



GREAT EMANCIPATION AND NATIONAL ZEAL (ZEAL) PARTY



**CONSTITUTION OF THE
GREAT EMANCIPATION AND NATIONAL ZEAL (ZEAL) PARTY**



ZAMA MPYA YA MATUMAINI

(A New Era of Hope)



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GREAT EMANCIPATION AND NATIONAL ZEAL (ZEAL) PARTY



PREAMBLE

We, the members of the Great Emancipation and National Zeal Party:

- **RECOGNIZING** the ethnic, cultural, and religious diversity of Kenya, are:
- **COMMITTED** to building a better Kenya with equity, inclusivity, and hope for current and future generations.
- **DEDICATED** to upholding honesty, openness, transparency, and accountability in political leadership.
- **DRIVEN** by the spirit of freedom and the desire to protect the rights and freedoms of every Kenyan.
- **RESOLVED** to create a national political movement that actualizes the aspirations of all Kenyans, regardless of social status, through participatory governance and a commitment to justice.



CHAPTER 1: ESTABLISHMENT, VISION, MISSION, VALUES AND PRINCIPLES

ARTICLE 1.1: ESTABLISHMENT

- a) There is hereby established for the people of Kenya a political party known as the *Great Emancipation and National Zeal (Zeal)*, hereinafter referred to as "the Party," registered under the Political Parties Act. This Constitution shall be the supreme organ of the Party.
- b) The Party is founded on the principles of freedom, unity, transparency, justice, inclusivity, and hope for a new era of national transformation.
- c) The leadership of the Party shall work towards ensuring a free, just, and prosperous nation where all citizens can realize their potential and live in harmony.
- d) The Party symbol shall be the letter "Z" within a bright sun, symbolizing the dawn of hope and renewal- as illustrated in Schedule I hereto.
- e) The Party slogan shall be "***Zama Mpya ya Matumaini***" (A New Era of Hope), representing the Party's vision for a brighter, more prosperous future for all Kenyans.
- f) The Party colors shall be:
 - **Green:** Symbolizing growth and renewal.
 - **White:** Representing peace and unity.
 - **Blue:** Signifying clarity and trust in governance.
 - **Gold:** Representing prosperity and Kenya's bright future.

ARTICLE 1.2: VISION

A free, prosperous, and empowered Kenyan society, living in peace and united under the shared values of hope, justice, and inclusivity.

ARTICLE 1.3: MISSION STATEMENT

To promote the rights and freedoms of every Kenyan, ensuring equal opportunities and a just society through transparent, accountable, and democratic governance.

ARTICLE 1.4: VALUES AND PRINCIPLES

- Integrity and accountability in leadership.
- Inclusivity and non-discrimination.
- Unity and peace.
- Respect for human rights and freedoms.
- Transparency in governance.
- Gender equity and youth empowerment.
- Commitment to economic and social justice.



ARTICLE 1.5: OFFICES OF THE PARTY

- The Party headquarters shall be located at HMTTC Building ,Opposite National Oil Petrol Station in Kitengela within Kajiado County in the Republic of Kenya.
- The Postal address of the Party shall be **P.O Box 910-00241 Kitengela**.
- The address of the Party's official website shall be: www.genzeal.co.ke

CHAPTER 2: OBJECTIVES

The Party shall pursue the following objectives:

1. To promote a just, democratic, and inclusive society that guarantees equal opportunities for all.
2. To build a transparent and accountable government focused on empowering the people.
3. To foster economic growth through sustainable and inclusive policies.
4. To uphold and protect the constitutional rights of every citizen, with particular emphasis on social justice and human dignity.
5. To advocate for the rights of women, youth, persons with disabilities, and marginalized groups.
6. To promote environmental sustainability and protect Kenya's natural resources for future generations.
7. To ensure the full participation of citizens in national development through transparent governance and decision-making processes.
8. To promote peace, unity, and reconciliation among all communities in Kenya.

CHAPTER 3: MEMBERSHIP

Membership in the Party is open to all Kenyan citizens who align with the values and principles of the Party, as set forth in this Constitution.

1. Membership shall not be denied on the grounds of ethnicity, religion, gender, or social standing.
2. Any Kenyan citizen above 18 years, upon application, may become a member of the Party, provided they pledge to uphold this Constitution and any rules and regulations established by the Party.
3. All members shall be required to subscribe to the Party's Code of Conduct and pledge their commitment to its objectives.

ARTICLE 3.1: APPLICATION FOR MEMBERSHIP

1. Applications for membership shall be made in person or in writing to the Party officials authorized to register members at the constituency or national level.



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2. The National Executive Committee (NEC) reserves the right to accept or reject any application for membership in line with the rules and regulations of the Party, and this decision may be delegated to a designated Membership Committee.
3. The Party shall establish different categories of membership and determine the applicable fees for each category.
4. Details of membership shall be kept in the party register and shall contain the name, identification number, gender, disability, ethnicity, county and other relevant particulars.
5. Upon approval of a membership application and payment of the subscription fee each member shall be issued with a membership card and the party register updated accordingly.

ARTICLE 3.2: RIGHTS OF A PARTY MEMBER

A Party member shall, subject to the provisions of this Constitution, enjoy the following rights:

1. Participate in all Party activities and meetings.
2. Vote in Party elections and be eligible for election to Party positions.
3. Access Party documents, including the Constitution, Party Manifesto, and other official materials, upon formal request.
4. Submit proposals or statements to Party officials, in accordance with established procedures, for consideration by the relevant organs of the Party.
5. Nominate or be nominated for any Party office or position during elections or by-elections, in accordance with the nomination rules and this Constitution.

ARTICLE 3.3: DUTIES OF A PARTY MEMBER

A member of the Party shall:

1. Understand, support, and promote the values, objectives, and programs of the Party.
2. Comply with the rules and regulations of the Party and observe its Code of Conduct.
3. Defend the interests of the Party and always propagate its policies and programs.
4. Participate in Party elections and mobilize other members and the general public to support the Party's candidates and programs.
5. Refrain from actions that undermine the unity and integrity of the Party.
6. Contribute financially and materially to the Party as may be called upon for good causes.
7. Ensure that they are registered voters and actively participate in national electoral processes.
8. Attend Party meetings regularly and perform any other duties as assigned by the relevant Party organs.

ARTICLE 3.4: CATEGORIES OF MEMBERSHIP

Subject to the approval of the National Delegates Congress, the National Executive Committee shall have power to create or abolish any category of membership for the advancement of the Party's interest as the circumstances may warrant.



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The Party shall in the meantime have the following categories of membership:

- i. Ordinary membership
This is the most basic form of membership open to any Kenyan citizen above 18 years. This member is entitled to vote in the party primaries and participate in grassroots activities.
A subscription fee of Ksh.100/= will be charged for this membership.
- ii. Life membership
This is open to any member who makes a one-time payment of Ksh. 20,000/= as subscription fee.
This is reserved for loyal and or long-serving members.
This member may have additional privileges such as voting rights in National Delegates Congress
- iii. Special interest group membership
This includes membership by youth, women, persons with disabilities and marginalized communities.
A subscription fee of Ksh.50 will be charged for this membership.

A member may convert his/her membership from one category of membership to the other by paying the prescribed fees and meeting any other requirements as may be recommended by the National Executive Committee.

ARTICLE 3.5: TERMINATION OF MEMBERSHIP

A person shall cease to be a member of the Party in the following circumstances:

1. By resignation in writing to the Party's office nearest to them. The resignation shall take effect upon receipt of the resignation letter.
2. By expulsion from the Party following a resolution of the National Executive Committee, in accordance with the Party's disciplinary procedures.
3. Upon taking up membership in another political party or by accepting an office or position within another party.
4. By death.
5. By operation of any applicable law, which renders the member ineligible to participate in political activities.

A member whose membership is terminated shall forfeit any rights, privileges, or responsibilities previously enjoyed under the Party and shall have his/her name struck off from the Register of membership.

CHAPTER 4: NATIONAL OFFICE BEARERS

The National Officials shall constitute the National Executive Committee (NEC).

- (a) The National Officials of the Party shall be the –
 - i. Party Leader



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- ii. National Chairperson;
- iii. National Secretary General;
- iv. National Organizing Secretary;
- v. National Treasurer;
- vi. Director of Elections;
- vii. National Women's Leader;
- viii. National Youth Leader;
- ix. National Trustee.

ARTICLE 4.1: DUTIES AND FUNCTIONS OF THE NATIONAL OFFICE BEARERS

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, principles and values of the Party.

Subject to any other duty expressly provided for by this Constitution, the main duties of elected National Office bearers shall be:

1) The Party Leader

- i. Be accountable to party committees in the same way as other members of the Executive and will be expected to outline his or her future plans and work to the National Executive Council and The Party.
- ii. Articulate and defend Party policies;
- iii. Convene, set the agenda and preside over all Party national meetings including National Delegates Congress and any other special meeting as he or she shall deem necessary;
- iv. Convene and preside over the joint meetings of the Parliamentary Group and the National Executive Committee;
- v. Convene and preside over meetings of the National Governing Council.
- vi. Signing the nomination certificates of the Party's candidate's subject to the provisions of this constitution or other relevant law.
- vii. Develop policy formulation processes including formulation of the Party's strategic Plan.
- viii. Representing the party at official events or other functions where the Party's presence is required.

2) National Chairperson

The duties and responsibilities of the National Chairperson shall include:

- i. To chair meetings of the Party other than those chaired by the Party Leader.
- ii. Chair meetings normally chaired by the Party Leader in his/her absence.
- iii. To convene and preside over National Executive Committee meetings under the direction of the Party Leader.
- iv. To preside over the National Delegates Congress.
- v. To convene and preside over the Parliamentary Group meetings.
- vi. Coordinate and liaise with other political parties.



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- vii. Providing leadership and overseeing the overall management and running of the Party affairs.
- viii. Instilling in members a sense of loyalty and commitment to the objectives, policies and programs of the Party.
- ix. Ensuring discipline and proper order within the Party in accordance with the Party's Constitution.
- x. Imparting onto Party membership the need to adhere to Party objectives, policies programs and laws made under this Constitution.
- xi. Ensuring order at all meetings of the Party organs.
- xii. Acting as a signatory Party's bank account subject to the Political Parties Act.
- xiii. Performing other duties and exercise other powers conferred by this Constitution.

