of conduct.
- xiii) Engaging in corruption, bribery, or other unethical behavior.
- xiv) Failing to adhere to the party's nomination rules.

(b) In the discharge of its disciplinary mandate the Disciplinary Committee may:

- i. Acquit the member;
- li. Reprimand a member;
- lii. Demand written apology;
- iv. Suspend a member;
- v. Expel a member;
- vi. Fine a member;
- vii. Order for compensation or restitution
- viii. Debar/Remove a member from holding a position in the party;
- ix. De-whip a member of any committee of Parliament or County assembly.

5.5 Review and Appeal

The National Executive Committee shall be the final structure for appeals to be heard. However, NEC may, at its discretion/on application, review any decision taken by the Disciplinary Committee to ensure that procedural fairness has been afforded to the charged member,

If the NEC finds that procedural fairness has not been afforded to the charged member, the NEC shall refer the matter back to the Disciplinary Committee, for re-hearing.

5.5.1 Appeal Procedure

The following procedure must be followed for appeals:

- a) The appeal must be made to NEC.
- b) The appeal must:
 - Be made within fourteen days of the charged member being informed of the ruling and penalty with the reasons thereof.
 - Be in writing
 - Set out the reason for the appeal in reasonable detail.
 - Set out the grounds for the appeal in reasonable detail.

c) Except in exceptional circumstances determined by NEC hearing the Appeal, no new evidence may be presented or considered at the appeal. No new charges may be brought at the appeal.

e) The NEC must discuss the issues raised at the appeal hearing, and come to a finding based on the facts and evidence of the appeal hearing and make a ruling within fourteen (14) days of filing the appeal which can confirm, vary or amend the original ruling and/or penalty.

f) The person who appeals must be advised of the ruling and the confirmation or variation of the original ruling and/or penalty, which decision shall be final.

CHAPTER SIX: NOMINATIONS & ELECTIONS

6.0 The party shall be guided by the following principles, rules and procedures in its elections and nomination of candidates;

a) The party shall conduct open, free, fair and transparent nominations in national and county elections through direct, indirect, consensus, secret ballot, or any other nomination method provided in the Political Parties Act, 2011 under the supervision of the National Elections Board.

b) The Party shall nominate members to contest in the Presidential, Parliamentary, Gubernatorial or County Assembly elections in the Country, or to be nominated to Parliament and County Assemblies.

c) Candidates nominated by the Party shall be members of the Party who subscribe to the Party Constitution, ideology, principles and policies.

d) Any individual desiring to be nominated as a candidate for Presidential, Parliamentary, Gubernatorial or County Assembly elections on the Party ticket shall pay nomination fee as determined by the NEC and such other fees as may be required under written law to be payable for the purpose of the nominations exercise and elections.

e) The Party shall sponsor only one candidate for every elective position in any given elective area. Candidates nominated on the Party ticket shall adhere to both the party's and National Electoral laws and rules.

f) The party will prepare a list of candidates to be nominated for both County and National governments.

g) The Party shall make nomination rules and regulations for all levels as published in the Party Regulations and Procedures.

h) The Party will prepare the Party Members list for commission for nominations of its members as provided in the Party's nominations rules, electoral laws and regulations Constitution.

6.1 THE NATIONAL ELECTIONS BOARD (NEB)

6.1.1 There is established the NFD National Elections Board, which shall be an ad hoc Committee of the Party with specific terms of reference.

6.1.2 The National Elections Board shall have its own set out secretariat for the purpose of its functions.

6.1.3 The Board shall be appointed by the Party Leader in consultation with the National Executive Council and shall consist of not more than five members drawn from among members of the Party who shall not hold any other position in the party, of whom at least two thirds shall be of either gender. In appointing the Board members, the Party Leader shall designate one of them as the Chairperson.

6.1.4 The Director of Elections shall be the Secretary of the Board.

6.1.5 A person shall be qualified to be appointed as a member of the NEB if the person-

- (i) Is a fully paid-up member of the Party
- (ii) Experienced in election matters;
- (iii) Is eligible to vote at an election;
- (iv) Has not been convicted of an election offence; and
- (v) Satisfies the requirements on leadership and integrity as specified in the National Constitution of Kenya and enabling legislation.

6.2 The Functions of the Board

6.2.1 The functions of the board shall include;

a) To formulate and co-ordinate the party's elections strategies and conduct Party Nominations and elections.

b) Undertake Presidential, Parliamentary and County level primary nominations in respect to a general election or a by-election in accordance with the Party nomination rules as approved by the National Executive Council

c) The National Elections Board whenever necessary may constitute county elections panels who shall perform such functions as may be assigned to them in writing by the National Elections Board PROVIDED THAT in the performance of their function, they shall be supervised by the National Elections Board.

d) Do anything necessary and proper to ensure the success of the Party in elections.

6.2.2 The Board shall decide on rules and procedures for the conduct of its affairs.

6.2.3 The Elections Board shall prescribe documents, fees, forms and other items needed for purposes of Party elections and/or nominating Party candidates for elections, and shall supervise issuance and return of those forms as circumstances may warrant.

6.2.4 The National Executive Council may raise objections in respect to any candidate presented PROVIDED a candidate whose candidature the Council determines is not in tandem with Party principles and aspirations who shall be granted a hearing before disqualification.

6.2.5 The Chair of the Board shall design Nomination Certificates in respect to any election.

6.2.6 (i) The signatories to the nomination certificates shall be the Party Leader and the Chairperson of the Elections Board.

iii) A candidate shall not be deemed to have been validly nominated unless their nomination certificate bears the signatures of the above two officials.

iv) The party shall maintain a record of all issued nomination certificates.

6.3 National Nomination Appeals Committee (NNAC)

6.3.1 There is hereby established a National Nomination Appeals Committee (NNAC) which shall be an ad hoc committee with specific terms of reference.

6.3.2 The National Nomination Appeals Committee (NNAC) shall have exclusive original jurisdiction to hear and determine disputes relating to and arising out of party primaries and party list nominations.

6.3.3 The National Nomination Appeals Committee (NNAC) shall be appointed by the party Chairperson in consultation with National Executive Committee and shall comprise of seven (7) persons of high integrity, who are members of the party but do not hold any elective position in the party.

6.4.4 All members of the National Nominations Appeals Committee shall represent regional diversity and at least one third of the members shall be of the opposite gender.

6.4.5 The composition of the NNAC shall be as follows;

- i. The chairperson; and
- ii. Six (6) other members;

6.4.6 A person shall be qualified to be appointed as a member of the NNAC if the person -

- (i) Is a fully paid-up member of the Party

- (ii) experienced in election matters;
- (iii) Is eligible to vote at an election;
- (iv) Has not been convicted of an election offence; and
- (v) Satisfies the requirements on leadership and integrity as specified in the National Constitution of Kenya and enabling legislation.

6.4.7 NNAC shall make its own rules of procedure for its meetings

6.4.8 The decision of NNAC shall be final and shall not be subject to review by any other organ of the party.

CHAPTER SEVEN: PARTY MEETINGS, INSPECTION OF PARTY RECORDS, COALITION AND MERGERS

7.1 Procedures for Conducting Meetings:

7.1.1 Meetings may be conducted either physically, virtually, or both physically or virtually.

7.1.2 At all meetings of the National Delegates Conference and the National Executive Committee, the Party Leader or in case of his/her absence, the National Chairperson shall preside.

7.1.3 The notice for an NDC meeting shall be at least twenty-one (21) days except for a Special NDC meeting which shall be fourteen (14) days to be published in the media by the Party Leader and the Secretary General. An ordinary meeting of NDC shall be held every 5 years;

7.1.4 Notice for NEC, all other party organs and committees shall be at least 7 days. Notices for all meetings shall be sent out by the respective Secretaries.