3) Secretary General

He or she shall be the Party Spokesperson 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 discipline and proper order in the Party in accordance with the Party Constitution and in all respects establishing unity within the Party and ensure adherence to Party policies and relevant by-laws by office bearers, members and the Party Parliamentary Group.
- ii. Ensuring that all meetings including the National Executive Committee, National Governing Council and National Delegates Congress take place as provided for in the Constitution at such time as may be decided by the National Executive Committee;
- iii. Keeping or causing to be kept a proper record of minutes of all meetings of the National Executive Committee, the National Governing Council and the National Delegates Congress and ensuring the distribution of such minutes and conveying of decisions made to persons and branches concerned;
- iv. Issuing correspondence on behalf of Party organs in which he or she is a member and sending out notices of all meetings of the organs concerned;
- v. Be the depository and custodian of all Party documents including Party Seal, Minutes Register, instruments of intellectual property rights, instruments of registration, registration of all Party Branches and Party members' register;
- vi. Corresponding and consulting with the Registrar of Political Parties on behalf of the Party as the authorized principal officer of the Party;
- vii. Being signatory to all the bank accounts and a mandatory signatory to the Political Parties Fund Account;
- viii. Be the chairman of the committee responsible for the oversight of finance and administration;
- ix. Signing the nomination certificates of the Party's candidates subject to the provisions of this Constitution or any other written law;
- x. Act as the Party Leader in the event of vacancy in the office of Party Leader and Deputy Party Leader.
- xi. Any other duties conferred upon him or her by this Constitution or the National Executive Committee.



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- xii. Be responsible for the overall administrative management of the party, the maintenance of party records and ensuring that the Party complies with the law;
- xiii. Preparing reports including annual reports on the activities and responsibilities the National Executive Council, and the National Delegates Congress.
- xiv. Acting as depository and custodian of all Party documents including Party Seal, Minutes Register, instruments of intellectual property rights, instruments of registration, registration of all Party Branches and Party members' register.
- xv. Making statutory declarations and issues notices for and on behalf of the Party

4) 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 receive and bank all monies on behalf of the National Executive Committee and operate a banking account together with such other signatories as may be specified by the National Executive Committee;

- i. keep such books of account as may be necessary to record clearly the financial position of the Party;
- ii. prepare Annual Party Budgets or Estimates and overall fiscal planning;
- iii. monitor financial allocations and expenditure according to departmental votes as may be approved by the National Executive Committee;
- iv. ensure the execution of prudent stewardship standards and best financial practices to protect Party's finances;
- v. prepare and submit to the National Executive Committee a Financial Statement 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 National Delegates Congress is sent out;
- vi. be responsible for the formulation and execution of resource mobilization plans and strategies.
- vii. Take responsibility for Party finances and supervise all financial transactions at all Party levels under the general direction of the National Executive Council.
- viii. Open and maintain Party bank accounts as mandated and authorized by the National Executive Council.
- ix. Receive and bank all monies on behalf of the National Executive Council and operate a banking account together with such other signatories as may be specified by the National Executive Council;
- x. Keep such books of account as required by law and Party regulations and as may be necessary to record and reflect clearly the financial position of the Party;
- xi. Prepare annual Party budgets or estimates and overall fiscal planning;
- xii. Monitor financial allocations and expenditure according to departmental votes as may be approved by the National Executive Council;
- xiii. Ensure the execution of prudent stewardship standards and best financial practices to protect Party's finances;



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- xiv. Keep separate books and records of accounts in the prescribed manner in respect of the funds of the Political Party and all the transaction for each financial year for which monies have been allocated from the Political parties Fund;
- xv. Liaise with the respective agencies including relevant public bodies to ensure proper auditing of the party accounts Prepare and submit to the National Executive Council a Financial Statement 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 National Delegates Congress is sent out;

5) 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. Coordinating 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;
- v. In consultation with the Secretary General and the NEC, supervise the organization of the National Delegates Congress, National Governing Council and thereafter report on the progress in the holding of such meetings to National Executive Council

6) Director Of Elections

The Director of Elections shall:

- a) Supervise all Party elections and nominations;
- b) Originate electoral rules and regulations for approval by the National Executive Council;
- c) Appoint appropriate officers to conduct Party elections or nominations at the Branch, and Polling Station levels;
- d) Generally, ensure that Party elections are successful.

7) National Women Leader

The National Women Leader shall act as the national liaison contact person for activities conducted by the women Party members in any part of the country.

She shall ensure that all women programs run accordingly and shall give periodic reports to the National Executive Council.

She will also ensure that gender equality is respected and complied with within the Party in accordance with the law.



8) National Youth Leader

The National Youth Leader shall act as the national liaison contact person for activities conducted by the Party youth members in any part of the country..

He/she shall ensure that all youth programs run accordingly and shall give periodic reports to the NEC.

9) National Trustee

The National Trustee shall hold in trust of the Party its property and assets, propose investments that the Party may undertake for consideration by the NGC and shall ensure that party funds are utilized properly in the interest of the Party.

The National Executive Committee shall, in its own discretion and subject to the availability of funds, 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.

ARTICLE 4.2: ELECTIONS OF NATIONAL OFFICE BEARERS

The Election of National Office bearers shall be conducted on the guiding principle that at least one third shall be of either gender.

All National Office bearers other than the Executive Director shall be elected by the National Delegates Congress and shall hold office for a term of five years.

- i. Candidates for Party Leader shall have been a member of the Party for a minimum twelve months preceding the date of close of nominations and shall be required to complete a standard application form for the post and addressed to the National Executive Committee. The nominations must be supported by the signatures of a minimum of twenty members of the Party drawn from different Counties.
- ii. Two members of opposite sexes may, together stand for the office of Party Leader in order to hold the post as a job share. In the event of the election of two people job sharing the Party Leader post, they shall be known as 'Co-Party Leaders.'
- iii. The vote for Party Leader shall be counted first.
- iv. Elections for the Party Leader will include the opportunity for each candidate to address members through specific mailings, a party membership newsletter and web-based communications.
- v. In the event of ten per cent (10%) of the membership petitioning the National Executive Committee to recall the Party Leader, a new election for the post of Party Leader shall be held in which the current post-holders shall be eligible to stand. subject to clause (e) above. The current post-holders will retain their -post until the result of that election.



- vi. Should the Party Leader resign there will be a by-election for the Party Leader. They shall serve a term lasting as if they were starting, following the result of the previous election.
- vii. In the event of the suspension or resignation of the Party Leader, the Secretary General shall have the additional position of Acting Party Leader until a new election has taken place.
- viii. Any National Official may attend any meeting(s) organized by the Branch as an ex-officio member.

CHAPTER 5: ORGANS OF THE PARTY

The following are the organs of the Party:

1. National Delegates Congress (NDC)
2. National Governing Council (NGC)
3. National Executive Committee (NEC)
4. National Steering Committee (NSC)
5. National Secretariat
6. Governors' Caucus
7. Parliamentary Group Caucus
8. County Assembly Caucus
9. National Women Congress (NWC)
10. National Youth Congress (NYC)
11. Polling Centre Members Committee
12. Branch Offices
13. Sub-Branch offices
14. Overseas Branch Offices
15. National Elections Board
16. Internal Dispute Resolution Committee
17. Disciplinary Committee

ARTICLE 5.0: COMPOSITION AND FUNCTIONS OF PARTY ORGANS

ARTICLE 5.1 NATIONAL DELEGATES CONGRESS (NDC)

The National Delegates Congress (NDC) shall be the supreme organ of the Party.

- The National Delegates Congress of the Party shall be held every five (5) years.
- Notice of any resolution proposed to be moved at the National Delegates Congress shall be given in writing to the Secretary General not less than fourteen (14) days before the meeting.
- The Secretary General shall give notice of the National Delegates Congress Thirty (30) days before the said conference by publishing a notice in at least one daily newspaper of national circulation and through the Party communication infrastructure.



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- The Quorum of the meeting shall be two-thirds (2/3) of the members present.

The NDC shall consist of:

1. The National Party Officials,.
2. Delegates from all counties, each selected in accordance with Party guidelines.
3. Representatives from the Women Congress and Youth Congress.
4. Members of the National Executive Committee, Governors, and Members of Parliament elected on the Zeal Party ticket.
5. Members of the County Assemblies elected on the Zeal Party ticket.
6. Representatives of persons with disabilities and marginalized groups, as provided in the Party's guidelines.

ARTICLE 5.1.1 FUNCTIONS OF THE NATIONAL DELEGATES CONGRESS

The NDC shall have the following powers and duties:

1. To receive the National Chairperson's report of the activities of the Party.
2. To receive and approve the accounts of the Party and the Auditor's report on the accounts and the Treasurer's report as to the financial position of the Party.
3. To elect the Auditor or confirm that he/she should remain in office.
4. To decide on any resolution that may be duly submitted in accordance with the Party's Constitution.
5. To establish and/or revise the rules, if required for the regulation of the affairs of the Party.
6. To receive, approve and adopt the Party manifesto from the National Governing Council.
7. To delegate and confer any of its powers or the duties of the National Governing Council or the National Executive Committee save for the powers and duties relating to the amendment or alteration of this Constitution; and
8. To nominate its presidential candidate
9. Despite paragraph (8), the National Delegates Congress may by resolution decide not to nominate a Presidential Candidate but support another candidate nominated by another party if there is a coalition agreement between the Zeal party and the nominating party.

ARTICLE 5.2 NATIONAL GOVERNING COUNCIL (NGC)

The National Governing Council (NGC) shall be the second-highest organ of the Party.

(a) The Chair of The National Governing Council shall be the Party Leader or in his or her absence and upon a written/or other express communication through the National Secretary General, the National Chairperson. The Secretary General shall be the Secretary to The National Governing Council.

(b) The members of the National Governing Council shall be as follows:

- i. The National officials



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- ii. Branch officials
- iii. All party- elected Governors, Senators and Members of Parliament
- iv. The Executive Director of the Party shall be an ex-officio member of The National Governing Council.