7.1.5 At all meetings of the Branch, Sub Branch, Ward or Polling Center, the Chairperson or in his/her absence, the Deputy Chairperson shall preside;

7.1.6 Resolutions, unless otherwise stated in this Constitution, shall be by consensus; where if it fails then the matter shall be decided by a simple majority by show of hands during voting;

7.1.7 The Resolutions shall be recorded by the secretariat through the minutes and signed by the Party Leader and Secretary general;

7.1.8 In the event of an equality of votes at any meeting, the person presiding shall have the casting vote;

7.1.9 The quorum of any Organ or meeting of the Party unless this Constitution otherwise provides shall be one third of the membership. However, a meeting shall be deemed to be properly constituted to conduct business at the second sitting to be convened not later than three (3) months thereafter even when such a meeting is short of the numbers necessary to constitute quorum, provided that the procedures of calling such a meeting were followed;

7.1.10 The Secretary General shall be Secretary to the NDC and NEC.

7.1.11 The Secretary General shall take and distribute the Minutes of each Meeting after necessary approval.

7.1.12 The National Executive Committee shall meet at least once in every three months except for emergency meetings which may be convened by the Party Leader

according to exigencies of time or by a written request made by 25% of the members thereof.

7.2 Inspection of Party Documents & Records:

7.2.1 Inspection by a Members

Any Member of the Party fully paid up for a period not less than two (2) years who is interested in inspecting the Party's Records and or lists of members of the Party shall write to the Secretary General (SG) giving fourteen (14) days' notice of his/ her said intention and shall pay such fee as shall be prescribed by NEC;

The Member shall specify:

- a. His/her Membership Number;
- b. The type or kind of Records required for scrutiny;

7.2.2 Inspection by members of the Public and Authorized Public Official (s):

i. The books of accounts and all documents relating thereto and the list of members of the Party shall be available for inspection at the registered office of the Party by any officer or members of the Public by giving not less than fourteen days' notice in writing and upon paying applicable fees.

ii. A Public Official seeking to inspect the records of the party above shall write to the SG, giving fourteen (14) days' notice of their said intention and shall pay such fee as shall be prescribed by NEC;

iii. A member of the public and Public Official seeking to inspect the records of the party above shall be required to sign an affidavit confirming that they shall not use the information sought for any purposes with any adverse effect to the Party.

7.3 MERGERS

7.3.1 The National Executive Committee may pass a resolution to merge with any other political party or parties in the country where the merger involves the dissolution of the other parties to join NFD

7.3.2 Where a merger involves the dissolution of NFD, the following procedure shall apply:

7.3.2.1 The party shall appoint a panel comprising of the Party Leader, Chairperson, and the Secretary General who shall negotiate the merger with like-minded political parties and shall only enter into structured negotiations with appointed representatives of the other parties.

7.3.2.2 The panel shall represent the Party in the drawing of a merger instrument, and any such instrument shall have due regard for among other things:

- i. The political objectives and values of NFD and the interests of all members and organs of the party;
- ii. The symbols and flag of NFD;
- iii. The current and fixed assets and liabilities of NFD
- iv. The retention of at least one third of the officials of NFD at every organ of the merged party
- v. The retention of at least two senior Officers of NFD in the Secretariat of the merged party

7.3.2.3 The panel shall make its report for adoption or otherwise to the National Executive Committee.

7.3.2.4 If the National Executive Committee adopts the report of the merger negotiation panel, then the Party Leader shall within sixty (60) days convene a meeting of a Special National Delegates Conference(NDC) at which the Motion "THAT, NFD resolves to merge with [list names of all Parties entering into the merger] to form, and therefore bind every registered member of NFD to become a member of, a new political party to be known as [give name of new party]" shall be the only agenda of the day.

7.3.2.5 If the Special National Delegates Conference (NDC) ratifies the decision to merge with other Political Parties, then:

- a. The National Treasurer shall within fourteen (14) days settle all outstanding financial obligations where possible;
- b. The National Treasurer shall close all books of account at every organ of the Party and stop every payment except that which relates to the terminal benefits of employees.

7.3.2.6 The Secretary General shall circulate copies of the merger instrument to all delegates attending the NDC meeting.