(c) The National Governing Council meetings shall be held not less than four times in a year. The quorum of any meetings of the National Governing Council shall be majority of the National Governing Council membership and not less than 50% of the members.

(d) The National Secretary General shall give all the members of the National Governing Council not less than fourteen (14) days' written notice of a meeting. Where the Secretary General fails to call a meeting, such a meeting shall be called by the Party Leader.

(e) Decisions of the National Governing Council shall be made by a simple majority and in the event of an equality of votes the Party Leader, or her/his designated person presiding over that meeting shall have a casting vote.

(f) The National Secretary General shall cause to be taken the minutes of the National Governing Council.

(g) A majority of members of the National Governing Council may petition the National Secretary General to call for a special meeting of the National Governing Council and such a meeting must be called within Thirty (30) days' notice, provided that the agenda for the special meeting shall have been provided in writing to the National Secretary General. The quorum of the meeting must be a majority of the National Governing Council membership.

(h) The National Governing Council may from time to time appoint from among their number such committees as it may consider necessary and may delegate to them such powers and duties as the National Governing Council may determine. All such committees shall periodically report their proceedings to the National Governing Council and shall conduct their business in accordance with the directions of the National Governing Council.

(i) The National Governing Council shall be the governing body of the Party and shall determine the policy and strategies of the Party and shall be responsible for the management of the Party and shall have the sole right of appointing and determining the terms and conditions of service of the employees of the Party.

(j) The Secretary General may convene in special circumstances a special National Governing Council meeting by giving a (1) day notice to members of the NGC and the agenda of the meeting.

(k) A majority of the National Governing Council shall have full power to remove a member of the National Governing Council from his/her position. A member who fails without good cause to attend three consecutive Council meetings shall be deemed to have resigned. Such removal shall be ratified at the subsequent National Delegates Congress..



(l) The members of the National Governing Council shall be entitled to an indemnity out of and a lien over the assets of the Party for all expenses and other liabilities properly incurred by them in the management of the affairs of the Party but shall not be entitled to any personal indemnity against any member in respect of particular or general expenditure, without that member's written consent.

ARTICLE 5.2.1 FUNCTIONS OF THE NATIONAL GOVERNING COUNCIL

1. To act as the broader executive body of the National Delegates Congress and to ensure that all recommendations by the National Delegates Congress are duly carried out by the Party and the National Secretariat;
2. To receive reports from the National Executive Committee on the operations of the Party;
3. To monitor general activities of the Party on behalf of the National Delegates Congress and to provide direction for such activities;
4. To establish specialized committees and other advisory bodies as are necessary to carry out aims and objects of the Party;
5. To run the party and make decisions in between the National Delegates Congress;
6. To review and develop political agenda for the Party's Civic and Parliamentary Groups;
7. To review and recommend the reports of the National Executive Committee to National Delegates Congress;
8. To approve the agenda for the National Delegates Congress as may be prepared and presented by the National Executive Committee or as may be notified by any Party member. A notice to include any other agenda item to the National Delegates Congress by a member shall be sent to reach the Secretary General not later than twenty-one working days before the session of the National Governing Council;
9. To make policy and administrative decisions on behalf of the National Delegates Congress if it is the considered opinion of the National Executive Committee that such decision cannot await the next National Delegates Congress but thereafter present such decisions for ratification at the Ordinary Session of the National Delegates Congress immediately following;
10. To initiate all such activities as might further the aims and objects of the Party..

ARTICLE 5.3 NATIONAL EXECUTIVE COMMITTEE (NEC)

The National Officials shall constitute the National Executive Committee (NEC).

The National Executive Committee (NEC) shall be the executive organ responsible for the day-to-day management of the Party.

- (b) The National Executive Committee shall comprise of all members of the National Officials.
- (c) All candidates for the Party membership of the National Officials shall be proposed and seconded by notice in writing given to the National Secretary General not later than Thirty (30) days before the National Delegates Congress.
- (d) Elections of National Officials shall be held every five (5) years.



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- (e) The National Governing Council may call for elections before five (5) years but not earlier than 3 years.
- (f) Party elections shall not be held during a General Election year.
- (g) Provisions in (b) above can be waived from time to time and with regards to the circumstances by a resolution to be passed by the National Governing Council.
- (h) Any vacancy occurring in the National Executive Committee during the course of the term before the next National Delegates Congress may be filled through nomination by the National Executive Committee from amongst members of the National Delegates Congress until the vacancy is substantially filled at the next Delegates Congress.
- (i) The NEC meetings shall be held not less than four times a year. The quorum of any meeting of the NEC shall be fifty (50) percent of the NEC's membership.
- (j) The National Secretary General shall give all the members of the NEC not less than fourteen (14) days' written notice of a meeting. Decisions of the NEC shall be made by a simple majority and in the event of an equality of votes the person presiding that meeting and in accordance with this constitution shall have a casting vote. The National Secretary General shall cause to be taken the minutes of the NEC.
- (k) Any six (6) members of the NEC may petition the National Secretary General to call for a special meeting of the NEC and such meeting must be called within Forty-five (45) days provided that the agenda for the special meeting shall have been provided in writing to the National Secretary General. The quorum of the meeting must be majority of the NEC membership.
- (l) The NEC may from time appoint from among their number such committees as it may consider necessary and may delegate to them such powers and duties as the NEC may determine all such committees shall periodically report their proceedings to the NEC and shall conduct their business in accordance with the directions of the NEC.
- (m) A majority of the NEC shall have full power to remove a member of the NEC with consultation with the National Governing Council from his/her position. Member who fails without good cause to attend three consecutive NEC meetings shall be deemed to have resigned. Such removal is ratified at the subsequent National Delegates Congress.
- (n) The members of the NEC shall be entitled to an indemnity out of and a lien over the assets of the party for all expenses and/or their liabilities properly incurred by them in the management of the affairs of the party but shall not be entitled to any personal indemnity against any member in respect of particular or personal expenditure, without that members consent firsthand in writing.
- (o) Nominations for the NEC members shall be by the following procedure:



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- (i) Shall be made by any Branch and placed before the National Congress.
 - (ii) Subject to sub-section (i) above, only those candidates who have been proposed by a Branch shall appear on the National Congress ballot paper.
 - (iii) Where more than one candidate contests an office, 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 declared duly elected to the office for which he/she was nominated.
 - (iv) No person, except with the leave on application granted by a majority decision of the outgoing NEC, shall be eligible to be elected if such person had not been a Party member for a period of one year preceding such election.
- (p) Voting shall take place by secret ballot . Each voting delegate shall vote once in each ballot.
- (q) If any Branch Chairperson or Secretary is elected to the NEC in his or her own right or as a national official, such person shall vacate the Branch position, provided that the county has the right to make representations to the NEC, in a special case, where extraordinary circumstances may warrant an exception to this rule. However, when such a county officer is allowed to retain his or her NEC position, the county shall not be entitled to an additional member on the NEC.
- (r) A National Official may attend any meeting(s) organized by a Branch as an ex-officio member.
- (s) The NEC shall meet in plenary session at least once every three months except for emergency meetings which may be convened by the Secretary General according to exigencies of time or by a written request made by 25% of the members thereof and shall provide broad political and organizational perspectives to the National Steering Committee.

ARTICLE 5.3.1 FUNCTIONS OF THE NATIONAL EXECUTIVE COMMITTEE

1. To implement the policies and decisions of the National Delegates Congress and National Governing Council.
2. To oversee the administration of the Party at all levels.
3. To ensure that the Party's financial affairs are properly managed and that the Party complies with relevant laws and regulations.
4. To supervise the National Secretariat of the Party and to take such measure as it deems necessary to enforce the decisions and programs of the Party as laid down by the National Governing Council and the National Delegates Congress.
5. To issue and send directives and instructions to and receive reports from the Branches.
6. To convene the meetings of and prepare the agenda for and reports to the National Governing Council and National Delegates Congress.
7. To oversee the operations of the National Women Congress, National Youth Congress, Party Parliamentary Group and the County Assembly Group



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8. Set up committees as it deems necessary from time to time for specified tasks and to determine their terms of reference.
9. To operate and determine the manner in which the Party accounts and finances shall be prudently managed.
10. 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.
11. To receive reports, supervise the work of, and delegate such functions to the National Secretariat and National Elections Board as it considers necessary.
12. To initiate, prepare or cause to be prepared the necessary quarterly, semi-annual or annual financial statements for approval by National Governing Council and the National Delegates Congress.
13. To nominate and prepare a Party List for presentation to the IEBC in accordance with the provisions of the Law.
14. To receive, consider, approve and implement reports and recommendations from the various standing, ad hoc and specialized committees or individuals.
15. To liaise with the Party National Election Board in order to ensure the coordination of elections of Party Office bearers at all levels and Party nominations for Presidential, Parliamentary and Civic elections.

ARTICLE 5.4: THE NATIONAL STEERING COMMITTEE (NSC)

There shall be a standing committee called the National Steering Committee (NSC), responsible for providing swift and decisive leadership on urgent Party matters. The NSC shall consist of:

1. The National Chairperson
2. The Secretary General
3. The National Treasurer
4. The Organizing Secretary
5. Five other members appointed by the National Executive Committee from among its members, with specific competencies as determined by the NEC.
6. The Executive Director (ex-officio member)
7. One representative from the National Women Congress and National Youth Congress respectively.

ARTICLE 5.4.1 FUNCTIONS OF THE NATIONAL STEERING COMMITTEE

The National Steering Committee shall:

1. Act on behalf of the National Executive Committee on urgent matters, where the NEC cannot be convened in time to address them.
2. Set the agenda for the National Executive Committee meetings.
3. Oversee the management and supervision of Party affairs on behalf of the NEC.
4. Approve urgent budgetary expenditures in consultation with the National Treasurer.
5. Perform any other functions assigned to it by the National Executive Committee
6. Submit a report at every National Executive Committee meetings.



ARTICLE 5.5: NATIONAL SECRETARIAT (NS)

1. There is hereby established a National Secretariat which shall be headed by an Executive Director.
2. The National Executive Committee shall determine the number and designation of the departments within the National Secretariat.
3. The Executive Director shall be appointed by the National Executive Committee. He/she shall be responsible for overall coordination of Party activities, budget and resource and program management.

ARTICLE 5.5.1 DUTIES OF THE NATIONAL SECRETARIAT

1. The main duties of the National Secretariat shall be:
 - a. Management of Party operations.
 - b. Implementation of Party decisions.
 - c. Processing the clearance of persons to be appointed by the National Executive Committee as Party's nominees to the County Assembly or Parliament.
 - d. Voter outreach and membership recruitment.
 - e. Registration, mobilization and maintenance of voters or members register.
 - f. Coordination, facilitation and synchronization of Party activities and events.
 - g. Public relations, communication and media outreach.
 - h. Fundraising and resource mobilization.
 - i. Campaign strategies.
 - j. Operations and logistics.
 - k. Party policy and research.
 - l. Regional coordination.
 - m. Liaison with all Party structures.
 - n. Any other duties as may be assigned by National Executive Committee
2. Members of Staff appointed to each department by the National Executive Committee shall be guided by the Party Service Code.
3. The Secretariat shall be responsible for implementing decisions and programs of the Party under guidance of the Secretary General, National Executive Committee and in liaison with other National Office bearers.
4. The National Secretariat shall service the operations of subsidiary organizations of the Party.
5. The National Secretariat shall function directly under the office of the Secretary General.



ARTICLE 5.6: GOVERNORS' CAUCUS

1. The Parliamentary Group shall act as a dialogue platform to plan party activities and positions in the respective Houses of Parliament.
2. There shall be established the Governors' Caucus which shall consist of all Party-elected Governors and Deputy Governors, the Party Leader, The secretary General, The National Organizing Secretary and the Treasurer.
3. The Governors caucus shall act as a platform for exchanging ideas on the best way to defend and advance the party policies in the Council of Governors meetings.
4. The Governors caucus shall make its own rules and regulations to govern the conduct of its meetings provided that the rules shall be laid before the National Executive Committee for approval.
5. The National Executive Council shall prescribe the monthly subscription fees for the elected Governors and Deputy Governors.
6. The National Executive Committee (NEC) shall convene an inaugural meeting of the Caucus within ninety (90) days of the declaration of election results. The inaugural agenda shall include:
 1. Election of the Chairperson of the Governors' Caucus.
 2. Election of the Deputy Chairperson.
 3. Election of the Whip of the Governors' Caucus.

ARTICLE 5.6.1 FUNCTIONS OF THE GOVERNORS' CAUCUS

1. To advise the Party on matters relating to the implementation of the Party's policies at the county level.
2. To coordinate the Party's agenda in county governments and ensure adherence to the Party's manifesto and goals.
3. To represent the collective interests of the Governors within the Party structure.
4. To provide feedback on county-level governance challenges and opportunities for policy adjustments.

ARTICLE 5.7: PARLIAMENTARY GROUP CAUCUS

1. There shall be established the Parliamentary Group Caucus which shall consist of all Members of the National Assembly and Senate elected on the Party ticket, Nominated members, the Party Leader, The Secretary General, The Organizing Secretary and the Treasurer.
2. The Parliamentary Group shall act as a dialogue platform to plan party activities and positions in the respective Houses of Parliament.

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 Council for approval.



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The National Executive Committee shall prescribe the monthly subscription fees for the elected Members of Parliament in the Senate and National Assembly.

The NEC shall convene an inaugural meeting within ninety (90) days of a general election, with the following agenda:

1. Election of Party Leaders for the National Assembly and Senate.
2. Election of the Party Whips and Deputy Whips.
3. Election of the Secretary to the Parliamentary Group.

ARTICLE 5.7.1 FUNCTIONS OF THE PARLIAMENTARY GROUP CAUCUS

1. To coordinate the Party's agenda in Parliament and ensure unity among its members.
2. To articulate and defend Party positions on national issues through parliamentary processes.
3. To organize regular meetings to review parliamentary strategies, ensuring they align with Party objectives.

ARTICLE 5.8: COUNTY ASSEMBLY CAUCUS

1. There shall be established the County Assembly Caucus which shall consist of all Members of the County Assembly elected on the Party ticket, Nominated members, the Party Leader, The Secretary General, The Organizing Secretary and the Treasurer.
2. Members of the County Assembly Caucus shall elect their own leaders.
3. Each County Assembly Caucus shall make its own rules and regulations to govern the conduct of its meetings provided that such rules shall be laid before the National Executive Council for approval.
4. The National Executive Committee shall prescribe the monthly subscription fees for the elected Members of County Assembly (MCAs).

ARTICLE 5.8.1 FUNCTIONS OF THE COUNTY ASSEMBLY CAUCUS

1. To coordinate the Party's agenda in the Various County assemblies and ensure unity among its members.
2. To articulate and defend Party positions on national issues through County Assembly processes.
3. To organize regular meetings to review strategies, ensuring they align with Party objectives.

ARTICLE 5.9: NATIONAL WOMEN CONGRESS (NWC)

1. There shall be established the National Women Congress (NWC) whose membership shall be open to all women who are members of the party.
2. There shall be NWC Executive committees at National and Branch level consisting of Chairperson, Deputy Chair, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary and twelve Committee Members.



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3. The Office bearers of the Executive Committees at National and Branch level shall be elected simultaneously and in the same manner as their counterpart National Party Office bearers.
4. The Office bearers shall hold office for a term of five years and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
5. Application for membership shall be made verbally or in writing to the Women Congress Committee or the nearest Party office.

ARTICLE 5.9.1 FUNCTIONS OF THE NATIONAL WOMEN CONGRESS

1. Mobilize women across Kenya to support and promote the Party's goals and policies.
2. Advocate for the inclusion of women's issues and concerns in the Party's policy development and decision-making processes.
3. Provide guidance and leadership on matters related to women's rights and empowerment within the Party structure.
4. Organize forums and educational programs aimed at increasing women's participation in national and Party affairs.
5. To deal with all matters that would enhance the cause of Women.

ARTICLE 5.10: NATIONAL YOUTH CONGRESS (NYC)

1. There shall be a National Youth Congress (NYC) whose membership shall be open to all individuals between the ages of eighteen (18) and thirty-five (35) years who are members of the party.
2. There shall be established the Youth Congress Executive Committees at both National and Branch level consisting of Chair, Deputy-Chair, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary and twelve committee members.
3. The Office bearers of the Youth Congress Executive Committees at National and Branch level shall be elected simultaneously and in the same manner as their counterpart Party Office bearers.
4. The Office bearers shall hold office for a term of 5 years and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
5. Application for membership shall be made verbally or in writing to the Branch Young Congress Committee or the nearest Party office.

ARTICLE 5.10.1 FUNCTIONS OF THE NATIONAL YOUTH CONGRESS

1. Mobilize the youth of Kenya to join and support the Party.
2. Advocate for the inclusion of youth interests in the Party's policies and decision-making processes.
3. Organize educational and empowerment programs to increase youth participation in political leadership and national development.
4. Provide leadership on youth-related issues within the Party structure and beyond.



ARTICLE 5.11: POLLING CENTRE MEMBERS COMMITTEE

There shall be established Polling Centre Members Committee which shall be the lowest electoral organ of the Party, established at each polling Centre.

The committee shall consist of:

1. Polling Centre Committee Chairperson and Deputy Chairperson
2. Polling Centre Committee Secretary and Deputy Secretary
3. Polling Centre Committee Treasurer
4. Polling Centre Committee Organizing Secretary
5. Representatives for Youth, Women, and other interest groups

ARTICLE 5.11.1 FUNCTIONS OF THE POLLING CENTRE MEMBERS COMMITTEE

1. To manage and oversee Party activities at the polling Centre level.
2. To propagate Party policies and ensure voter outreach and education efforts are conducted.
3. To assist in the conduct of Party nominations and elections at the polling Centre level.
4. To promote Party programs and recruit new members at the grassroots level.

ARTICLE 5.12: BRANCH OFFICES

The National Secretariat shall establish Branches in each county in the country which shall be managed by a Branch Executive Committee. If the same is not met due to financial constraints, the branches shall be in at least twenty-four(24) counties.

The committee shall consist of:

1. Branch Chairperson and Deputy Chairperson
2. Branch Secretary and Deputy Secretary
3. Branch Treasurer
4. Branch Organizing Secretary
5. Representatives for Youth, Women, and other interest groups

ARTICLE 5.12.1 PROCEDURE AT BRANCH MEETINGS

1. Notices for all meetings including the agenda shall be sent out by the Branch Secretary as directed by the Chairperson.
2. There shall be two classes of meetings as follows:
 - a) Ordinary meetings shall be convened by a written notice of twenty-one days.
 - b) Special meetings shall require a notice of four days and shall be requisitioned for a specific purpose only by order in writing to the Branch Secretary.
3. No other matter shall be discussed other than that stated in the requisition.
4. Quorum for all Branch meetings shall be one-third of the membership thereof.



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5. Any official who fails to attend three consecutive meetings without reasonable apology shall be liable to suspension.
6. Resolutions, unless otherwise stated in the constitution shall be decided by consensus or a simple majority by secret ballot or any other method of voting acceptable to the members.
7. This procedure will apply to all Sub- branches at the Sub-County and ward levels.

ARTICLE 5.13: SUB- BRANCHES OFFICES

The National Secretariat shall establish sub-branches at the sub-county and ward levels in every county to ensure grassroots mobilization and local governance. If the same is not met due to financial constraints, the branches shall be in at least twenty-four(24) counties.

Each Sub- Branch at the Sub-County branch shall include the following organs:

- a) Sub- County executive committee
- b) Sub-county coordinating unit
- c) Ward Level Committees
- d) Polling Centre Committee

Sub-branch Offices shall have the following responsibilities:

- i. Recruitment of members and maintenance of registers
- ii. Implementation of Party policies and programs
- iii. Organization of public engagement and civic education
- iv. Reporting to the County Branch offices and National Secretariat.

ARTICLE 5.14: OVERSEAS BRANCH OFFICES

1. The National Executive Committee shall approve and register overseas branches in any country, as it deems necessary.
2. An overseas Branch shall consist of not less than twenty (20) members who must be Kenyan citizens.
3. Overseas branches shall operate in the same way as other branches as provided in this constitution.