7.3.2.7 All the organs of the Party shall within fourteen (14) days dissolve and cease to exist in the manner specified in the merger instrument.

7.3.3 The instrument of merger shall bear the signature of the Party Leader and that of the Secretary General and shall be sealed accordingly.

7.3.4 A decision to merge with other parties shall be by a resolution of the National Delegates Conference supported by a simple majority of the members attending that meeting.

7.4 COALITIONS

7.4.1 PRE-ELECTION COALITION

1. The National Executive Committee may pass a resolution to enter into a pre-election coalition with any political party or parties or terminate the same.

2. The Pre-Election Coalition shall in every respect comply with the provisions of the Third Schedule of the Political Parties Act, 2011.

3. The instrument of Pre-Election Coalition shall bear the signature of the Party Leader and the Secretary General shall be sealed accordingly.

7.4.2 POST-ELECTION COALITION

1 The National Executive Committee may pass a resolution to commit NFD to a Post-Election Coalition, or terminate the same.

2 The Post-Election Coalition shall be purely for purposes of addressing the parliamentary strength of the NFD in Parliament and / or in the County Assemblies.

3. Without prejudice to the generality of Clauses 1, and 2 above, of this Article, any Post Election Coalition building process shall be in compliance with the Third Schedule of the Political Parties Act, 2011.

4. The instrument of Post-Election coalition shall bear the signature of the Party Leader and the Secretary General and shall be sealed accordingly.

CHAPTER EIGHT:

FINANCES AND AUDIT & NFD FOUNDATION

8.1 Finances and Account

8.1.1 The source of funds for the Party shall include the following;

- a) Membership Fees;
- b) Fundraising and Contributions;
- c) Grants, Contracts, Donations and Legacies accepted by the National Executive Council;
- d) Revenue from Investments;
- e) Net income from Publications and Consultancies;
- f) Nomination fees;
- g) Subscription fees from Party Governors and their deputies, Members of Parliament and Members of County Assemblies;
- h) Filing fees before the various party committees
- i) The Political Parties Fund.

8.1.2 The funds shall be used to run the party programmes and activities and for administration of its offices and will not be used for distribution among members.

8.1.3 Funds from the Political Parties Fund shall be appropriated in accordance with the-work plan against which the funds were given to the Party PROVIDED the Party's work pian shall prepared in line with the provisions of the Political Parties' Act, 2011.

8.1.4 The Party shall operate such accounts with such banks as shall be determined by the NEC and in accordance with this Constitution.

The signatories to any bank account of the Party shall be;

- a. Party Leader who shall be a mandatory signatory
- b. Secretary General.
- c. The National Treasurer

8.1.5 The party leader and any other 1 of the above signatory can authorize financial and banking transactions on behalf of the party

8.1.6 NEC shall make rules governing the collection, management and expenditure of funds with regard to the approved budgets or NEC resolutions and may not incur expenditures in excess of the funds at their disposal except by resolution of NEC.

8.1.7 The financial year of the party shall be aligned to the government's financial year which is 1st July to 30th June of the Following Year

8.1.7 The party shall after approval of the budget forward the same to the Treasurer who shall oversee its implementation.

8.1.9 The Treasurer shall prepare a financial report and cause the same to be audited in line with Political Parties Act.

8.2 Auditors

a) The NEC shall, appoint a qualified and registered auditor to audit the party books of accounts.

b) The auditor shall not be an office bearer or a member of any party organ or committee.

c) The Party accounts, records and documents shall be open for inspection

d) The auditor shall audit the accounts annually and submit the report to the NEC no later than 31st August of every year.

e) The reports of the auditor shall be tabled before the NDC for consideration.

f) The auditor shall be paid such fees for the services as shall be determined by the NEC.

g) The Party's books of accounts shall be subjected to audit by the auditor General in accordance with the Political Parties Act 2011.

h. Any member or officer of the Party may, upon giving a fourteen (14) days' notice month, apply to inspect any books of account for the party or any of its organs.

8.3 Power of NEC on Party Finance

8.3.1 The National Executive Council shall be empowered to suspend or expel any member, officer or office-bearer of the Party who;

(a) is guilty of misappropriation of Party funds;

(b) Consistently ignores directives contained in this Constitution or in any Rules made by the National Executive Council for the proper management of the Party's finances whether at the National, Branch, Sub-branch Ward or Polling Centre Committee level.

8.3.2 NEC shall ensure that funds of the Party shall be used in furtherance of the aims and objectives of the Party, but shall not be distributed among the members.

8.3.3 NEC shall be free to raise funds and to accept donations in cash or any other kind from any lawful source, and in any legal manner from within or outside Kenya in line with the Political Parties Act.

8.3.4 The National Executive Council shall ensure that a Statement of Accounts is prepared annually for presentation to the National Executive Council

8.4 THE NFD FOUNDATION

8.4.1 There shall be created a NFD Foundation which shall have the power to hold in Trust on behalf of the Party all its land, buildings and other immovable property and invest on behalf of the Party.

8.4.2 Upon the creation of the NFD Foundation all land buildings and other immovable property invested and securities which are acquired by the Party shall be vested in the NFD Foundation (hereinafter called "the Foundation")

8.4.3 The Foundation shall consist of the Party Leader, Secretary General and the Treasurer.

8.4.4 A Trustee shall not be removed from office except for any of the following reasons:

- a) If he voluntarily tenders a written resignation
- b) If he becomes bankrupt; or
- c) If he so conducts himself that a resolution is passed by the National Executive Council calling for his removal such a resolution shall be passed by the National Executive Council
- d) Contravenes the second schedule of the Political Parties Act 2011 and provisions of Chapter 6 of the Republic of Kenya Constitution

8.4.5 The quorum required for trustees to transact business pertaining to Party Property shall be two trustees personally present.

8.4.6 The Foundation shall;

- a) Maintain, collect rent, pay outgoings and keep a list of the Party's properties.
- b) Prepare and submit their annual report and Accounts to the National Executive Council,

8.4.7 The Foundation shall, subject to written approval of the National Executive Council, have power to sell, purchase and or transfer any immovable properties of the Party and cause, monies belonging to the Party to be Invested in or used, or

exchanged for the purchase of such bonds, mortgages, shares and other forms of investments as deemed fit.

8.4.8 Any disposal of party properties shall bear the signatures of the Party Leader and National Treasurer.

8.4.9 The Foundation shall use its best efforts to raise money for the Party and for the Party activities.

CHAPTER NINE: MIXED PROVISIONS

9.1 Democratic practices covering human rights and gender.

9.1.1 NFD party slogan "Usawa na Maendeleo" captures our human centric commitment to advancing human rights, equity and gender mainstreaming of governance Issues across all sectors.

9.1.2 The party in the spirit and letter of the Constitution of Kenya and this Constitution shall Implement democratic principles covering human rights and gender.

9.1.3 In the endeavour to reach the objective of full representation of women in all decision-making structures, NFD shall Implement a programme of affirmative action, including the provision of a quota of not less than a third (1/3) of women in all elected structures of NFD to enable such effective participation.

9.1.4 The method of such implementation will be addressed in all NFD structures immediately and on a continuous basis.

9.2 The Manner of Implementng National Values And Principles of Governance As Provided In The Constitution.

The party in observing its aims and objectives shall implement the national values and principles of governance under Article 10 of the Constitution.

9.3 The Party Policy Documents

Party policy documents shall be originated by secretaries to the various organs or committees or for approval by National Executive Council and implementation by it, its committees or any other of its designated organ. The policies to be develop shall include Human resources, finance, asset management, risk management policies

9.4 The policy reporting documents and their regularity which the political party will produce including the manner and the procedures in which they will be developed, approved and publicized.

The Manifesto and the strategic plan of the party shall be developed by an ad hoc committee appointed by the Party Leader for approval by the National Executive Council and launched at a public forum.