CHAPTER 6: NATIONAL ELECTIONS BOARD

- I. There is hereby established The Great Emancipation and National Zeal Party National Elections Board whose mandate is to plan, organize, direct, and coordinate all party nominations and elections.
- II. The National Elections Board shall be appointed by the National Executive Committee upon a resolution made by two-thirds of members and shall comprise Seven (7) respected and knowledgeable persons of high integrity who do not hold any elective Party position.
- III. The Director of Elections shall oversee the National Elections Board.
- IV. The National Elections Board shall make its own rules of procedure for its meetings.



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- V. The National Secretary shall provide secretarial support services to the Board.
- VI. The members of the National Elections Board may serve for a term of five years and are eligible for re-appointment at the expiry of their term, subject to a maximum of two consecutive terms.
- VII. The Party shall ensure that the term of office of the National Elections Board shall not expire less than 2 months to the Party elections.
- VIII. The National Elections Board shall prepare and table before the National Executive Council for approval, the party nomination rules provided that the rules shall adhere to the principles of democratic free and fair elections and accord with the Constitution of Kenya, the Elections Act, the Political Parties Act and any other relevant law.
- IX. The National Elections Board shall:-
 - (i) Supervise all Party elections and nominations;
 - (ii) Originate election or nomination rules and regulations for approval by the NGC;
 - (iii) Appoint appropriate officers to conduct Party elections or nominations at the National, Branch, Sub-Branch and Ward and Polling Stations levels;
 - (iv) Vet any Party nominees for appointment by the requisite Party organ to any position that the Party by law is entitled to nominate and send them to the NGC for ratification;
 - (v) All Party nomination certificates shall be examined by the Director of Elections and signed by the Party Leader and Secretary General or in their absence persons who may be designated by the NGC and their names together with their sample signatures forwarded in writing to the IEBC;
 - (vi) Carry out any other functions assigned to it by the NGC or NEC.
 - (vii) Announce results, keep custody of Zeal Party nomination and results certificates.
 - (viii) establish branch, sub-branch and ward election panels which will assist them conduct the Party elections, Party nominations and any other electoral affair.
 - (ix) Any appeals from a Branch, Sub-branch, Ward or Polling Station elections panel shall lie with the NEB organ.
 - (x) Appeals from NEB will lie before the NEC which shall be the final appellate body in matters of Elections.

It shall be the policy of the Party to contest elections at all levels of the government. The Director of Elections in consultation with the National Governing Council shall publish rules and regulations to ensure fair democratic elections.

(b) Official Party Position shall be made by the Party Leader or a duly authorized official with approval from the National Governing Council.

CHAPTER 7: PROCEDURE AND QUORUM FOR PARTY MEETINGS

1. All Party organs shall hold regular meetings to discuss the affairs of the Party and make decisions.



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2. At all meetings of the National Delegates Congress, and the National Governing Council, the Party Leader shall preside. In the absence of the Party Leader, the National Chairman or any other official of NEC may preside as provided for in this Constitution.
3. At all meetings of the Branch or Polling station units, the Chairperson shall preside but in their absence, the Vice-Chair or any other official present, shall preside;
4. Resolutions, unless otherwise stated in this Constitution, shall be decided by consensus or simple majority, and voting shall be by secret ballot;
5. In the event of an equality of votes at any meeting the person presiding shall cast the deciding vote;
6. Only fully registered members may attend the Party meetings and vote. Any other person(s) may attend only upon invitation as an observer.
7. Any meeting which has been postponed once for lack of quorum shall be deemed to be properly constituted to conduct business at the second sitting 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.

CHAPTER 8: PARTY NOMINATION RULES AND REGULATIONS

1. The Party shall conduct fair and transparent nominations for:
 - a) All elective positions i.e. Presidential ,Parliamentary, Senatorial, Gubernatorial and County Assembly elections.
 - b) Party List positions in line with Article 90 of the Constitution.
2. The National Elections Board shall develop and publish Nomination rules with the approval of NEC.
3. Nomination certificates shall be signed by the Party Leader and Secretary General and verified by the Director of Elections.
4. The Party List shall:
 - I. Comply with the two- thirds (2/3) gender rule.
 - II. Include youths, persons with disabilities and marginalized groups.
 - III. Be submitted to the IEBC in the prescribed format.

CHAPTER 9: MANAGEMENT POLICIES

The Party shall develop and maintain written policies to guide internal administration and accountability. These shall include:

1. A Human Resource Policy
2. A finance and Accounting Policy
3. An internal Audit Policy
4. An administrative Procedures Manual.

ARTICLE 9.1: POLICY DEVELOPMENT

1. The NEC shall initiate, review, and adopt party policy positions based on research, public consultation and internal resolutions.
2. Policy formulation shall involve:



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- Drafting by the secretariat.
 - Input from party members and branches.
 - Approval by NEC and ratification by NGC or NDC where applicable.
3. The party shall publish a policy digest annually outlining key positions on national and governance matters.

ARTICLE 9.2: MANAGEMENT STRUCTURE AND SYSTEMS

The National Secretariat in consultation with NEC shall recruit qualified employees and staff to support the party operations at National and County levels.

The Employment terms shall be governed by a comprehensive Human resource manual developed by NEC.

ARTICLE 9.2.1: NATIONAL MANAGEMENT STRUCTURE

1. The National Executive Council shall maintain a structured and internal management system headed by the Secretary General and implemented by the National Secretariat which shall include departmental units for:
 - (a) Human resources (HR)
 - (b) Internal audit
 - (c) Finance and accounting.
 - (d) Legal and compliance
 - (e) Administrative and logistics
 - (f) Policy and research

ARTICLE 9.2.2: HUMAN RESOURCE MANAGEMENT

1. The Party shall adopt a Human resource policy manual which shall include:
 - (a) Staff grading and job description.
 - (b) Terms and conditions of employment
 - (c) Staff performance appraisal and promotion criteria
 - (d) Disciplinary procedures and grievance redress mechanisms
 - (e) Equal opportunity and gender equity policy
 - (f) Conflict of interest and staff code of conduct.
2. All party employees shall serve under formal contracts approved by NEC and supervised through the National Secretariat.

ARTICLE 9.2.3: FINANCIAL MANAGEMENT SYSTEMS

1. The Party shall operate a Financial Management policy that outlines:
 - (a) Budget formulation and approval procedures
 - (b) Internal financial controls and approvals
 - (c) Revenue mobilization and expenditure frameworks
 - (d) Record Keeping, financial reporting and compliance.



2. All funds shall be managed through designated bank accounts and be subject to annual budgeting and quarterly reporting to the NEC.
3. Party income and expenditure shall be transparently disclosed to members and the public in compliance with the Political Parties Act.

ARTICLE 9.2.4: AUDIT AND INTERNAL CONTROL

1. The Party shall establish an internal audit unit under the oversight of NEC to:
 - (a) Review financial compliance across all levels of the party.
 - (b) Recommend improvements to systems and internal controls.
 - (c) Prepare quarterly internal audit reports for NEC and NGC.
4. An independent external auditor shall be appointed by NEC and approved by NDC to conduct an annual audit.

CHAPTER 10: AUTHORISED SIGNATORIES

The following officials shall be designated to sign documents and statutory reports on behalf of the party.

- a) Party Leader – policy declaration, Nomination Certificate and post-election agreements.
- b) Secretary General- Party's bank Accounts, Political Parties Fund Account, Annual Returns, Communications with Registrar of Political Parties and nomination submissions.
- c) National Chairperson-Party's Bank Accounts, Financial Reports
- d) National Treasury – Party's Bank Accounts.

Any additional signatories may be appointed by NEC by resolution with notice to the Registrar.

The Authorized Signatories shall sign, in addition to the documents listed above, all other Documents presented to the Registrar including membership register, mergers, Annual reports and financial reports of the Party.

CHAPTER 11: DISCIPLINARY COMMITTEE

There is hereby established a Disciplinary Committee comprising seven (7) members of the Party, appointed by the National Executive Committee (NEC). The Chairperson of the Committee shall be an advocate of the High Court of Kenya of not less than fifteen (15) years standing.

The Disciplinary Committee shall make its own rules of procedure which shall be approved by the National Executive Committee. The Rules shall comply with written laws of Kenya, the Rule of Law and Rules of Natural Justice.

The members shall be in office for five years and are eligible for reappointment at the expiry of their term.

The members shall serve on a part-time basis.



ARTICLE 11.1 POWERS OF THE DISCIPLINARY COMMITTEE

The Disciplinary Committee shall have the authority to:

1. Receive, hear, and determine all cases of discipline concerning Party members.
2. Make recommendation to the NEC to Impose appropriate penalties or sanctions for any breaches of the Party's Constitution, Code of Conduct, or policies including, but not limited to Reprimand, Censure, Sanction, and Suspension for a period definite, or Expulsion.
3. Investigate complaints made by any Party member or official against another member and issue a fair and just ruling.
4. Conduct hearings with fairness and impartiality, ensuring that all parties are afforded the right to defend themselves.

ARTICLE 11.2 MATTERS CONSTITUTING DISCIPLINARY MEASURES

A member may be subject to disciplinary action for the following reasons:

1. Violating the Party's Constitution and Code of Conduct.
2. Engaging in activities that are detrimental to the Party's reputation or objectives.
3. Supporting the policies, manifestos, or candidates of another political party without authorization from the Party.
4. Acting in a manner that promotes division or disunity within the Party.
5. Derailing the Party from fulfilling its mission and objectives through acts of prevention and interference.
6. Associating and working with violent or illegal groups
7. Misappropriating the funds of the party and willfully destroying the Party's properties.
8. Engaging in corrupt behavior not limited to seeking and receiving bribes.
9. Engaging in abuse of office, sexual exploitation and harassment.
10. Gross misconduct
11. Engaging in or encouraging violence to other members or supporters;
12. engaging in or encouraging any kind of intimidation of opponents, any other person or any other political party.
13. Engaging in influence peddling, bribery or any other form of corruption.
14. accepting or using illicit or illegal money.
15. accepting or using public resources other than those allocated to the political party through the political party fund.
16. advocate hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm.
17. obstructing, disrupting, breaking-up or in any other way whatsoever interfering with a meeting, rally or demonstration of another political party or its leadership.
18. establishing or maintaining a para-military force, militia or similar organization or having any links with such organizations.



ARTICLE 11.2.1 DISCIPLINARY PROCESS

1. A written and signed complaint shall be submitted to the Disciplinary Committee.
2. Upon receipt of a complaint, the Committee shall notify the accused member and provide sufficient time to respond to the allegations.
3. The Committee shall hold a hearing, during which both the complainant and the accused will be given an opportunity to present their cases.
4. After the hearing, the Committee shall issue a ruling, which may include a warning, suspension, expulsion, or any other appropriate sanction.
5. The Committee's decision may be appealed to the National Executive Committee (NEC) within 30 days of the ruling.

ARTICLE 11.2.2 PENALTIES OF INDISCIPLINE

1. Where the committee's ruling is that a Member is found guilty of Indiscipline and having contravened Article 8.2 of the Constitution the following shall be consequences to be meted out.
2. Where the member is a holder of any National Office, Branch Office or Sub- Branch Office leadership position, they shall automatically be striped of the position once found guilty of indiscipline.
3. In the discharge of its mandate the National Disciplinary Committee may:
 - A. Suspend a member for a period.
 - B. Expel a member completely from the party.
 - C. Impose a fine on a member.
 - D. De-whip a member from a committee of Parliament or County Assembly.
 - F. reprimand
 - G. demand for a written apology.
 - H. fine or ask for compensation, or restitution.
 - J. exclude a member from elections or nominations.
 - K. dismissing a member from office.
 - L. revocation of nomination.
 - M. recall from any public office.
4. The decision of the National Disciplinary Committee shall stand unless the person against which the decision has been made appeals it within 14 days to the National Governing Council.
5. The National Governing Council (NGC) may uphold or set aside the penalty, and such a decision shall be final.



ARTICLE 11.2.3 CONSEQUENCES OF DISCIPLINARY MEASURES

All disciplinary actions shall follow the Party's Disciplinary Procedures, ensuring the right to be heard and to appeal.

Party members holding public office at national or county level who are removed or suspended under these provisions shall be reported to relevant electoral and integrity bodies.

All decisions and sanctions shall be recorded and archived both at county and national party headquarters.

Where a member or official of the party is found guilty of misconduct under this constitution or relevant national laws, the following consequences may apply.

- i. Reputational damage within and outside the party.
- ii. Exclusion from party decision-making processes.
- iii. Loss of privileges such as access to party resources, campaign funding, or media platforms.
- iv. Financial loss
- v. Possible litigation if the disciplined member challenges the process in court.
- vi. Public loss of credibility
- vii. Loss of coalition or alliance positions if the party removes the official.

ARTICLE 11.2.3.1 NATIONAL-LEVEL CONSEQUENCES

These apply when a member, leader, or organ of the party at the national stage violates the party constitution, code of conduct, or directives.

- a) Written warning recorded in the Party's national records.
- b) Suspension from party activities for a specified period with loss of all privileges, including voting rights in party organs.
- c) expulsion from the party ending membership rights nationally.
- d) Removal from national leadership roles (e.g., chairperson, secretary general) in line with the political parties Act and the party's disciplinary procedure.
- e) Ineligibility to vie for party positions in future elections.
- f) Loss of party nomination ticket for national or county elective positions.
- g) Referral to national authorities for offences against the Constitution of Kenya, Leadership and integrity Act or any other relevant legislation including possible criminal prosecution.
- h) Notification to the Office of the Registrar of Political parties as required by law, to effect changes in party records.
- i) Recall procedures if the member holds an elective office secured through the party.
- j) Notification to the Registrar of Political Parties leading to legal deregistration as a member.

ARTICLE 11.2.3.2 COUNTY-LEVEL CONSEQUENCES

These occur when disciplinary issues involve county branch officials, county assembly members, or party grassroots leaders.



- a) Written or verbal warning issued by the County Executive Committee and recorded in county party records.
- b) Suspension from county party activities, loss of attendance and decision-making privileges for a set period.
- c) removal from county branch leadership (chairperson, secretary, treasurer).
- d) Loss of right to represent the party in county forums or coalitions.
- e) Denial of party ticket for MCA or county positions.
- f) Restriction from attending party meetings or voting in branch elections
- g) Reduced influence in county politics and local party strategy.
- h) Loss of grassroots support if measures are public and perceived as justified.
- i) Factionalism if disciplinary action is seen as politically motivated.
- j) Loss of opportunity to be nominated to county assembly.
- k) Disqualification from party activities that select county-level candidates.
- l) Referral to county or national authorities for acts contravening the County Governments Act or other applicable laws.
- m) Recommendation for national Disciplinary Action where the misconduct warrants escalation.

CHAPTER 12: CODE OF CONDUCT

The Party shall adopt and enforce a Code of Conduct to promote discipline, ethical behavior, and integrity among its members. All members of the Party shall abide by the Code of Conduct, which shall include but not be limited to the following principles:

- 1. Members shall uphold the principles of transparency, accountability, and fairness in all Party activities.
- 2. Members shall avoid conflicts of interest and declare any personal interests that may affect their decision-making.
- 3. Members shall not engage in corrupt practices, bribery, or any form of misconduct.
- 4. Members shall respect the views and opinions of others, ensuring that internal disagreements are handled constructively and through the appropriate Party structures.
- 5. Members shall maintain the confidentiality of Party information, except where authorized for public dissemination.
- 6. Members shall respect, uphold, and defend the Constitution of Kenya.
- 7. Members shall respect and uphold the Political Parties Act and any other written law relating to elections and political parties.
- 8. Members shall respect, uphold, and defend the ZEAL Constitutions, election rules, nomination rules and any other rules and regulations developed and agreed upon in accordance with this code of conduct.
- 9. Members shall respect, uphold and promote human dignity, equity, social justice, inclusiveness and non-discrimination and protection of the marginalized.
- 10. Members shall respect, uphold and promote human rights and the rule of law.
- 11. Members shall promote national patriotism and national unity.
- 12. Members shall respect, uphold and promote democratic values and principles, performing inclusive participation of party members and accountable representation in governance for the development of the country.



13. Members shall respect, uphold and promote good governance, integrity, respect, tolerance, transparency and accountability.
14. Members shall promote co-operation in the political competition.
15. Members shall promote sharing and devolution of power and resources.
16. Members shall respect, uphold, and promote democratic practices through regular free, fair, and credible elections within the political party and among others have a democratically elected governing body and political party organs.
17. Members shall respect, uphold, and promote democratic practices through free, fair and credible political party nominations.
18. Members shall respect, uphold, and promote leadership and integrity as prescribed in the Constitution of Kenya.

CHAPTER 13: RULES AND REGULATIONS

The National Executive Committee (NEC) shall have the authority to make and adopt rules and regulations governing the internal workings of the Party, provided that such rules and regulations are consistent with the Party's Constitution.

1. The rules and regulations shall cover all areas of Party management, including but not limited to membership, elections, discipline, and finance.
2. The NEC shall ensure that all rules and regulations are accessible to Party members and are regularly updated to reflect changing circumstances.
3. The NEC shall make rules in relation to the elections of the Party officials, nomination of candidates for elections and nomination of candidates to political party lists.
4. The Rules of the party shall be amended in accordance with the provisions of this constitution.

CHAPTER 14: FUNDS AND ASSETS

The Party shall raise and manage funds to meet its objectives and operational expenses. All funds and assets of the Party shall be managed in accordance with the principles of transparency and accountability.

All monies payable to the Party shall be received by the National Treasurer and deposited in a bank account in the name of the Party.

ARTICLE 14.1 SOURCES OF FUNDS

The Party may receive funds from the following sources:

1. Membership fees.
2. Donations from individuals and organizations.
3. Voluntary Contributions from a lawful source.
4. Income from investments or fundraising activities.
5. Donations and grants from lawful sources.
6. Any other lawful source as approved by the National Executive Committee.



ARTICLE 14.2 MANAGEMENT OF FUNDS

1. The National Treasurer, under the supervision of the NEC, shall be responsible for the management of Party funds.
2. The Party shall maintain proper accounts of all its financial transactions and shall ensure that they are audited annually by an independent external auditor..
3. The National Executive Committee shall establish rules to govern the collection, management, and expenditure of funds. All withdrawals shall be against expenditures in the approved budgets or by resolutions of the National Executive Committee.
4. The Party shall operate Account(s) with local Bank(s) according to procedures laid down by the National Executive Committee.
5. The signatories to the Bank Account(s) shall be as approved by a resolution of the National Executive Committee.
6. The National Executive Committee shall cause to be kept, proper books and records of account of the income, expenditure, assets, and liabilities of the Party.
7. The National Executive Committee shall appoint or re-appoint a qualified, registered Auditor to audit the books of the Party at the National Delegates Congress. The Auditor shall not be an office bearer or a member of any committee of the Party.
8. The National Executive Committee shall, within three months after the end of each financial year submit to the Auditor-General the accounts of the Party in respect of that year.
9. All Party accounts, records and documents shall be open to inspection by the auditor at any time.
10. The National Treasurer shall produce and submit up-to-date audited accounts, which shall not be less than four weeks and not more than two months before the date of the National Delegates Congress.
11. The Auditor shall be paid such honorarium for his/her duties as shall be approved by the National Executive Committee.

ARTICLE 14.3 TRUSTEES

1. The property of the Party shall be vested in the National Trustee together with three other Trustees (who may be, but need not be, members of the NGC). They shall hold the property upon trust for the members of the Party in accordance with the rules and constitution thereof.
2. The trustees shall deal with the property in their own discretion but subject always to the lawful directions of NGC and of the members in general meeting.
3. The Trustees shall hold office for a term of 5 years renewable.
4. The power to appoint the National Trustees will rest with the National Delegates Conference, subject however to the approval of a majority of the members voting at a National Delegates Conference or Special National Delegates Conference.
5. The Trustees shall serve without remuneration except the National Trustee.
6. The Trustees may subject always to the lawful directions of NGC, borrow money on behalf of the Party for the purposes of the Party from time to time.
7. When so borrowing the NGC shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums in such manner or on



terms and conditions as they think fit, and in particular by mortgage of or charge upon or by the issue of debentures charged upon all or any part of the property of the Party.