9.5 Asset Management Policies and procedures, the custody and investment of the funds and property of the political party, and the designation of the persons responsible for them.

The Party Leader in consultation with The Secretary General and the National Treasurer shall propose investments to be done by the party to the National Executive Council for approval. The approved proposals shall be implemented by the National Treasurer and the National Executive Committee.

9.6 Binding Authority of Party Officials:

9.6.1 All correspondences to the Office of the Registrar of Political Parties and/or any other State Office on all matters of the party shall be signed by the Secretary General.

9.6.2 The signatories to the Bank Accounts of the Party shall be the Party LEADER, Secretary General, And Treasurer. Any two (2) can sign with the Party Leader being a mandatory signatory.

9.6.3 The signatories to the Financial Reports prepared for the Party shall be the Party Leader, Secretary General and Treasurer

9.6.4 The National Party leader and Secretary General shall be signatories to the Annual Reports of the Party and any other report or document required under the Political Parties Act.

9.6.5 The signatories to any Statutory Reports prepared for the Party shall be the National Party leader, Secretary General and Treasurer.

9.6.6 The National Party leader together with an official designated/appointed by him shall be signatories to the Nomination Certificates for any nomination of a Member of the Party to any elective position or Party List(s).

9.7 Provisions for the amendment of the name, abbreviation, colour, symbol, slogan, office location, constitution, and rules of the political party.

No change may be made to any of the above without the approval of the National Executive Committee and supported by a simple majority of the members attending the meeting in person. All changes made by NEC shall have to be ratified by NDC in its next meeting.

9.8 Code of Conduct for Members

9.8.1. All members of the Party shall conduct themselves with the highest standard of personal integrity and honour and shall not involve themselves in dishonourable conduct, which includes:

- a. Corrupt application of public resources
- b. Discrimination on grounds of race, tribe, place of origin, sex or religion
- c. Practice nepotism, tribalism, clanism and favouritism
- d. Incitement of people against the Party, its members or against other Kenyans

9.8.2. All members, leaders, agents, officials and employees of the Party shall subscribe to the Party's Code of Conduct in their Party and public affairs and shall bind themselves by signing the said Code of Conduct.

9.8.3. Failure to comply with the Party's Code of Conduct shall constitute a disciplinary offence.

N/B A detailed code of conduct is in schedule vi of this constitution

9.9 Dissolution of the Party and Its Branches

9.9.1 Dissolution of the Party

a) The party may be dissolved under the following circumstances:

i) A resolution to dissolve the party is passed by at least two-thirds of delegates at a Special National Delegates Conference.

ii) The party merges with another political party as per the Political Parties Act and a legally binding merger agreement.

b) The quorum for any meeting at which the dissolution of the Party is proposed shall be two-thirds of the delegates eligible to attend an Ordinary Session of the National Delegates Conference.

c) Upon the approval by the National Executive Council of motion for introduction to a Special National Delegates Conference to dissolve the Party, the Secretary General shall cause to be publicized in one leading Kenyan daily newspaper notice of a Special National Delegates Conference which shall convene not less than sixty (60) days from the date of publication of motion thereof;

d) A dissolution of the party shall be by a resolution that is supported by two-thirds of members entitled to attend and vote at a National Delegate Conference (NDC), at a Special NDC called expressly for the purpose of dissolution;

e) Any delegate opposed to the dissolution may register at a desk set up at the conference for that purpose, and the dissolution shall be construed to have failed if opposed by 25% of the delegates entitled to attend and vote at the National County Collegiate;

f) If the National Delegates Conference resolves that NFD be dissolved, the National Executive Council shall after the date of such resolution remain in office for a maximum of ninety days to superintend disposal of assets and offsetting of all obligations of the Party.

g) In such dissolution, all properties and funds of the Party less liability shall be distributed in a manner as shall be determined by the Special National Delegates Conference at which the resolution in favor of the dissolution is passed. Such assets may be granted to one or more organizations in Kenya whose objectives conform to those of the party.