8. The National Governing Council shall have no power to pledge the personal liability of any member of the Party for the repayment of any sums so borrowed without that member's written consent.

ARTICLE 14.4: MANAGEMENT OF PARTY ASSETS

1. **Trusteeship of Party Assets**

The National Trustee, together with three other Trustees (who may be, but need not be, members of the National Governing Council), shall be the legal custodians of all Party assets and property.

2. **Roles, Duties and Responsibilities of Trustees**

The Trustees shall:

- Hold in trust all movable and immovable assets, funds, and property of the Party on behalf of the Party and its members.
- Ensure that all assets are registered in the name of the Party or lawfully held on its behalf.
- Safeguard, preserve, and protect Party assets against misuse, misappropriation, encumbrance, or unlawful disposal.
- Jointly authorize, in writing, any acquisition, leasing, transfer, mortgaging, or disposal of Party assets, subject to approval by the NEC and ratification by the National Delegates Congress (NDC).
- Ensure that all transactions relating to Party assets comply with the Constitution of Kenya, the Political Parties Act, 2011, and all other applicable laws.
- Monitor and oversee the proper use of Party assets in line with approved budgets and work plans.
- Ensure that all Party property is adequately insured, maintained, and utilized strictly for Party objectives.
- Review, approve, and safeguard Party investments to ensure transparency, accountability, and sustainability.
- Declare and avoid any conflict of interest in matters involving Party assets.
- Submit periodic reports on the status and management of Party assets to the NEC, and present an annual report to the NDC.
- Ensure proper handover of all Party assets, documents, and registers during transition of office.

3. **Role of the NEC**

The NEC shall:

- Maintain an updated and accurate asset register.
- Oversee the valuation, acquisition, and disposal of assets in consultation with the Trustees.
- Develop and implement an investment strategy in collaboration with the Trustees, subject to approval by the NGC.

4. **Reporting**

All decisions and actions involving Party assets must be properly recorded and reported to the National Delegates Congress.



ARTICLE 14.5 PROHIBITION OF USE OF PARTY FUNDS

Moneys allocated the party from the Fund shall not be used—

1. For paying directly or indirectly remuneration, fees, rewards, allowances or any other benefit to a member or supporter of the political party, other than a member of staff;
2. To finance or as a contribution to any matter, cause, event or occasion directly or indirectly in contravention of any code of ethics binding on public officers;
3. Directly or indirectly for the purposes of establishing any business or acquiring or maintaining any right or financial interest whatsoever in any business or in any immovable property; or
4. For any other purpose incompatible with the promotion of a multiparty democracy and the electoral processes, or with the Constitution.
5. No sum shall be drawn from the Party's bank account except by cheque signed by the authorized signatories.
6. Any monies which in NGC's opinion are not required for immediate use may be invested by the Trustees in consultation with the NGC.
7. The income and property of the Party shall be applied only in the furtherance of the objects of the Party.
8. The NGC shall have power to authorize the payment of remuneration and/or expenses to any officer, member or employee of the Party and to any other person or persons for services rendered to the Party.

CHAPTER 15: PARTY SEAL

The Party shall adopt a common seal, which shall be used for the authentication of official documents and agreements. The seal shall be kept by the Secretary General, and its use shall be authorized by the National Executive Committee.

1. The Party seal shall bear the name and symbol of the Party.
2. Any document or contract to which the Party is a party shall be valid only if it bears the Party's seal and is signed by the designated officials.



CHAPTER 16: INSPECTION OF ACCOUNTS AND MEMBERSHIP REGISTER

1. Any registered Party member or Kenyan Citizen may , upon written request , inspect and obtain copies of the party records including:
 - a) Zeal Party Constitution
 - b) Audited Financial statements.
 - c) List of party officials and branch structures
 - d) Register of members
 - e) Policies and Plans of the Party
 - f) Particulars of pledges and financial contributions and donations.
 - g) Particulars of any party property
 - h) Estimates of the party's expenditure
2. The Documents shall be available for inspection at the registered offices of the Party at the head office and in each county office.
3. Access shall be granted within 14 days of the request subject to lawful limitations on data protection.

CHAPTER 17: PRESS AND PUBLICATIONS

The Party shall establish a media and communications department responsible for overseeing all press, publications, and media relations.

The Party may publish its own Literature, Newspaper, Periodical Magazine, Pamphlets, and Books either for sale or free distribution to members.

The National Executive Director shall direct the best way possible for distributing such documents including electronically or by way of press.

ARTICLE 17.1 ROLE OF THE MEDIA AND COMMUNICATIONS DEPARTMENT

1. To manage the dissemination of Party information and public relations.
2. To produce and distribute official Party publications, including newsletters, magazines, reports, and other promotional materials.
3. To maintain the Party's official social media platforms and ensure accurate and timely communication with Party members and the public.
4. To ensure that all communication from the Party reflects its core values, principles, and objectives.
5. To coordinate with the press and media outlets for interviews, press releases, and coverage of Party activities.

ARTICLE 17.2 APPROVAL OF PUBLICATIONS

1. All Party publications, press releases, and official statements shall be approved by the National Executive Director and the Secretary General.



2. No member shall publish or circulate material purporting to represent the Party's views without prior authorization from the National Executive Director, the Secretary General or NEC.

CHAPTER 18: MERGERS

The Party may, at its discretion, enter into mergers with other political parties, provided that such arrangements align with the Party's objectives and principles.

ARTICLE 18.1 PROCEDURE FOR ENTERING INTO MERGERS

1. The decision to enter or exit a merger shall be made by a Resolution of the National Executive Committee (NEC).
2. A proposal for a merger must be supported by a two-thirds majority of the NEC members present and voting.
3. Such a resolution shall be arrived at from a Post-elections Negotiations Team made up of the Party Leader, National Chairperson, the Secretary General and not more than two (2) other persons nominated by the National Executive Committee.
4. The NEC shall negotiate and formulate the terms and conditions of the merger and present the final agreement to the NDC for approval.

ARTICLE 18.2 CONDITIONS FOR MERGERS

1. Any merger must promote national unity, peace, and good governance, consistent with the objectives and principles of the Party.
2. The Party shall not enter into a merger that compromises its core values or objectives.
3. The details of any such arrangement shall be made available to all Party members and the public through official channels.

CHAPTER 19: COALITIONS

The Party may, at its discretion, enter into coalitions, with other political parties, provided that such arrangements align with the Party's objectives and principles.

ARTICLE 19.1 PROCEDURE FOR ENTERING INTO COALITIONS

5. The decision to enter or exit a coalition shall be made by a Resolution of the National Executive Committee (NEC).
6. A proposal for a coalition must be supported by a two-thirds majority of the NEC members present and voting.
7. The coalition may be a pre-election or post-election coalition.
8. Such a resolution shall be arrived at from a Post-elections Negotiations Team made up of the Party Leader, National Chairperson, the Secretary General and not more than two (2) other persons nominated by the National Executive Committee.
9. The coalition shall be for purposes:



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- merging selected items agreed to from the coalition parties manifestos,
 - boosting parliamentary strength of parties to the coalition in Parliament and/or in County Assemblies.
10. The post-election coalition team shall report to the NEC.
 11. Such coalition arrangements/process shall comply with the Third Schedule of the Political Parties Act.
 12. The instrument of Post-Election Coalition shall bear the signature of the Party Leader, National Chairperson and the Secretary General and bear the Party Seal.
 13. The NEC shall negotiate and formulate the terms and conditions of the coalition and present the final agreement to the NDC for approval.

ARTICLE 19.2 CONDITIONS FOR COALITIONS

4. Any coalition must promote national unity, peace, and good governance, consistent with the objectives and principles of the Party.
5. The Party shall not enter into a coalition that compromises its core values or objectives.
6. The details of any such arrangement shall be made available to all Party members and the public through official channels.

CHAPTER 20: INTERNAL DISPUTE RESOLUTION

The Party shall establish an Internal Dispute Resolution Committee responsible for resolving internal disputes among members, including disputes over Party nominations, elections, or the interpretation of this Constitution.

ARTICLE 20.1 COMPOSITION OF THE DISPUTE RESOLUTION COMMITTEE

The Dispute Resolution Committee shall consist of:

1. A Chairperson, who shall be a member of the Party with legal expertise.
2. Four (4) other members appointed by the National Executive Committee (NEC) from among the Party membership.
3. The Executive Director, as an ex-officio member, who shall provide administrative support to the Committee.

ARTICLE 20.2 FUNCTIONS OF THE DISPUTE RESOLUTION COMMITTEE

1. To hear and determine disputes between Party members regarding Party processes, elections, and conduct.
2. To resolve disputes related to the interpretation and application of the Party's Constitution, Code of Conduct, and policies.
3. To provide impartial and fair rulings, ensuring that all parties have the opportunity to present their case.
4. To issue binding decisions on disputes referred to the Committee, subject to appeal to the National Executive Committee (NEC).



ARTICLE 20.3 PROCEDURE FOR DISPUTE RESOLUTION

1. Any Party member who wishes to lodge a dispute must submit a written complaint to the Dispute Resolution Committee within thirty (30) days of the incident in question.
2. The Committee shall convene a hearing within fourteen (14) days of receiving the complaint, providing both parties an opportunity to present their evidence and arguments.
3. The Committee shall issue a written ruling within thirty (30) days of the hearing.
4. The ruling of the Dispute Resolution Committee shall be final unless appealed to the NEC.

CHAPTER 21: AMENDMENTS

This Constitution may be amended to reflect changes in the Party's goals, policies, or operating environment.

Matters which touch on the amendment of the name, symbol, Party colors, rules and constitution of the Party can and shall only be deliberated upon by a meeting of at least two third majority NDC members present.

All amendments shall be made in accordance with the following procedures:

ARTICLE 21.1 PROCEDURE FOR AMENDMENTS

1. Any proposal to amend this Constitution shall be submitted in writing to the National Governing Council (NGC).
2. The NGC shall review the proposed amendment and, if it deems the amendment necessary, shall submit it to the National Delegates Congress (NDC) for consideration.
3. The NDC shall debate the proposed amendment at its next regular meeting or at a special meeting convened for that purpose.
4. A two-thirds majority vote of the NDC members present and voting shall be required to adopt the amendment.
5. No such amendment may be implemented without the prior approval or consent in writing of the Registrar of Political Parties obtained upon application to him/her in writing signed by three National Officials.