9.9.2 Dissolution of a Party Branch:

a) A branch may be dissolved if:

i) A resolution is passed by at least two-thirds of the members of the branch.

ii) The branch fails to meet operational or legal requirements set by the party.

ii) The National Executive Committee deems it necessary for strategic reasons.

b) Upon dissolution of a branch, all records, assets and Liabilities shall be transferred to the national office.

9.10 Constitution

All officers (Staff) of the party before the adoption of this constitution shall hold office until the first national Elections under the constitution and shall be eligible for any of the created positions to which they qualify. PROVIDED THAT the duties, authority and powers of any officer shall be varied in accordance with this constitution.

The National Executive Committee shall fill the senior positions at the National secretariat within fourteen days after the first National Elections held under this constitution.

The National Executive Committee shall create and fill other offices at the Secretariat as need arises.

9.11 Power to make rules

The National Executive Council shall have the power to make rules for the better carrying out of all matters provided in this Constitution. Such Rules shall be consistent with provisions of this Constitution and, where inconsistent, such rules made shall be void to the extent of the inconsistency thereof.

SCHEDULES

52.1 Schedule I: Party Symbol

THE NFD Symbol is Plumb Bob (Timazi)



NFD

Usawa na Maendeleo

SCHEDULE II: Party Flag

The NFD flag is rectangular; it is one and a half times longer than it's wide. It is horizontal comprising from top to bottom, the colour: Sky Blue, Gold, White & Black. The colour hues are defined as attached in the schedule marked as "III "



Schedule III: Party Colour Hues



Schedule IV: Party Slogan

The party slogan is "Usawa na Maendeleo"

Schedule V: Membership Fees

CATEGORY MONTHLY SUBSCRIPTION ANNUAL SUBSCRIPTION

S/No	MEMBERSHIP CATEGORY	SUBSCRIPTION FEES (Kshs./USD)
1.	REGULAR MEMBERSHIP	20.00
2.	FOUNDER MEMBERSHIP	2,000.00
3.	LIFE MEMBERSHIP	5,000.00
4.	GROUP MEMBERSHIP	50,000.00
5.	DIASPORA MEMBERSHIP	USD 35 per Annum
6.	GOLDEN MEMBERSHIP	10,000.00 per Annum
7.	PARTY REPRESENTATIVES MEMBERSHIP:	
	Elected MCA	5,000.00 per month
	Nominated MCA	8,000.00 per month
	Member of National Assembly	20,000.00 per month
	Member of Senate	20,000.00 per month
	County Governor	70,000.00 per month

The above monthly fees shall be subject to review from time to time by the National Executive Committee

CONTACTS:**POSTAL ADDRESS:**

NATIONAL FORUM FOR EQUITY AND DEVELOPMENT

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SCHEDULE VI

NFD PARTY MEMBERSHIP CODE OF CONDUCT FORM

I, being a Member of NFD Party, on this day of the year do hereby subscribe to the NFD PARTY Codes of Conduct and solemnly declare that-

I shall undertake to;

1. Adhere to the party programmes and policies for the entire duration that I shall be a member of the party;
2. Respect party organs and institutions of the party democratization practices;
3. Promote the practice of intellectual honesty in all dealings;
4. Articulate civility in terms of language, tolerance and expression;
5. Promote mutual respect to members at all levels;
6. Respect institutions of decisions-making to avoid sycophancy and patronage;
7. Be committed to faith and God;
8. Appreciate and acknowledge the strength of Kenya's cultural diversity;
9. Mitigate negative cultural norms;
10. Promote gender equity at all levels of governance;
11. Advocate for non-violence of any kind;
12. Show patriotism to the state;
13. Promote affirmative action;
14. Ensure equitable distribution of resources;
15. Promote and respect citizens' rights
16. Honour and pay subscription fees as stipulated under this constitution

Any member who evidently defaults on the above shall be subject to: -

1. Suspension from the Party.
2. Expulsion from the party
3. A fine as will be deemed fit by the Disciplinary committee or the NEC

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

DATED THIS DAY OF..... 20..

Signed by:

Name

Signature