ARTICLE 21.2 NOTIFICATION OF AMENDMENTS

Once an amendment is adopted, the NEC shall ensure that all Party members are notified of the changes. The amended Constitution shall be made available to all members through official Party channels.



CHAPTER 22: DISSOLUTION OF THE PARTY

The Party may be dissolved by a resolution passed by at least two thirds of the National Delegates Congress at a Special National Delegates Congress called expressly for the purpose of dissolution.

Voting shall be by secret ballot.

ARTICLE 22.1 PROCEDURE FOR DISSOLUTION

1. A proposal for the dissolution of the Party shall be submitted to the National Executive Committee (NEC) in writing.
2. The NEC shall convene a special meeting of the National Delegates Congress (NDC) to consider the proposal for dissolution.
3. A resolution to dissolve the Party shall require the support of at least two-thirds of the NDC members present and voting.
4. Upon dissolution, the assets of the Party less liabilities shall be distributed in accordance with the determination of the Special National Delegates Congress at which the resolution for dissolution is passed.
5. The assets shall be granted to one or more organizations in Kenya whose objectives conform to those of the Party.

ARTICLE 22.2 NOTICE OF DISSOLUTION

1. The NEC shall notify the Registrar of Political Parties of the Party's decision to dissolve within seven (7) days of the NDC's resolution.
2. No dissolution shall be effected without the approval /consent of the Registrar of Political Parties obtained by application made and signed by three national officials namely the Party Leader, The National Chairperson and the Secretary General.
3. The dissolution shall take effect from the date of approval by the Registrar.
4. The members of the National Governing Council shall be responsible for the winding-up of the assets and liabilities of the Party.
5. The NEC shall ensure that all Party members are informed of the dissolution and that all Party activities cease in an orderly and lawful manner.

CHAPTER 23: GENERAL PROVISIONS

ARTICLE 23.1 GENDER AND AFFIRMATIVE ACTION

1. In the Endeavour to reach the objective of full representation of women in all decision - making structures, the Party shall implement a program of affirmative action, including the provision of a quota of not less than one-third (1/3) in all organs, appointments, committees, nominations to enable such effective participation.



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2. The marginalized, Youth and Persons with Disabilities shall be taken into consideration in an effort to ensure they have representation in most of the major organs of the party in line with the Party's objective of maintaining equality and fairness.
3. All Party Office bearers shall not hold more than one office in the Party.

CHAPTER 24: FINAL PROVISIONS

This Constitution, once adopted, shall be binding on all members and organs of the Party. It represents the supreme authority governing the activities, decisions, and direction of the Party.

1. All members of the Party shall commit to upholding this Constitution and acting in accordance with its provisions.
2. Any violation of this Constitution shall be subject to the disciplinary measures outlined in this document.
3. This Constitution shall be interpreted and enforced in a manner consistent with the laws of Kenya, and in cases of conflict, Kenyan law shall prevail.

ARTICLE 24.1: TRANSITIONAL PROVISIONS

The Party shall make necessary transitional arrangements to ensure the smooth implementation of this Constitution.

ARTICLE 24.2: IMPLEMENTATION OF THE CONSTITUTION

1. The provisions of this Constitution shall take effect immediately upon its adoption by the National Delegates Congress (NDC).
2. All existing Party rules, policies, and procedures shall be reviewed and revised as necessary to align with the provisions of this Constitution.
3. The National Executive Committee (NEC) shall oversee the transition process, ensuring that all Party organs comply with the new constitutional framework.
4. The National Executive Committee 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 AND APPENDICES

APPENDIX (I)

Disciplinary Rules and Procedures

INTRODUCTION

This Part is in addition to Chapter 8 and 15 of the Constitution which deals with discipline. It prescribes disciplinary procedure and how disciplinary proceedings are to be conducted.

OBJECTIVE OF DISCIPLINARY PROCEDURE

The objective of disciplinary procedure is to ensure that all disciplinary proceedings—

- (a) Are formal;
- (b) Just and fair;
- (c) Shall proceed on the presumption of the innocence of the accused;
- (d) Afford the member an opportunity to defend himself or herself
- (e) Afford the member an opportunity to appeal the decision to a higher level;
- (f) Are otherwise based on the principles of fair administrative action and natural justice.

STARTING DISCIPLINARY PROCEDURE

Disciplinary Proceedings may be instituted:

1. Only for violations or offences of the ZEAL- constitution, the Rules, the Standing Orders, Codes of Conduct, or the violations and offences set out in Article 8.1
2. By any organ or official of the ZEAL party - at, Branch or National level. However, in certain instances, the NEC may direct that the disciplinary proceedings should take place at a higher level where a violation or offence was committed .
3. By the National Disciplinary Committee which can hear and decide cases:
 - Referred to it by the Party National Officials or the NEC.
 - Of very serious violations or offences on its own initiative (Article 7 (s). At Polling Station, Branch, or National level by a Disciplinary Committee

Unless:



- The NEC directs that the disciplinary proceedings should take place at a higher level than where a violation or offence was allegedly committed (Article 7 (h)).
- The National Disciplinary Committee institutes disciplinary proceedings referred by the National Officials or the NEC.
- The National Disciplinary Committee institutes disciplinary proceedings itself for very serious violations or offences.

HOLDING DISCIPLINARY PROCEEDINGS

1. A charge must be made within reasonable time of the violation or offence. .

The charge must:

- Be in writing.
 - Set out the information forming the reason for the charge and the alleged violation or offence in reasonable detail.
 - Identify the alleged violation or misconduct.
 - The violations and offences set out in Article 7 (e) or Article 7 (f) or Article 7 (g) alleged to have been committed.
 - Advise the charged member of her or his right to be represented by a member of the TSP - of good standing, to have an interpreter present, to call witnesses for defence of the charge, and to call and question witnesses called for prosecution of the charge.
 - Specify the time and place of the disciplinary proceedings.
 - Be delivered to the charged member within 30 days before the disciplinary proceedings or sooner if this is necessary in Be delivered to the charged member within 30 days before the disciplinary proceedings or sooner if this is necessary in certain serious circumstances.
4. The following persons must be present at a Disciplinary Proceeding:
- The Chairperson and members of the Disciplinary Committee;
 - The presenter of the charge.
 - The charged member, who can be tried in her or his absence if she or he does not appear.
 - The charged member's representative and/ or interpreter who is a member of the TSP - in good standing.
 - • The witnesses.
 - • A minute taker.
5. The Chairperson of the Disciplinary Committee must ensure that:
- The disciplinary proceedings are held in a fair manner. He or she will rule on all matters that may arise and ensure order is maintained.



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- The charged member is informed of the charge, is informed of her or his rights and is asked to plead guilty or not guilty to the charge.
- The presenter of the charge details the charged member's alleged violation or offence and may call witnesses in support of the charge and may produce relevant documentation in support of the charge.
- The charged member or her or his representative presents the defence to the charge and may call witnesses and may request the recall of and question witnesses called in support of the charge and may produce relevant documentation.

ADJUDICATION

At the end of the disciplinary proceedings, the Chairperson of the Disciplinary Committee must ensure that:

1. The members of the Disciplinary Committee discuss the issues raised at the disciplinary proceedings in private and make a finding based on the facts and evidence of the case and make a ruling.
2. The Chairperson and the members of the Disciplinary Committee decide a penalty. The penalties are:
 - Reprimand
 - Payment of compensation and/or performance of useful tasks
 - Suspension
 - Expulsion.
3. The charged member is advised of the ruling and the penalty of the Disciplinary Committee with the reasons for these and is advised of her or his right to appeal.
4. That the ruling and penalty are publicly announced. (Article 7 (r)).

APPEAL

1. An appeal may be lodged by:
 - The charged person against whom a finding has been made or a penalty imposed by the Disciplinary Committee.
 - The organ and/or officials who laid the charge against a finding or a penalty imposed by the Disciplinary Committee.
2. An Appeal Hearing must be held by the next higher level unless:
 - The NEC directs that any appeal from a Branch Disciplinary Committee appeal should be heard by another Disciplinary Committee.
 - The NEC directs that any appeal should be heard by a higher level than the next higher level.
 - The National Disciplinary Committee is the final structure for appeals to be heard. However, the NEC may at its discretion review a decision of the National Disciplinary Committee.



APPEAL PROCEDURE

The following procedure must be followed for appeals:

1. The appeal must be made at the next higher level or the level which the NEC directs to hear the appeal.
2. The appeal must:
 - Be made within fourteen days of the charged member being informed of the ruling and penalty with the reasons for these.
 - Be in writing.
 - Set out the reason for the appeal in reasonable detail.
 - Set out the grounds for the appeal in reasonable detail.
3. Except in exceptional circumstances determined by the Chairperson of the Disciplinary Committee hearing the Appeal, no new evidence may be presented or considered at the appeal. No new charges may be brought at the appeal.
4. The Chairperson and the members of the Disciplinary Committee 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 which can confirm, vary or amend the original ruling and/or penalty.
5. The person who appeals must be advised of the ruling and the confirmation or variation of the original ruling and/or penalty. Any further appeal will need the permission of the next higher level.

INTERNAL PARTY DISPUTE RESOLUTION MECHANISMS

1. If a dispute arises within the Party, the same shall, in writing, be referred to the National Executive Council, which shall preside over and resolve the dispute within no more than Thirty (30) days.
2. If the dispute is of such a nature that NEC cannot resolve it, the Council shall appoint a mediator.
3. The mediators decision shall be binding.
4. No member of the Party shall refer any dispute to the Courts or Tribunal before exhausting the internal dispute mechanism set out herein, unless the dispute relates to a criminal offence.
5. Such resolution processes shall abide by the spirit and letter of Articles 47 and 50 of the Kenya Constitution, 2010.



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SCHEDULE I [Article 1(d)]

The Party symbol shall be the letter “Z” within a bright sun, symbolizing the dawn of hope and renewal. As illustrated below:

