

**THE CONSTITUTION OF
WIPER DEMOCRATIC MOVEMENT (WDM)**



**WDM CONSTITUTION revised and adopted
by the National Delegates Congress,
November 2021**

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PREAMBLE

WE, Members of the Wiper Democratic Movement (WDM)

RECOGNIZING the Supremacy of the Almighty God as the creator of the universe and the giver of life;

ACKNOWLEDGING the supremacy of the Constitution of the Republic of Kenya;

HAVING founded the **WDM** in the year 2006 with a vision to promote political rights, integrity, inclusivity, equitable national resources distribution and social justice as the core national values towards a prosperous Kenya; **REALIZING** the importance of political stability, peace, good governance and social-economic development as factors of national cohesion and unity; **INSPIRED** by the national fervour for progressive democracy and upholding the rule of law,

RECOGNIZING our founding fathers' dreams for a united nation called Kenya;

PROUD of our ethnic, cultural and religious diversity as a nation;

AFFIRMING our belief in the rule of law and abiding by the ideals and values of democracy and good governance through periodic, free and fair elections in conformity with the Constitution of Kenya;

EXERCISING our sovereign and inalienable political rights to determine our governance as WDM;

DO HEREBY ADOPT, ENACT and **GIVE** this constitution to ourselves as Wiper Democratic Movement and to our future generations.

**GOD BLESS KENYA AND THE WIPER DEMOCRATIC
MOVEMENT**

CHAPTER ONE

NAME AND OTHER ATTRIBUTES

1.1 Name of the Party

The name of the Party is Wiper Democratic Movement (WDM), hereinafter referred to as (“the Party”)

1.2 Vision, Mission, Ideology and Motto

a) Vision

To promote integrity, inclusivity, and social justice as the core national values towards a prosperous Kenya.

b) Mission

To provide access to transparent, accountable and people centred leadership for the benefit of present and future generations of Kenya.

c) Ideology

The Party is founded on principles of social democracy and upholds ideals that foster equitable distribution of the Nation’s Resources and opportunities amongst all citizens.

d) Motto

The motto of the Party is ***“ONE PEOPLE, ONE NATION”***.

1.3 Party Logo and Symbol

The logo of the Party is a fully opened umbrella with three (3) distinct colours namely royal blue, white and earth red with the word ‘**WIPER**’ inscribed above the umbrella as set out in the First Schedule. Royal blue is the party’s distinct colour.

1.4 Meaning of Party Colours

- a) Royal blue – represents dependability and understanding
- b) white - represents purity and clarity
- c) Earth red– represents power and life

1.5 Party Salute

The Party salute is a wave of the hand from left to the right signifying the wiping motion of past ills towards a prosperous, united Kenya.

1.6 Party Slogan

The party’s slogan is; **“WIPER”**

1.6 Party Flag

The Party flag shall be divided into three (3) portions of perpendicular blocks of royal blue, white and earth red with a fully opened umbrella donning the three (3) Party colours as set out in the First Schedule to this Constitution.

1.7 Corporate Status

- a) The Party is a body corporate with perpetual succession and a common seal.
- b) In its corporate name, the Party shall be capable of –
 - (i) Suing and being sued;
 - (ii) Acquiring and disposing of property, acquiring rights and incurring obligations; and
 - (iii) engaging in such other lawful activities which are consistent with its aims and objectives.
- c) The design of the Party seal shall be approved by the National Executive Committee (NEC) from time to time.
- d) The seal shall be kept in the custody of the Secretary General and shall be affixed on documents duly approved by the NEC. The affixation of the seal on a document approved by NEC shall

be presumed to have been duly authorized and binding on the Party.

1.8 Party Head Quarters

The Party headquarters shall be at the **WIPERHOUSE** whose location shall be determined by NEC. Its current Location is in Karen, Nairobi and its postal address P.O BOX 403 – 00100 Nairobi

1.9 Guiding Principles and Values of the Party.

- a) Democratic and open membership to Kenyans, offering quality leadership with integrity and good governance in the spirit of the Kenyan Constitution.
- b) People centred decision-making processes to guarantee a wholesome functioning Nation.
- c) Promote and protect democracy through regular, free and fair elections within the Party and in the Country.
- d) Articulate and champion the Party's aims and objectives in a civilized manner.
- e) Promote social-cultural and sustainable economic development of our Nation.
- f) Non- discrimination and protection of the rights of minorities and marginalized groups through representation and participation at all levels of Governance in the Party and the Country.
- g) Promote fundamental freedoms of Kenyans key among these being freedoms of speech and association.
- h) Champion for affordable services and a vibrant, efficient private sector.
- i) Offer nation-wide empowerment of local citizenry through grassroots development programs.
- j) Promote education as the key to national development, progress, and growth.
- k) Cooperate with religious based organizations to enhance spiritual needs of all Kenyans.

- l) Introduce and support a twenty-four (24) hour economy for greater social and economic growth for a sustainable Kenya.
- m) Promote equal access to resources and opportunities for all Kenyans.
- n) Promote national, regional and international peace and cooperation.
- o) Protect the environment and champion exploitation of natural resources in a manner that guarantees inter-generational equity.

1.10 Aims and objectives

The aims and objectives of the Party are to –

- a) Promote and preserve national integration, cohesion, sovereignty, peace and reconciliation for all the people of Kenya.
- b) To win elections and form a government for the people
- c) Provide quality, accountable and servant leadership in all spheres of governance.
- d) Uphold sound socio-economic and political policies that enhance equality and equal opportunities for all.
- e) Promote a culture of tolerance and respect for the human rights and dignity of all persons, as guaranteed in the Constitution of Kenya.
- f) Institutionalize good governance to eradicate corruption, nepotism, sectarianism, tribalism, misuse and abuse of public office and all other forms of social vices.
- g) Pursue national developmental programs and policies that will bring economic empowerment to the citizens of Kenya
- h) Embrace grass root participation in national elections where we uphold the principles of universal suffrage that will allow the free will of the people to elect a popular government.
- i) Uphold the supremacy of the Constitution of Kenya, defend and pursue justice for all without fear or favour and irrespective of political persuasions, race, religion and tribal affiliations.
- j) Promote equality and a responsive system to the needs of the people of Kenya.

- k) Promote economic development and prosperity for all through improved quality of life, employment opportunities, quality education, healthcare and national development policies;
- l) Promote gender equality and equity in national development policies and programmes.
- m) Embrace youth development agenda and develop programs that will address their social, and academic needs and secure their future;
- n) Promote sound economic and financial policies to ensure sustainable, economic development; that embodies the Kenyan dream of accountability, productivity and equitable usage of public resources;
- o) Pursue, promote and protect the rights of workers by securing a just return for their Labour, improved terms and conditions of service as well as promoting the rights of employers to receive commensurate output from their workers;
- p) Respect and preserve our national heritage, history, cultural diversity, national monuments, historical sites and archives for posterity;
- q) Enhance the participation of minorities and marginalized persons and other disadvantaged groups in the management of public affairs and national development through affirmative action programmes within the party structures;
- r) Promote sound environmental management and conservation policies to ensure sustainable development and utilization of our natural resources;
- s) Mobilize financial resources for the Party through donations, grants or technical support from Organizations, individuals and likeminded institutions locally and overseas.
- t) Develop schemes of awards, recognition, distinction of merit to honour persons, institutions or organizations that has rendered exemplary services to the Party and nation or otherwise contributed to the advancement of Party's interests and objectives and to participate in any national awards scheme;

- u) Promote Kenya's participation in regional integration and global social-economic development to foster greater co-operation and world peace;
- v) Collaborate and work with individuals, local institutions, regional or international organizations, both governmental and non-governmental, in realizing the Party's interests, aims and objectives;
- w) Promote and create a conducive environment for the operation of the cooperative movement, trade unions, civic societies, professional organizations, welfare associations and non-governmental organizations and cooperate with them in Party activities;
- x) Conduct civic education to Kenyans about the Party policies with a view of promoting transparency and democracy in the society; and
- y) Do all such other things as may be beneficial to the Party and are necessary for the fulfilment of its objectives.

CHAPTER TWO

MEMBERSHIP

2.1 General Principles

- a) Membership to the Party shall be open to all Kenyans who are above the age of eighteen (18) years irrespective of tribe, race, religion, creed, gender and social or economic status.
- b) Registered members of the party shall abide to the Party constitution, party rules, the Political Parties Act and all other applicable laws.
- c) A person who has manifested a clear identification with the Party, its principles, policies and ideologies and is resident in Kenya is eligible to be a member.
- d) Subject to the provisions of the Constitution of Kenya, any other written law and this Constitution, any Kenyan Citizen that is not

ordinarily resident in Kenya and has demonstrable identification with the party's vision, ideology, values and objectives and supports its activities and programs shall be eligible to become a member.

- e) The Party NEC may, acting on its own motion or on the recommendation of the Party Leader, grant honorary or associate membership to selected eminent persons, who though not members of the party have demonstrated unwavering commitment, interest and upheld the Party principles.
- f) Applications for membership shall be considered by the Party organs at the County, branch, sub-branch or any other provisional or interim leadership which shall have the power to accept or refuse any application for membership provided that such acceptance or refusal shall be subject to review by the NEC organ of the Party.
- g) Citizens can apply for membership either electronically or manually and acknowledgment of membership may be given either electronically or digitally and such acknowledgment will be given to individual registered members of the Party. Certificates of membership shall be issued at counties, branches, sub-branches and polling stations for those whose applications for membership have been accepted in accordance to this constitution.
- h) When registering as a member, details of the proposed member's identification, whether by way of national identity card or passport, the member's region, ethnicity, gender and county are to be provided.
- i) Objections to application for membership may be made by any registered member of the Party to the County, branch, sub-branch or Secretary General within twenty-one days (21) of notification of the application for membership provided that the final decision to reject an application for membership shall be made by the NEC.
- j) At any time before an application is accepted and a person registered as a member of the Party or in exceptional circumstances when the membership has been granted, the application may be rejected or membership cancelled on the ground of misrepresentation, forgery, misinformation, or such related

grounds. A person whose application for membership has been denied or cancelled shall be given the reasons for the decision and shall have a right to seek a review of the decision and an appeal to the party's NEC.

- k) Where no objection for membership or a decision to reject an application for membership has not been made, the applicant's name shall as soon as practicable be entered in the register of members
- l) Any member of the Party who contests in any Ward, Parliamentary, Gubernatorial or Presidential elections or acts as an agent or campaigner of a person duly endorsed by the NEC to contest for such elective position shall be subjected to the parties' code of conduct and disciplinary mechanisms.
- m) A member who joins or declares loyalty to another political party that is in competition with WDM shall be deemed to have constructively withdrawn membership from the Party and the name of that member shall be removed from the register of WDM membership upon the lapse of a fourteen (14) day notification period.
- n) A member who openly or knowingly supports the ideologies of another political party other than the party or independent candidate that has entered an agreement with WDM and acts contrary to the aims, objectives, policies, and principles of WDM shall be subjected to disciplinary action.
- o) An official or member of the Party may be fined, suspended, reprimanded, removed from office, or have his or her membership suspended by the NEC on the recommendations of the Disciplinary Committee. A decision of the NEC on disciplinary action under this section is final.

2.2 Categories of Memberships

- a) The Party has two categories of memberships; individual and group membership.

- b) Individual membership comprises of ordinary and life membership
- c) A member may convert membership from ordinary to life by paying the prescribed fees.
- d) The Party NEC may establish such categories of membership for the advancement of the Party's interest as it may deem necessary with the approval of the NDC.

2.3 Qualifications for Individual Membership

- a) Individual membership shall be open to all Kenyan citizens who have –
 - (i) Attained eighteen (18) years and above;
 - (ii) Subscribed and accepted to conform to the ideology, principles, objectives and policies of the party as enshrined in this constitution and any other party documents, and are not members of another political party or organization whose aims and objectives are in competition or conflict with those of WDM;
 - (iii) Signed the party's code of conduct and pledge of commitment; and
 - (iv) Paid the prescribed membership fees.
- b) Kenyans in the Diaspora may become members of the party provided they comply with the conditions set out under this Constitution and may form a Diaspora branch.
- c) A Diaspora branch shall consist of at least 10 members, provided that there may not be more than one branch in any given city. A branch so formed shall apply for registration with the Party Headquarters and upon approval of the application, be issued with a certificate. The other provisions applying to branches in this Constitution shall apply with necessary changes to a Diaspora branches.

- d) Members temporarily residing abroad for a period of not more than twelve (12) months may retain membership of the Party but shall notify the Party's Headquarters of their current address.

2.4 Qualifications for Group Membership

- a) Group membership shall be open to organizations including trade unions, professional associations, co-operative societies, student unions and any other organization that subscribe to the Party's ideology, principles, objects and accepts this Constitution and party rules.
- b) An organization may become a group member of the Party upon application and on proof that the organization -
 - (i) Is duly registered in accordance with the relevant laws;
 - (ii) Has formal structures and organs as per the organization's constitutive documents;
 - (iii) Has documented and actionable programs or manifesto;
 - (iv) Is in existence and active as may be evidenced by having a physical office, bank account, website, and postal address;
 - (v) Has made a resolution approving the organization's intention to become a member of the party;
 - (vi) Has presented the latest annual returns duly filed at the appropriate public office;
 - (vii) Has subscribed to and accepted to conform to the ideology, principles, objectives and policies of the party as enshrined in this constitution and any other party documents;
 - (viii) Is not a member of any other political party or organization;
 - (ix) Has signed the party's code of conduct and pledge of commitment; and
 - (x) Has paid the prescribed membership fees.

2.5 Procedures for Becoming a Member

- a) A person who intends to be a member of the Party shall make a written or verbal application to a Branch Executive Committee (hereafter referred to as BEC) or the nearest Party office or any

other interim structure appointed by the NEC to receive applications. The Party may also recruit its members electronically.

- b) A Branch Executive Committee (BEC) shall have the power to accept or refuse any application for individual membership provided such acceptance or refusal shall be subject to review by the NEC.
- c) A person may also become a member of the party at any place or time when approached or solicited so to do by a Party member during a membership recruitment drive.
- d) Application for group membership shall be made in writing and be considered by the NEC.
- e) The NEC shall have the power to accept or refuse any application for membership.
- f) Where an application for membership is accepted, the name of the applicant and other relevant particulars shall be entered in the register of members, and the member shall, in a language he or she understands, make a solemn declaration.
- g) A person whose application for membership has been accepted shall be issued with a membership card which shall be duly serialized, dated and signed subject to payment of the prescribed membership fee and signing of the Party's code of conduct and pledge of commitment.
- h) A member shall, upon request, be issued with copies of official Party documents including this Constitution, members guide, elections and nomination rules and Party manifesto, Code of Conduct and any other relevant information about the Party.
- i) If the application for membership is rejected, the reason for rejection shall be communicated to the applicant.
- j) An applicant whose application for membership has been rejected may within fourteen (14) days from the date of receipt of the reasons for rejection of membership make an application to the Party organ that made the decision for a review.
- k) Despite the right to make application for review of the decision to reject an application for membership by the BEC or any other

party organ, a person may within twenty-eight (28) days of receipt of the reasons for rejection of membership appeal the decision to the NEC.

- l) An application for review or appeal shall be heard within a reasonable time by the NEC or any interim structure appointed by the NEC to hear reviews and appeals.
- m) Decisions on Appeal on the question of membership shall be final.

2.6 Membership Subscription Fee

- a) The members, persons elected on the Party ticket and officials of the Party shall pay a monthly subscription fee as set out in the party rules. The NEC may review the subscription fee from time to time.
- b) Subscription fee shall be payable either in advance or as prescribed in the party rules when they fall due.
- c) A member who fails to pay subscription fees for three (3) consecutive months without reasonable cause and the subscription fee remains outstanding after the member has been issued with a written notice to settle the outstanding fees, shall not be regarded as a member in good standing.
- d) Outstanding membership fees shall be deemed as a debt to the Party and shall be recoverable against the member in accordance with the law.
- e) Such a member with outstanding fees may lose his or her membership in accordance with provisions of this Constitution.

2.7 Rights of Members

- (a) Every member has a right to –
 - (i) Participate and contribute to discussions, formulation and implementation of party policies, programs and plans;
 - (ii) Receive and impart information on all aspects of Party policies, programs and activities
 - (iii) Offer constructive criticism to any member, official, policy, program, activity or actions of the Party without victimization
 - (iv) Submit proposals or statements to the party

- (v) Actively participate in party activities and programs.
- (vi) Petition any structure of the Party on any aspects of the Party programs, activities or documents
- (vii) Benefit from the work, activities and programs or opportunities offered by the Party without any form of bias or prejudice.
- (viii) A member holding either a public office courtesy of the party or holding a party position convicted of crimes under national or international laws that attracts a sentence of over six (6) months will be subjected to party disciplinary procedures.

2.8 Duties of Members

- (a) The obligations of every member of the Party include to–
 - (i) Actively participate in the activities and programs of the party at all levels
 - (ii) Attend meetings where their presence is required
 - (iii) Participate in discussions, formulation and implementation of party policies;
 - (iv) Understand, implement and exemplify the purpose, aims, policies, principles and programmes of the party;
 - (v) Popularize the party’s ideology aims, policies and objectives to the general public and other members;
 - (vi) Combat negative propaganda detrimental to the interests of the party and defend its interests.
 - (vii) Endeavor to increase knowledge and understanding of the social, cultural, political, and economic challenges facing the country;
 - (viii) Respect and adhere to this constitution, party rules, the code of conduct and decisions made by the party organs;
 - (ix) Diligently and dutifully execute party decisions;
 - (x) Refrain from publishing or distributing through the media without appropriate authorization, any information deemed confidential or any views purporting to be the views of the party or of any of its organs;

- (xi) Ensure that one is registered as voter and takes all steps to vote during party and national elections;
- (xii) Advocate for and manifest unity and reconciliation in Kenya and fight against corruption, divisiveness, tribalism, gender biases, religious and political intolerance, and any other forms of vices; and
- (xiii) Inform the party of any change of domicile for purposes of transfer of membership to any other area or branch.

2.9 Cessation of Membership

- (a) A person shall cease to be a member of the Party by –
 - (i) Tendering resignation in writing to the Party;
 - (ii) Expulsion or termination of membership by the NEC;
 - (iii) “Constructive” withdrawals as detailed in this Constitution, the party rules and Procedures.
 - (iv) Declaration of transfer of membership to another political party;
 - (v) Deliberately failing or neglecting to pay his or her subscription fees for a period of three (3) consecutive months after receipt of three (3) demand notices to comply.
 - (vi) Accepting, subscribing and promoting activities of another political party or organization whose, aims and objectives are in competition with or in conflict with those of the WDM; or
 - (vii) Death or incapacity
 - (viii) Breach of the Political parties Act Kenya.
- (b) A person who has ceased to be a member of the Party shall not be entitled to a refund of the subscription fees or any other contributions made to the party prior to cessation of membership and all rights, privileges and responsibilities or facilities granted to or enjoyed by such a member by virtue of the membership shall automatically terminate with effect from the date of cessation.
- (c) A person who has ceased to be a member of the Party shall within seven (7) days of such cessation return all party properties held, possessed and/or controlled by the individual.

(d) Any person who ceases to be a member of the party shall be struck off the register of members.

CHAPTER THREE

PARTY ORGANS

3.1 Structures of Governance

- a) The following shall be the organs of the party – (i) The National Delegates Congress (NDC); -
- (ii) The Summit;
 - (iii) The National Executive Council (NEC);
 - (iv) The National Management Committee (NMC);
 - (v) The Coalition Coordinating Committee (CCC);
 - (vi) The Strategic Planning Committee (SPC)
 - (vii) The National Secretariat;
 - (viii) The National Elections Board (NEB);
 - (ix) The National Elections Appeals Board (NEAB);
 - (x) The Parliamentary Caucus;
 - (xi) County Governors Caucus (CGC)
 - (xii) County Assembly Caucus (CAC)
 - (xiii) County Assemblies Leadership Caucus (CALC)
 - (xiv) The County Coordinating Committee;
 - (xv) The Branch Executive Committee;
 - (xvi) The Sub-Branch Committee;
 - (xvii) The Polling Station Unit;
 - (xviii) The Wiper Women Democrats League;
 - (xix) The Young Wiper Democrats League;
 - (xx) The Marginalized and Minorities League
 - (xxi) The persons with disabilities League
 - (xxii) The Diaspora League
 - (xxiii) The Wiper Democratic Foundation; and
 - (xxiv) The Business and Professional Caucus
 - (xxv) Trustees
 - (xxvi) Such other organs as may be established from time to time by NEC.

- b) The affairs of the Party shall be managed as provided for by the organs in this Constitution and the party rules. The secretariat is the administrative organ of the party
- c) NEC may establish any party organ as it may deem appropriate and cause its duties and responsibilities to be published in the party rules.

3.2 Quorum

- (a) The quorum for the conduct of business of the organs shall be as follows–
 - (i) one-third of all members of the NEC shall form a quorum;
 - (ii) 50% of the branch, sub-branch and polling station membership shall form a quorum of all meetings of a branch, subbranch, polling station and meetings of any other organ whose quorum has not been specified;
 - (iii) delegates from 40% of the total number of branches in the county shall form a quorum for all county conferences; and
 - (iv) in the case of NDC and a special NDC, delegates from 50% of the counties representing at least 50% of the total membership of the NDC shall constitute a quorum.

3.3 Vacancies

- (a) A person shall cease to hold office the Party by–
 - (i) Tendering a written resignation to the Secretary General of the Party or Party Leader
 - (ii) Expulsion from the Party;
 - (iii) Absenteeism without reasonable cause from at least three (3) consecutive meetings or for such period as shall be prescribed by NEC
 - (iv) Death;
 - (v) Incapacitation and unsound mind
 - (vi) Being a public officer pursuant to the Political Parties Act except for the President, Deputy President, a Member of Parliament, Governor, Deputy Governor, or a Member of a County Assembly; or

- (vii) Disqualification to hold office under the Constitution of Kenya or any other written law.

3.4 Non-Voting Delegates

The Party Leader in consultation with NEC may invite distinguished individuals or any other persons who have made special contribution to the Party and demonstrated interest in the work and programs of the Party or who have special skills or experience to attend the NDC or NEC meetings but such invited individuals shall have no right to vote.

3.5 The National Delegates Congress

- a) The National Delegates Congress (NDC) shall be the supreme governing body of the Party.
- b) The Party Leader in consultation with NEC shall convene the NDC presided over by the National Chairperson and assisted by the Deputy Chairpersons
- c) The NDC shall meet once in every five years on such date, time and at a venue as shall be determined by the NEC to – (i) Adopt party programs and plans;
 - (ii) Receive reports from the NEC;
 - (iii) Review the operations of the previous years;
 - (iv) Elect national officials and
 - (v) Perform such other functions as the party may delegate.
- d) The NDC shall comprise – (i) All NEC members;
 - (ii) Members of Parliament elected on the Party ticket;
 - (iii) All NEB Members;
 - (iv) All NEAB Members;
 - (v) All Members of County Assemblies
 - (vi) Eight (8) officials from every Branch (constituency delegates) elected by the members of the respective Branch Executive Committees;
 - (vii) All County Chairpersons and Coordinators; and
 - (viii) Members of the Strategic Planning Committee (SPC)
- e) The NDC shall have voting and non-voting delegates.

- f) Only paid up members of the NDC are eligible to attend the NDC.
- g) The NDC may alter the number of delegates from time to time.
- h) Respective branches shall elect their NDC representatives at their annual meetings.
- i) The NEC shall appoint a National Delegates Congress Organizing Committee which shall –
 - (i) make preparations for the NDC;
 - (ii) circulate such reports, papers, documents and information as may be required in advance;
 - (iii) preside over the election of Party officials and the constituency delegates; and
 - (iv) perform other functions as may be determined by the NEC.
- j) Subject to this Constitution, the NDC shall adopt its own procedures in accordance with this Constitution and party rules and regulations.
- k) Voting shall be by consensus, acclamation or secret ballot,

3.6 Duties and Powers of the National Delegates Congress

- (a) As the supreme governing body, the NDC shall–
 - (i) Formulate and approve policies, rules and programs;
 - (ii) Approve budgets and plans of action;
 - (iii) Receive and consider annual reports and audited accounts;
 - (iv) Receive and consider reports of the NEC which shall include remarks from the presidential candidate;
 - (v) Receive and consider reports from the national chairperson, which shall include a report on the work and activities of the minorities and marginalized, persons with disabilities, wiper women democrats and the young wiper democrats’ leagues;
 - (vi) Set the subscription fees to be paid by the party members from time to time;
 - (vii) Receive and consider reports from the national elections board and the national elections appeals board;

- (viii) Appoint an internal auditor and fix the terms of engagement;
- (ix) Elect members of NEC and such other officials of the party as set out in this constitution;
- (x) Delegate or confer any of its powers or duties to the NEC or such organ as shall be determined;
- (xi) Review, ratify, alter or rescind any decision taken by any of the organs of the party, and evaluation of the performance of the NEC;
- (xii) Elect the presidential candidate; the deputy presidential candidate shall be selected by the presidential candidate following broad consultations and official endorsement of the NEC at an extraordinary meeting convened for that purpose;
- (xiii) Constitute any national committee to perform specific tasks and duties necessary for the advancement of objectives, programs or plans of the Party. Members to any such national committee shall be appointed by the party Leader with the NEC's consensus;
- (xiv) Amend, modify, or repeal the party Constitution, rules and regulations, the party manifesto or any other party document.
- (xv) Perform such other activities as may be necessary in support of the objectives of the Party.

3.7 The Summit

- a) There is hereby established the Summit consisting of the –
 - (i) Party Leader;
 - (ii) Deputy Party Leaders;
 - (iii) National Chairperson;
 - (iv) Secretary General;
 - (v) Chair of County Governors Caucus
 - (vi) Chairperson of the Coalition Coordinating Committee
 - (vii) Chairperson of Parliamentary Caucus

- b) The Party Leader may invite any person to a summit meeting but such person will have no voting rights. The Party Leader shall convene and preside over the Summit which shall meet once every year or as the Party Leader may deem necessary.
- c) The quorum for the Summit shall be 50% of its membership
- d) The Summit shall perform the following functions –
 - (i) Articulate the political ideologies, vision, mission and policies of the Party;
 - (ii) Resolve specific disputes on appeal that are crucial to the Party;
 - (iii) Support and fundraise for the Party and Coalition activities; and
 - (iv) Review policy reports from the NEC and recommend appropriate action
 - (v) Undertake such other specific and important functions as shall be determined by the Party Leader in consultation with the Summit.

3.8 The National Executive Council (NEC)

- a) The NEC shall be the executive organ of the party and shall consist of the following members –
 - (i) The party leader
 - (ii) Two deputy party leaders;
 - (iii) The national chairperson;
 - (iv) Four deputy national chairpersons;
 - (v) The secretary general;
 - (vi) Two deputy secretary generals;
 - (vii) The organizing secretary;
 - (viii) Two deputy organizing secretaries;
 - (ix) The treasurer;
 - (x) Two deputy treasurers;

- (xi) Leadership of members of parliament or such number of members of parliament as shall be recommended by the NEC;
 - (xii) Elected governors on the party tickets;
 - (xiii) Elected deputy governors on the party tickets;
 - (xiv) The party Majority or Minority leaders of National assembly
 - (xv) The Chairperson of Parliamentary Caucus
 - (xvi) The majority and minority leaders of county assemblies;
 - (xvii) The director of elections
 - (xviii) Two deputy directors of elections;
 - (xix) The chairperson of Coalition Coordination Committee;
 - (xx) The Secretary to Coalition and Coordinating Committee;
 - (xxi) The Chairperson business and professional caucus;
 - (xxii) Chairman wiper women democrats league;
 - (xxiii) Chairman for young wiper democrats league;
 - (xxiv) Chairman for persons with disabilities league;
 - (xxv) Chairman for minorities and marginalized league;
 - (xxvi) The party Regional Representatives;
 - (xxvii) The executive director, who shall be an *ex official*
 - (xxviii) Such other persons as the NEC may recommend.
- b) The members of the NEC shall be approved by the NDC or a special NDC and shall hold office for five (5) years, save for –
- (i) The secretary of parliamentary affairs, who shall be elected by the Parliamentary Caucus and ratified by NEC;
 - (ii) The Deputy Party Leaders who shall be appointed by the Party Leader; and
 - (iii) The leadership of Members of Parliament, Governors, Deputy Governors and Majority and Minority Leaders of County Assemblies.
- c) Meetings of the NEC shall be convened by the Secretary General in consultations with the Party Leader and be presided over by the National Chairperson.
- d) As the executive organ of the Party, the NEC shall–

- (i) Formulate the party's rules and Regulations, its code of conduct, and other Procedures to operationalise this constitution.
- (ii) Implement and enforce decisions of the Summit and the NDC;
- (iii) Manage Party affairs and make such decisions as shall be beneficial for the administration of the Party.
- (iv) Supervise operations of the administrative organs of the Party at all levels.
- (v) Issue directives and instructions and receive reports from party branches;
- (vi) Prepare the agenda and reports for the summit and NDC;
- (vii) Dissolve a branch or sub-branch executive committee where necessary and call for new elections within three (3) months of dissolution;
- (viii) Establish such organs, departments or committees as it considers appropriate;
- (ix) Determine the way the Party bank accounts and finances shall be managed.
- (x) Appoint and fix the terms and conditions of service of the Executive Director and other members of staff in the employment of the Party;
- (xi) Receive reports, supervise the work of, and delegate such functions to the National Secretariat, National Management Committee and National Election Board as it considers necessary;
- (xii) Receive and review reports from disciplinary committees at the National and County Level
- (xiii) Identify and propose such names for conferment of honours in accordance with the Party's and the National reward, awards and merits scheme as it may deem appropriate;
- (xiv) Identify and recommend any person to be nominated by the Party to Parliament or County.
- (xv) Constitute dispute resolution committees;
- (xvi) Set the criteria for attendance of Party meetings.
- (xvii) Conduct performance appraisal for the party's elected and nominated members.

- (xviii) Receive and review bi-monthly, quarterly and annual financial and reports
 - (xix) Review and approve the annual audit report and any sanctioned audit reports
 - (xx) Approve party policy documents and reports and ensure that they are disseminated to all branches and offices of the party and are available in the party website and social media pages.
 - (xxi) In consultation with the summit, the NEC will sanction training and awareness creation among all members at all levels on party agenda and approved policies
 - (xxii) Perform such other functions as shall be required by the NDC, the Summit or that is beneficial to the party.
- e) NEC shall pursue consensus in decision making and where they are unable to reach consensus, they will vote on any such matter by acclamation or show of hands or secret ballot. The chair will have a deciding vote in circumstances of a tie in votes.
 - f) The NDC shall approve NEC nominated members who shall be seconded by the delegates.
 - g) The quorum for meetings of the NEC shall be one-third of its total membership.
 - h) The NEC will hold its meetings at least once every three (3) months and provide broad political and organizational leadership to the Party.
 - i) A person shall cease to be a member of NEC by–
 - (i) Written resignation
 - (ii) Death or insanity
 - (iii) Ceasing to hold a party position entitling such a person to be a member of NEC.
 - (iv) Any other reason stated in this constitution or party regulations.

3.9 The National Management Committee

- a) There shall be a National Management Committee (NMC) which shall comprise –
 - (i) The Party Leader and Deputy party Leaders as *ex-official*

- (ii) The National Chairperson;
 - (iii) The Deputy National Chairpersons;
 - (iv) The Secretary General;
 - (v) The Chairperson for CCC; (vi) The Organizing Secretary;
 - (vii) The Treasurer;
 - (viii) The Director of Elections; and
 - (ix) Any other person as NEC will recommend in Consultation with the party leader.
- b) The National Management Committee shall: -
- (i) Oversee the general management of the Party and supervise its Secretariat on behalf of the NEC;
 - (ii) Convene urgent meetings as may be required by the party or the party leader to implement decisions of NEC
 - (iii) Deliberate on political agenda and consider emerging political situations and advise the Party Leader and NEC
 - (iv) Review policy reports from the secretaries in charge of various sectors and other committees standing and ad-hoc and make recommendations to the NEC
 - (v) Set the agenda of the NEC; and
 - (vi) Recommend for approval budgetary plans on behalf of the NEC.
- c) The National Chairperson shall convene and preside over the NMC which shall meet as and when it shall be determined by the National Chairperson in consultation with the Party Leader.
- d) The quorum for the NMC shall be 50% of the members.

3.10 The Coalition Coordinating Committee-

- a) There is here by established the Coalition Coordinating Committee appointed by the Party leader when appropriate to undertake tasks to further the Party's coalition objectives.
- b) The CCC will brief the NEC on the emerging coalition matters.
- c) The Functions of the CCC shall include;

- (i) To nominate a technical team with expertise and experience in matters relating to coalition building
- (ii) Conduct research, set criteria and advice on forming pre and post-election arrangements
- (iii) Draft appropriate pre and post-election coalition agreements and present to NEC for approval.
- (iii) Appoint a coalition negotiating team to represent the party in the pre and post-elections coalition arrangements.
- (iv) Review and ensure all pre-and post-election agreements represent the interests of the party

3.11 The Strategic Planning Committee

- (i) The NEC shall appoint a Strategic Planning Committee (SPC) consisting not less than five (5) and not more than seven (7) members, with a representative from special interest groups.
- (ii) Members of the SPC shall serve for a term of five (5) years and are eligible for re-appointment.
- (iii) The SPC shall propose strategic Party Policies, conduct research, organize, plan and mobilize party resources.
- (iv) The SPC shall meet at least once every three (3) months or as may be necessary.
- (v) The NEC shall fill vacant positions of the committee as they fall vacant.

3.12 The National Elections Board

- a) There is established a National Elections Board (NEB) consisting of
 - (i) Not less than three (3) and not more than nine (9) members including a chairperson and a deputy chairperson; and

- (ii) The Executive Director who shall be an *ex-official* member
- b) During its first meeting, members of NEB shall elect one of their members who shall be of the opposite gender to the chairperson to be a deputy chairperson and another to be a Secretary to the board.
- c) One member of the Board shall be a person representing special interest groups.
- d) The members of the NEB shall be appointed by the Party Leader on the recommendations of the NEC.
- e) The chairperson of the NEB shall be a person qualified to hold the office of a Judge of the High Court of Kenya.
- f) A person shall be qualified to be appointed as a member of the NEB if the person –
 - (i) Is a fully paid-up member of the Party
 - (ii) experienced in election matters;
 - (iii) Is eligible to vote at an election;
 - (iv) Has not been convicted of an election offence; and
 - (v) Satisfies the requirements on leadership and integrity as specified in the National Constitution of Kenya and enabling legislation.
- g) A member of the NEB shall serve for such period as shall be determined by the NEC and shall be eligible for reappointment provided that a member shall not serve for more than two (2) terms of five (5) years Consecutively.
- h) The NEB shall –
 - (i) Propose and review of the Party elections and nominations rules for ratification by the NEC;
 - (ii) Lead, co-ordinate and conduct Party elections and the nomination of Party candidates for general elections and by-elections;
 - (iii) Independently and impartially exercise its functions on behalf NEC;
 - (iv) Implement elections and nominations rules in accordance with the Constitution of Kenya, the electoral laws, this Constitution and party Regulations;

- (v) Consult with NEC and issue notices to Members of the party of date, venue and time within which applications for nomination for all elective seats shall be conducted and the timeline of return of the applications.
- (vi) Prepare and present monthly reports to the NEC;
- (vii) Prescribe forms and documents required for purposes of Party elections and nominations;
- (viii) Issue an interim certificate to a candidate duly elected or nominated upon being announced the winner;
- (ix) Issue the final list of the duly elected or nominated members to the NEC;
- (x) Formulate its rules of procedure for approval by NEC;
- (xi) Appoint and post returning officers, presiding officers and such other elections and nominations officers as shall be necessary for the better carrying out of its mandate; and
- (xii) Through the office of the Director of Elections, present to the NEC a list of all candidates contesting for Party positions for all elective seats provided that the NEC may raise an objection on reasonable grounds regarding the suitability of any candidate.
- (xiii) Consult with the director of elections, party leader and the secretary general in service delivery.

3.13 The National Elections Appeals Board

- a) There is established a National Elections Appeal Board (NEAB) consisting of –
 - (i) Not less than three (3) and not more than nine (9) members including a chairperson and a deputy chairperson; and
 - (ii) The Executive Director shall be an *ex-officio* member of the Board.
- b) The members of NEAB shall elect one of their members who shall be of the opposite gender to the chairperson to be a deputy chairperson and one to be a secretary to the board in their first meeting.

- c) The members of the NEAB shall be appointed by the Party Leader on the recommendations of the NEC
- d) The chairperson of the NEAB shall be a person qualified to hold the office of a Judge of the High Court of Kenya
- e) All members of the Board shall be– (i) Fully paid-up member of the Party
 - (ii) Experienced in dispute resolution, politics or election matters
 - (iii) Eligible to vote at an election;
 - (iv) Not been convicted of an election offence;
 - (v) Not a holder of any other office in the Party; and
 - (vi) Satisfies the requirements of the National Constitution relating to leadership and integrity.
- f) A member of the NEAB shall serve for such period as shall be determined by the NEC and shall be eligible for reappointment provided that a member shall not serve for more than two (2) terms of five (5) years consecutively.
- g) The NEAB shall hear and determine disputes arising from – (i) Party elections;
 - (ii) Party nominations to contest for all positions
 - (iii) Party lists for nomination as Member of Parliament or County Assembly.
- h) The NEAB shall formulate its rules of procedures for approval by NEC.
- i) NEAB shall consult with the Secretary General, Party Leader and Director of Elections in their service delivery.

3.14 The National Secretariat

- a) There is established a National Secretariat of the Party equivalent to the public service of the Party with employees who will be guided by the Party Service Charter.
- b) The employees of the National Secretariat shall include –
 - (i) An Executive Director; and
 - (ii) Such number of employees as shall be authorized by the NEC.

- c) The Executive Director and employees shall be engaged on agreed contract terms renewable upon application and approval by the Secretary General in consultation with the Party Leader.
- d) The National Secretariat shall–
 - (i) Manage Party operations;
 - (ii) Implement Party decisions;
 - (iii) Process and clear candidates seeking the party tickets for vie for any seat;
 - (iv) Undertake voter outreach and membership recruitment;
 - (v) Register, mobilize and maintain the voter and member registers;
 - (vi) Coordinate, facilitate and synchronize Party activities and events;
 - (vii) Enhance public relations, communication and media outreach;
 - (viii) Run operations and logistics;
 - (ix) Undertake research for the Party;
 - (x) Liaise with Party structures at all levels; and
 - (xi) Perform any other duties as may be assigned by the Secretary General in consultation with the Party Leader and the NEC.
- e) The National Secretariat shall be headed by the Executive Director who shall be appointed by the NEC.
- f) The Executive Director shall be responsible for the day-to-day administration of the affairs of the National Secretariat, and shall; -
 - (i) Ensure efficient functioning of the National and devolved level Party offices;
 - (ii) Supervise and enforce discipline of all staff and ensure their adherence to party policies, manuals and programmes;
 - (iii) Maintain a minute book of all resolutions of the NDC, NEC, sub-committees of the NEC, the Caucuses of the Party and other Party organs; -

- (iv) Coordinate the implementation of Party policies, decisions and programmes and generally ensure the achievement of the objectives of the Party as stipulated in this Constitution;
 - (v) Submit periodic reports on their performance and that of the Secretariat to the Secretary General;
 - (vi) Prepare a working manual for the National and devolved level Secretariats setting out functions of the departments and sections of the departments and disciplinary procedures;
 - (vii) In consultation with the Secretary General, appoint officers to be in charge of departments and other staff of the National Secretariat;
 - (viii) Be an ex-officio member of the NEB and NEAB;
 - (ix) Coordinate all Party organs and structures at all levels of governance;
 - (x) Spearhead membership recruitment and voter outreach;
 - (xi) Maintain member's and voter's register; and
 - (xii) Perform such functions and duties as shall be directed by the NEC or as are inherent to the office of the Executive Director for the fulfillment of the functions of the National Secretariat.
- g) The Executive Director shall cease to hold office if –
- (i) Ceases to be a member of the Party;
 - (ii) Resigns by a notice in writing to the Secretary General;
 - (iii) Circumstances arise as would disqualify them from holding such office in Kenya in accordance with the Constitution of Kenya and any other written law;
 - (iv) The NEC passes a resolution that the Executive Director so vacates office in the interest of the Party; or
 - (v) Death or incapacity
- h) The Executive Director and other employees of the National Secretariat shall serve on such terms and conditions as the NEC will determine.
- i) The NEC may terminate services of an employee in accordance with applicable employment laws.

- j) The Executive Director’s performance will be supervised by the Secretary General

3.15 County Governors Caucus

- a) There shall be a caucus known as the County Governors Caucus comprising County Governors and their deputies elected on the Party ticket.
- b) The Governors Caucus shall promote and defend Party policies and agenda within County.
- c) Members of Caucus elected or nominated on the Party ticket shall always jointly and severally exercise due diligence in the discharge of their County duties.
- d) The Party Governors Caucus shall work in consultation with the NEC through the Secretary for County Affairs who shall ensure adherence to the Party Constitution, Regulations, policies and the protection of the party’s interests in County.
- e) There shall be an Executive Committee of the County Governors Caucus comprising the following –
 - (i) The Chairperson of the County Governors’ Caucus
 - (ii) A Deputy Chairperson of the caucus
 - (iii) The Chairperson of the County Assemblies Leadership Caucus
 - (iv) The Secretary for County Affairs;
 - (v) Such other members who shall be appointed by NEC in consultation with the County Governors Caucus.
- f) The County Governors Caucus shall in consultation with NEC formulate and regulate its own rules of procedure including those required for the conduct of meetings.

3.16 The Parliamentary Caucus

- a) There shall be a caucus known as the Parliamentary Caucus comprising of Members of Parliament elected on the Party ticket.
- b) The Parliamentary Caucus shall promote and defend Party policies and agenda within Parliament.

- c) Members of Parliament elected on the Party ticket shall always jointly and severally exercise due diligence in the discharge of their Parliamentary duties.
- d) The Party Parliamentary Caucus shall work in consultation with the NEC through the Secretary for Parliamentary Affairs who shall ensure adherence to the Party Constitution, Regulations, policies and the protection of the party's interests in Parliament.
- e) There shall be an Executive Committee of the Parliamentary Caucus comprising of the following –
 - (i) The Parliamentary Majority or Minority Leader, or such leader of the Party in Parliament;
 - (ii) The Secretary for Parliamentary Affairs;
 - (iii) The Party Whip; and
 - (iv) Such other members who shall be appointed by NEC in consultation with the Parliamentary Caucus.
- f) The Parliamentary Caucus shall **in** consultation with NEC formulate and regulate its own rules of procedure including those required for the conduct of meetings.

3.17 The County Assembly Caucus (CAC)

- a) There shall be a caucus in each County known as the County Assembly Caucus Comprising Members of a County Assembly elected on the Party ticket.
- b) There shall be an Executive Committee of the County Assembly Caucus comprising–
 - (i) The County Majority or Minority Leader, or such leader of the Party in the County Assembly;
 - (ii) The Secretary for Assembly Affairs
 - (iii) County Co-ordinator
 - (iv) The Party Whip; and
 - (v) Such other members who shall be appointed by NEC in consultation with the County Assembly Caucus.
- c) The County Assembly Party Leaders shall work in consultation with NEC to ensure adherence to the Party's

Constitution, Policies, Regulations, and the protection of the party's interests at the County Assemblies

- d) The County Assembly Caucus in consultation with NEC shall set its own agenda and make its own rules to govern the conduct of its affairs.
- e) The Chair of the Caucus and its officials shall be agreed upon or elected by the Members of the caucus.

3.18 County Assemblies Leadership Caucus (CALC)

- a) There is established a County Assemblies Leadership Caucus Comprising Leadership of all county Assemblies.
- b) The CALC represents the interests of All County Assemblies at the National Level of the Party.
- c) The CALC in consultation with NEC shall set its own agenda and rules of procedure
- d) CALC in consultation with NEC shall elect its officials who will be in office for a period as may be determined by the CALC.
- e) They will ensure furtherance of the party ideology and interests in all Assemblies in the County by sharing best practices and networking for the interest of the party.

3.19 The County Conferences

- a) There shall be a County Conference in each county which shall be convened and presided over by the County Chairperson.
- b) The delegates to the County Conference will consist of –
 - (i) The County Chairperson;
 - (ii) The Secretary who is the County Coordinator;
 - (iii) The County Treasurer;
 - (iv) The chairpersons of each branch and sub-branch
 - (v) The chair Wiper Women Democrats league from each branch and sub-branch;
 - (vi) The chair Young Wiper Democrats league from each branch and sub-branch;
 - (vii) Party national officials from the County;

- (viii) Party Members of Parliament from the County;
 - (ix) The Governor;
 - (x) The Deputy Governor;
 - (xi) Party Members of County Assembly; and
 - (xii) Representatives of persons with disabilities and the marginalized groups from each branch and sub-branch.
- c) The County Conference will be authorized by the NEC to convene for any specific purpose, including assisting the NEC to consider matters concerning the County.
 - d) The meeting of the County Conference shall not discuss any matter other than that for which it was convened for.

3.20 The County Coordinating Committee

- a) There shall be a County Coordinating Committee consisting of the following members;-
 - (i) County chairperson;
 - (ii) County deputy chairperson;
 - (iii) County treasurer;
 - (iv) County chairperson for wiper women democrats league;
 - (v) County chairperson for young wiper democrats league;
 - (vi) A representative of persons with disabilities; and
 - (vii) The county coordinator, who shall be the secretary.
- b) The Co-ordinating Committee shall–
 - (i) Implement resolutions of the NDC and NEC within the county;
 - (ii) Coordinate, facilitate and synchronize the Party activities and events within the County;
 - (iii) Organize County Conferences; and
 - (iv) Perform such other functions as shall be determined by the NEC.
- c) Branch Chairpersons shall convene to elect the County Chairperson

- d) The position of County Chairperson shall be held on a rotation basis by the County chairpersons for a period of two (2) years or as agreed by the County Coordinating Committee.

3.21 The County Coordinator

- a) There shall be a County Coordinator and a Deputy County Coordinator in each County appointed by the Secretary General in consultation with the Party Leader who shall be answerable to the Secretary General through Executive Director of the National Secretariat in the execution of their mandate.
- b) The County Coordinator shall over-see and manage Party matters within the County and for that purpose he or she shall –
 - (i) Constitute County Committee in consultation with the Secretary General
 - (ii) Offer secretarial services for the County Coordinating Committee;
 - (iii) Scout and advise the NEB and NEC regarding appropriate candidates to run for elections on the Party tickets;
 - (iv) Oversee voter outreach and membership recruitment;
 - (v) Register, mobilize and maintain the County voter and member register;
 - (vi) Manage Party operations, activities and logistics within the County;
 - (vii) Manage the Party offices in the County under the supervision of the Secretary General;
 - (viii) Submit a quarterly report to the Secretary General through National Secretariat; and
 - (ix) Perform such other duties as shall be directed by the Secretary General.
- c) The County Coordinator shall be assisted by the Deputy County Coordinator in the execution of its mandate.

3.22 The Branch Executive Committee (BEC)

- a) The Party shall establish branches in each Constituency in

Kenya. Each branch shall be managed by a Branch Executive Committee consisting of –

- (i) Chairperson;
 - (ii) Deputy Chairperson;
 - (iii) Branch Secretary;
 - (iv) Assistant Secretary;
 - (v) Organizing Secretary;
 - (vi) Assistant Organizing Secretary;
 - (vii) Treasurer;
 - (viii) Assistant Treasurer;
 - (ix) Constituency chairperson for Wiper Women Democrats League;
 - (x) Constituency chairperson for Young Wiper Democrats League;
 - (xi) A representative of persons with disabilities; and
 - (xii) Ten (10) Committee Members consisting of the Member of Parliament elected on the Party ticket or one appointed by NEC, and two Members of the County Assembly elected on the Party Ticket and endorsed by the County MCA caucus or as appointed by NEC in consultation with branch Coordinator and seven other members who shall be elected at the Branch Conference.
- b) The Branch Executive Committee shall –
- (i) Promote Party policies, programmes and activities in the Constituency
 - (ii) Recruit new members for the Party;
 - (iii) Represent the views and interests of the Branch members;
 - (iv) Instil discipline and adherence to Party Constitution, code of conduct, policies, and regulations among Party members within the Branch; and
 - (v) Investigate any allegations of misconduct within the Branch and recommend appropriate disciplinary action or sanction to the NEC.

- c) The Branch Executive Committee shall meet at least once every three (3) months.
- d) There shall be a Branch Delegates Conference which shall be held annually and a special Branch Delegates Conference to be held as shall be determined by the NEC.
- e) The Branch Delegates Conference shall be convened by the Branch Chairperson not later than the 31st July of every year or as shall be directed by the NEC.
- f) The Branch Delegates Conference shall consist of –
 - (i) Party Branch office bearers;
 - (ii) Sub-Branch chairpersons;
 - (iii) Sub-Branch chairpersons for Wiper Women Democrats League;
 - (iv) Sub-Branch chairpersons for Young Wiper Democrats League;
 - (v) a representative of persons with disabilities from each SubBranch; and
 - (vi) 20 delegates from each Sub-Branch elected at a general meeting of the Sub-Branch. In electing the delegates, the Sub-Branch Executive Committee shall ensure equitable distribution within the Ward and that at least one-third of the delegates are of the opposite gender.
- g) The duties of the Branch Delegates Conference shall include-
 - (i) Confirming the minutes of the previous conference;
 - (ii) presenting and considering reports from the Branch Secretary;
 - (iii) presenting and considering the financial reports by the Branch Treasurer; and
 - (iv) performing any other business as shall be determined.
- h) A Special Branch Delegates Conference may be called for any specific purpose by the Branch Chairperson or upon written request addressed to the Branch Secretary and signed by at least 30% of the delegates entitled to attend the meeting.
- i) A special Branch Delegates Conference shall not discuss any other matter other than that for which it was convened for.

3.23 The Sub-Branch Committee

- a) The Party shall establish a Sub-Branch Committee in each Ward which shall be administered by a sub-branch executive committee consisting of the –
 - (i) Chairperson;
 - (ii) Deputy Chairperson;
 - (iii) Secretary;
 - (iv) Assistant Secretary;
 - (v) Organizing Secretary;
 - (vi) Assistant Organizing Secretary;
 - (vii) Treasurer;
 - (viii) Assistant Treasurer;
 - (ix) Sub-Branch chairperson for Wiper Woman Democrats League;
 - (x) Sub-Branch chairperson for Young Wiper Democrats League;
 - (xi) A representative of persons with disabilities; and
 - (xii) Ten (10) other Committee Members as shall be recommended by NEC.
- b) The Sub-Branch executive committee shall–
 - (i) promote Party policies, programmes and activities in the Ward
 - (ii) recruit new members;
 - (iii) represent the views and interests of the Sub-Branch members;
 - (iv) Instil discipline and adherence to Party policies and programmes among individual Party members within the Sub-Branch; and
 - (v) Investigate any allegations of misconduct within the Sub Branch and recommend appropriate action to the NEC through the Branch.
- c) The Sub-Branch executive committee shall meet at least once every three (3) months.

3.24 The Polling Station Committee

- a) The Party shall establish a Polling Station Committee in every polling station consisting of the –
 - (i) Chairperson;
 - (ii) Deputy Chairperson;
 - (iii) Secretary;
 - (iv) Assistant Secretary;
 - (v) Organizing Secretary;
 - (vi) Assistant Organizing Secretary;
 - (vii) Treasurer;
 - (viii) Assistant Treasurer;
 - (ix) A representative of the Wiper Woman Democrats League;
 - (x) A representative of the Young Wiper Democrats League;
 - (xi) A representative of persons with disabilities; and
 - (xii) Ten (10) other Committee Members as shall be recommended by the NEC.
- b) The duties of the polling station committee shall be –
 - (i) to promote Party policies, programmes and activities among party members within the polling station;
 - (ii) to recruit new members;
 - (iii) to sensitize and mobilize party members and other voters to turn up and vote for party candidates
 - (iv) to investigate any allegations of misconduct within the polling station and make recommendations for appropriate action to the NEC through the Sub-branch.
- c) The polling station committee shall meet at least once every three (3) months.

3.25 The Wiper Democratic Foundation (WDF)

- a) There is hereby established the Wiper Democratic Foundation (WDF). The Foundation shall –

- (i) Mobilize for resources and funds for the party in consultation with party's Finance Committee
 - (ii) Spearhead the Party's sustainable development agenda;
 - (iii) Undertaking research, develop party policy papers, manifesto, and appropriate political, social- economic and cultural proposals to NEC and other relevant Party organs to advance the party's ideology and objectives.
 - (iv) Promote political partnerships and with local, regional, and international organizations to invest and generate income for the Party.
 - (v) Carry out such other activities as it deems fit for the welfare of the Party including to design and promote social empowerment programmes for the members.
- b) NEC in consultation with the party leader shall appoint distinguished reputable professional members of the party to lead the foundation.
 - c) The WDF shall be led by a team consisting not less than Seven (7) and not more than Thirteen (13) members one among whom will be appointed by the Party Leader as Chairperson of the foundation.
 - d) The WDF shall meet at least once quarterly or as may be necessary and will formulate its own rules of procedure to regulate its affairs as shall be approved by NEC

3.26 Business and Professional Caucus

- a) There is hereby established the Business and Professional Caucus consisting of such number of persons as shall be determined by the NEC with varied expertise, skills, and experience and who subscribe to and support the Party's vision, mission, objectives and ideology.
- b) The NEC in consultation with the relevant Caucus stakeholders shall recommend to the Party Leader persons eligible for appointment to various positions in the respective Caucus.

- c) The Caucus shall intellectually and materially support the party's affairs and programmes and shall meet at such time and place as shall be determined by the NEC.
- d) The Caucus shall be represented by a National Committee consisting not less than Seven (7) and not more than thirteen (13) members elected by the Caucus with the approval of NEC.
- e) The Caucuses' National Committee shall meet quarterly and shall formulate its own rules of procedure for its meetings and for the regulation of its affairs as shall be approved by NEC.
- f) The Caucus shall oversee the establishment of Branch and Sub-Branch level business and professional caucuses to advance the objects of the party with the approval of NEC.
- g) The Business and Professional Caucus shall be represented by its Chairpersons in the Major Organs of the Party as provided for in this Constitution.
- h) The Business and Professionals Caucus as provided in this constitution shall elect its chairperson and other officials during its first official meeting.

3.27 Trustees

- a) There is hereby established a Board of Trustees consisting of not less than three (3) and not more than five (5) persons of high moral.
- b) The party Leader in consultation with the NEC will appoint the Trustee chairman and Members who will be approved by the NDC.
- c) A person appointed as a Trustees shall hold office for a term of five (5) years and shall be eligible for re-appointment at the expiry of the term.
- d) All land, buildings and any other assets, investments and securities that may be acquired by the Party shall be vested in the names of the Trustees.
- e) Subject to any guidelines made by the NEC, the Trustees shall have power to –

- (i) Sell, purchase or transfer any movable and immovable properties of the Party;
 - (ii) Formulate and implement sound investment policies as regards the management of the properties;
 - (iii) Engage in commercial activities to build Party assets and capital base;
 - (iv) Cause monies belonging to the Party to be invested in bonds, shares, securities or other forms of investment as deemed fit; and
 - (v) Carry out such other functions as may be determined by the Party or are incidental to the management of the properties of the Party.
- f) The Trustees shall pay all income received from properties and its activities to the official party account and seek from the party Treasurer funds for any expenditure in respect of such properties, investments, or securities.
 - g) The Trustees shall ensure that all properties of the Party are used only for the benefit and in the best interests of the Party.
 - h) The quorum necessary to transact business by the Trustees shall be three (3)
 - i) The office of a Trustee may become vacant if -
 - (i) A trustee resigns by a notice in writing addressed to the Party Leader;
 - (ii) A trustee is adjudged bankrupt;
 - (iii) A motion calling for his or her removal is passed by two thirds of the members; or
 - (iv) Death or incapacity of a trustee.
 - j) No property of the party shall be used by a trustee for individual gain unless authorized by the NEC
 - k) No Property of the party shall be disposed, sold or otherwise transferred without the express authority of NEC

CHAPTER FOUR

PROCEDURES AT MEETINGS

4.1 General Principles

- a) Written notices for all National, County, Branch, Sub-Branch, and polling station meetings shall be sent out by the respective Secretaries.
- b) Meetings may be conducted either physically, virtually, or both physically and virtually.
- c) There shall be two classes of meetings –
 - (i) Ordinary meetings which shall be convened by a written notice of fourteen (14) days; and
 - (ii) Special meetings which shall be convened by a notice of at least seven (7) days or as may be deemed reasonable. Such meetings shall be requisitioned for a specific purpose and no other matter shall be discussed other than as stated in the notice.
- d) Any official who fails to attend three (3) consecutive meetings without reasonable cause may be suspended.
- e) All meetings, unless specifically provided for in this Constitution, shall be presided over by the chairperson or in absentia the deputy-chairperson. In the absence of both the chairperson and the deputy-chairperson, a member elected from among those present shall preside.
- f) Resolutions shall, unless otherwise specifically provided for in this Constitution, be by simple majority by show of hands during voting and shall be recorded in the minutes.
- g) In the event of an equality of votes at any voting, the person presiding shall have a deciding vote.

4.2 Guidelines for Meetings of NDC

- a) An ordinary session of the NDC shall be convened by the Party Leader after every five (5) years at a place, date and time as shall be determined by the NEC.
- b) The Party Leader shall convene a special NDC upon the decision of the NEC or if requested in writing by fifty percent (50%) of the NDC delegates.

- c) Decisions at the NDC shall be taken by consensus in default of which there will be voting by show of hands, acclamation or through secret ballot.
- d) Minutes and resolutions of the NDC shall be prepared by the Secretary General and signed by the National Chairperson and Secretary General.
- e) Elections shall be by secret ballot or acclamation and shall be decided by a simple majority where more than one candidate is contesting for one position.
- f) Where only one candidate is nominated for one position at the close of the nominations, that candidate shall be declared the winner. Nomination of candidates shall be by proposal and Secondment.
- g) Subject to this Constitution, the notice convening the meeting and the agenda of the NDC shall be sent out by the Secretary General at least fourteen (14) days before the meeting.

CHAPTER FIVE PARTY DEMOCRATS LEAGUES

5.1 The Party Democrats Leagues

There is hereby established the party Democrats Leagues consisting of the–

- a) Wiper Women Democrats league;
- b) Young Wiper Democrats League;
- c) Persons with Disabilities league;
- d) Minority and marginalized League;
- e) Diaspora League.

The NEC in consultation with the relevant League stakeholders shall recommend to the Party Leader persons eligible for appointment to various position in the respective leagues.

5.2 **The Wiper Women Democrats League**

- a) The Wiper Women Democrats League shall be open to women who are members of the Party and shall have structures at the national, county, branch, sub-branch, and polling station levels.
- b) The Female Deputy Party Leader will be the patron of the wiper Women Democrats League.
- c) The Wiper Women Democrats League shall be integral and auxiliary body with its own principles, rules and regulations in line with the party's constitution.
- d) The objectives of the Wiper Women Democrats League shall be to defend and promote the rights of women in and outside the Party as provided in this constitution.
- e) The Party shall establish an executive committee of the Wiper Women Democrats League at national, county, branch, sub-branch, and polling station levels comprising of a chairperson, deputy-chairperson, secretary, assistant secretary, treasurer, assistant treasurer, organizing secretary, assistant organizing Secretary and ten (10) or such other number of committee members as shall be deemed necessary.
- f) The officials of the executive committees at national, county, branch, sub branch and polling station levels shall – (i) Be elected and in the same manner as Party officials; and (ii) Hold office for a term of five (5) years and are eligible for re-election upon expiry of their term.
- g) Apply for membership verbally, electronically or in writing to the nearest party offices or to the executive committee of the Wiper Women Democrats League.
- h) Receive confirmation of membership electronically or in writing.

5.3 The Young Wiper Democrats League

- a) It shall be open to persons aged between eighteen (18) and thirty-five (35) years who are members of the Party.
- b) It shall operate at national, county, branch, sub-branch and polling station levels.
- c) Its objective shall be to rally and unite the youth leadership within the party and society for their empowerment in confronting challenges facing the young people of Kenya.
- d) It shall operate as an auxiliary body within the overall structure of the Party with its own principles, rules and regulations as shall be approved by NEC.
- e) It shall operate in accordance to this Constitution and shall be subject to the general direction of the NEC.
- f) The Party as approved by NEC shall establish an executive committee of the Young Wiper Democrats League at national, county, branch, sub-branch and polling station levels comprising of a chairperson, deputy-chairperson, secretary, assistant secretary, treasurer, assistant treasurer, organizing secretary, assistant organizing secretary and ten (10) or such other number of members as may be deemed necessary for proper execution of its mandate.
- g) The officials of the Young Wiper Democrats executive committees at national, county, branch, sub-branch, and polling center levels shall –
 - (i) Be elected and in the same manner as Party officials; and
 - (ii) Hold office for a term of five (5) years, and are eligible for re-election upon expiry of their term.
- h) Application for membership shall be made verbally, electronically or in writing to the nearest party offices or executive committee of the Young Wiper Democrats League.
- i) Confirmation of membership shall be made electronically or in writing.

5.4 The Persons with Disabilities League

- a) It shall be open to persons with disabilities who are members of the Party and shall have structures at the national, county, branch, sub-branch and polling station levels.
- b) Its objective shall be to defend and promote the rights of persons with disabilities as provided in this constitution, the National Constitution and enabling legislation on persons with disabilities.
- c) It shall operate as an auxiliary body within the overall structure of the Party with its own principles, rules and regulations as may be approved by NEC.
- d) The Party shall establish an executive committee of the Persons with Disabilities and marginalized League at the national, county, branch and such other levels as shall be determined by the NEC consisting of a chairperson, deputy-chairperson, secretary, assistant secretary, treasurer, assistant treasurer, organizing secretary, assistant organizing secretary and such other members as shall be deemed necessary.
- e) The officials of the executive committee of the Persons with Disabilities League at all levels shall –
 - (i) Be elected and in the same manner as Party officials; and
 - (ii) Hold office for a term of five (5) years and are eligible for re-election upon expiry of their term.
- f) Application for membership shall be made verbally, electronically or in writing to the nearest party offices or executive committee of the Persons with Disabilities League.
- g) Confirmation of membership shall be made electronically or in writing.

5.5 Minority and Marginalized Communities leagues

- a) The Minorities and Marginalized Communities League shall be open to members of the Party who are considered

- minorities and marginalized in accordance with the Constitution of Kenya and other written Laws.
- b) The League shall operate at the national, county, branch, sub-branch and polling station unit levels.
 - c) The objectives of the Minorities and marginalized League shall be to unite minorities and other members that are marginalized in order to fully participate in the affairs of the Party and society, pursue their own personal development and provide leadership regarding the protection and promotion of the rights of the minorities and marginalized persons to ensure that they make full and meaningful contributions to the work of the Party and Nation.
 - d) The Party shall establish an executive committee of the Minorities and Marginalized Communities League at both the National and County levels of Governance consisting of chairperson, deputy-chairperson, secretary, assistant secretary, treasurer, assistant treasurer, organizing secretary, assistant organizing secretary and ten (10) or such number of committee members as shall be deemed necessary.
 - e) The Minorities and Marginalized Communities is an auxiliary body within the overall structure of the Party and an integral part of the Party with the authority to make its own guidelines, policies, and procedures provided they shall not conflict with this Constitution and shall be subject to the general direction of the NEC and the Party's general control and discipline at all levels.
 - f) The officials of the executive committee of the Minorities and Marginalized League at all levels shall –
 - (i) be elected in the same manner as Party officials; and
 - (ii) hold office for a term of five (5) years, and are eligible for re-election upon expiry of their term.
 - g) Application for membership shall be made verbally or in writing to the nearest executive committee of the Minorities League or the nearest Party office

- h) Confirmation of members shall be made electronically or in writing.

5.6 The Diaspora League

- a) The Diaspora League is established and shall be managed by an executive committee consisting of a Chairperson, deputy chairperson, secretary, treasurer, organizing secretary, and such number of committee members as shall be determined by the NEC.
- b) Members of the Diaspora Executive Committee shall be elected simultaneously and in the same manner as the Party officials and shall hold office for a term of five (5) years' and are eligible for re-election upon expiry of their term.
- c) It shall have Diaspora Branches for Kenyans abroad as approved by the NEC and registered by the National Secretariat
- d) Members in the Diaspora shall set up Chapters based on cities or States of residence as shall be approved by the NEC and the Chapters Shall report to the NEC through the Branches.
- e) Its Diaspora branches shall meet quarterly and submit progress reports to the Party's Secretary General.
- f) The Secretary General and the Secretary for Diaspora Affairs shall co-ordinate the establishment and operations of the Diaspora Branches and chapters.
- g) Diaspora Branches and chapters shall –
 - (i) Uphold and disseminate the Party's vision, mission, values, objectives and ideology.
 - (ii) Create awareness and sensitize Kenyans in the Diaspora about the Party; and
 - (iii) Mobilize resources for the party activities including policies, campaigns and programs.
- h) The Diaspora League shall coordinate all activities relating to Diaspora membership of the Party in liaison with the Secretary for Diaspora Affairs

- i) The Diaspora League shall promote and protect the interests of the Party in the Diaspora
- j) The League shall prepare and submit its plan of activities and programmes to the Secretary General through the Secretary for Diaspora Affairs for approval by the NEC.

CHAPTER SIX

PARTY OFFICIALS AND OFFICE BEARERS

6.1. Party Elections and National Office Bearers

- a) The Party shall be managed at the National level by the following officials –
 - (i) The Party Leader;

- (ii) Two Deputy Party Leaders;
- (iii) The Chairperson;
- (iv) Four Deputy Chairpersons;
- (v) The Secretary General;
- (vi) Two Deputy Secretary Generals;
- (vii) The Chairperson for CCC; (viii) The Secretary to the CCC
- (ix) The Organizing Secretary;
- (x) Two Deputy Organizing Secretaries;
- (xi) The Treasurer;
- (xii) Two Deputy Treasurers;
- (xiii) The Director of Elections;
- (xiv) Two Deputy Directors of Elections;
- (xv) Chairperson Wiper Women Democrats League;
- (xvi) Chairperson Young Democrats League;
- (xvii) Chairperson Diaspora Affairs;
- (xviii) Chairpersons Minority and Marginalized Communities;
- (xix) Chairperson Persons with Disabilities
- (xx) Secretary for Parliamentary Affairs;
- (xxi) Secretary for County Assembly Affairs
- (xxii) Secretary for Persons with Disabilities League; and
- (xxiii) Secretary for Minorities and Special Interest Groups.

6.2 Conducting of Party Elections

The party shall conduct its elections as provided in this constitution and the party's rules regulations and the elections shall be consistent with national and international generally accepted best democratic practices.

6.3 Party Election Procedures

- (a) The National officials shall be elected by the NDC or a special NDC and shall hold office for a term of five (5) years, except the Secretary for Parliamentary Affairs, who shall be elected by the Parliamentary Caucus and ratified by the NEC. An official shall be eligible for re-election at the expiry of their term of office

- (b) Candidates shall be nominated by proposal and secondment.
- (c) Elections shall be conducted by secret ballot or acclamation and shall be decided by a simple majority where more than one candidate is contesting for one office.
- (d) In conducting elections, the Party shall ensure that–
 - (i) No more than two-thirds of the positions are of the same gender;
 - (ii) The national officials reflect the diversity of Kenya;
 - (iii) The youth, persons with disabilities, minorities and marginalised groups are represented.
- (e) Persons dissatisfied with the outcome of the elections may seek redress at the respective party organs in line with this constitution and all other applicable laws.
- (f) The NEC may by resolution, appoint a person to fill any vacant position for the remainder of the subsisting term.

6.4 Powers and Duties of National Officials

- a) The Party will run its affairs through the Party Leader and other party officials elected or appointed in accordance with this constitution.
- b) Party officials approved by the NEC will be allocated specific responsibilities in their respective line portfolios and shall be responsible to their immediate heads and NEC as specified.

6.5. The Party Leader

- a) The Party Leader is the overall leader of the WDM and the Party patron
- b) The Party Leader is the party’s automatic presidential candidate in the national elections and a symbol of unity for the party.
- c) The Party leader undertakes the following duties; - (i) offers strategic political leadership for the Party;
 - (ii) Articulates and defends the party’s ideology and its policies.
 - (iii) Supervises, coordinates and administers the implementation of the Party manifesto by all Party organs;

- (iv) Issues directives for the overall implementation of specific programmes, plans and policies in furtherance of the party's objectives;
- (v) Manages the relationship between the party and the public
- (vi) Convenes and sets the agenda for the NDC and such other special meeting as shall be deemed necessary;
- (vii) Convenes and presides over joint meetings of the Parliamentary and County Assemblies Caucuses;
- (viii) Promotes internal and external political harmony in the interest of the party
- (ix) Promotes national political consultations, engagements, mergers, arrangements and co-operations with other political parties and political stakeholders.
- (x) Convenes and presides over meetings of the Summit; and
- (xi) Performs any other function as maybe necessary for the benefit of the party

6.6. Deputy Party Leaders

- a) There shall be two (2) Deputy Party Leaders who shall be of the opposite gender and shall deputize the Party Leader and perform such other functions and exercise such powers as may be assigned to them by the Party Leader.
- b) Specific functions and duties of each deputy are as set out in the Regulations of this party.

6.7. The National Chairperson

- a) The National Chairperson shall have the following duties and powers–
 - (i) Chair meetings of the Party other than those chaired by the Party Leader or Deputy Party Leader;
 - (ii) Preside over the NDC and NEC meetings under the directions of the Party Leader;
 - (iii) Promote unity within the Party and amongst officials and ensure good working relationship between Party officials and members;

- (iv) Issue regular policy directions and guidelines in consultation with the party leader and NEC;
- (v) Defend the Party and this Constitution as well as the Party policies and actions; and
- (vi) Perform such other duties as assigned by the Party Leader or the NEC in line with this Constitution.

6.8. National Deputy Chairpersons

- a) There shall be four (4) National Deputy Chairpersons who shall deputise the National Chairperson and perform such functions and exercise powers as may be assigned to them by the National Chairperson and the NEC in their respective portfolios as contained in the party Charter.
 - i) The Deputy Chairpersons shall not be of the same gender.
 - ii) Specific functions and duties of each deputy chair are as set out in the Regulations of this party.

6.9. Secretary General

- a) There is hereby established the office Secretary-General of the party.
- b) The secretary General shall be the accounting officer of the party and perform both administrative and financial functions
- c) The administrative roles of the Secretary General include: –
 - (i) To manage the national and devolved offices of the party
 - (ii) He is the Official Party spokesperson;
 - (iii) To manage correspondence of the national organs of the Party;
 - (iv) To be the Custodian of the party records;
 - (v) To implement decisions of the various organs of the party;
 - (vi) To monitor and report to the NEC all matters relating to discipline within the Party, and adherence to Party policies and codes of conduct by officials and members in accordance with this Constitution;
 - (vii) To prepare annual reports on the work of the NEC and the NDC;

- (viii) To keep proper record of minutes of all meetings and decision thereto including those of the NEC and NDC, and issue communications to Party organs or at all levels;
- (ix) To be the liaison between the National Secretariat and the Party organs;
- (x) To be the Secretary to all meetings of the NDC, NEC, the Summit and NMC;
- (xi) To issue notices of meetings of the NDC, NEC, the Summit and NMC in consultation with the Party Leader and NEC as necessary and ensure that all meetings are held in accordance with this Constitution;
- (xii) Ensure production of policy reports by sector secretaries, caucuses and party committees for review by the NEC.
- (xiii) To approve work plans and operations of the party secretariats, in consultation with the Party Leader,
- (xiv) To be the custodian of the seal of the Party and all legal documents of the Party.

b) The financial and accounting duties of the Secretary General include the following; -

- (i) To account for the Party and sign all necessary bank documents;
- (ii) Ensure that the money allocated to the Party from the Political Parties Fund and from donations and contributions are used in compliance with the law and for the promotion of the objectives of the Party; and
- (iii) Keep separate accounting books and records of accounts in the prescribed manner in respect of the funds received from the office of the Registrar of Political Parties and all the transactions for each financial year for which monies have been allocated from the Political Parties Fund.
- (iv) Ensure the production of the annual audit reports for review by NEC
- (v) Ensure the production of bi-monthly, quarterly and annual financial reports for review by NEC

- (vi) Perform such other duties conferred upon the Secretary General by this Constitution, the Political Parties Act or as shall be assigned by the NEC.

6.10. Deputy Secretaries General

- a) There shall be two Deputy Secretaries General who shall be of the opposite gender.
- b) The Two deputies shall perform functions and exercise such powers as may be assigned to them by this constitution and the NEC.
- c) Whereas one Deputy Secretary General shall be responsible for political affairs, the other shall be responsible for administrative affairs.
- d) The Deputy Secretary General responsible for political affairs shall –
 - (i) Be in charge of Party protocol;
 - (ii) Act as liaison with local organisations;
 - (iii) Attend to visiting delegations and guests of the Party; and
 - (iv) Act as a liaison with the Parliamentary and County Assemblies Caucuses
- e) The Deputy Secretary General for administrative affairs shall –
 - (i) Co-coordinate Party meetings and conferences;
 - (ii) Ensure effective and efficient management of the Party’s programmes
 - (iii) Oversee disciplinary affairs; and
 - (iv) Ensure returns are filed as required by law.

6.11. National Treasurer

- a) The National Treasurer shall be in charge of Party finances and supervises financial transactions at all Party levels.
- b) The National Treasure for this purpose shall –
 - (i) Receive and bank all monies and operate Party banking accounts;

- (ii) Keep books of account;
- (iii) Prepare and submit financial statements to the NEC;
- (iv) Circulate duly audited annual accounts to all delegates together with the notice convening the NDC;
- (v) Prepare and execute resource mobilisation plans;
- (vi) Is a signatory to the Party's bank accounts;
- (vii) Oversees prudent management and utilisation of party funds;
- (viii) Implements prudent financial practices and procedures to protect Party finances; and
- (ix) Performs such duties and financial functions as may be required by the party from time to time.

6.12. National Deputy Treasurers

- a) There shall be two (2) National Deputy Treasurers who shall be of the opposite gender.
- b) The Two deputies shall deputise the National Treasurer and perform other functions and exercise powers as assigned to them by the NEC and outlined in the Party Charter.

6.13 National Organizing Secretary

- a) There is hereby established the office of the National Organizing Secretary of the party whose functions shall be to –
 - (i) Promote political party activities including membership recruitment at all levels;
 - (ii) Plan, prepare and organize party functions, events and meetings at the national level;
 - (iii) Supervise and coordinate functions and events of all branches;
 - (iv) Coordinate and plan events of party caucuses, and party democrats' leagues; and
 - (v) Perform such other functions that are inherent and customary to the office of the organizing secretary or as shall be assigned by the NEC.

6.14 National Deputy Organizing Secretaries

- a) There shall be two (2) Deputy Organizing Secretaries who shall not be of the same gender.
- b) The Two deputies shall deputise the national Organising Secretary and shall perform such other functions and exercise powers as may be assigned to them by the NEC under this Constitution and as outlined in the party Charter.

6.15. Secretary for Parliamentary Affairs

- a) There is hereby established the office of the Secretary for Parliamentary Affairs
- b) The office will deal with matters relating to the National Legislature and the office holder shall be held by a Member of Parliament elected by WDM Members of Parliament
- c) The Secretary for Parliamentary Affairs shall perform the following functions –
 - (i) Galvanize support of all WDM legislators and MPs from other parties for motions and bills proposed or supported by the Party.
 - (ii) Convene and record the proceedings of the meetings of the Parliamentary Group;
 - (iii) Brief other organs of the Party on the activities of the Parliamentary Group;
 - (iv) Submit plans of activities and programmes through the office of the Secretary General for approval by the NEC;
 - (v) Hold quarterly meetings with the Secretary for County Assembly Affairs with a view to furthering the party's legislative agenda at both levels of Government
 - (vi) Submit periodical reports on performance to the office of the Secretary General; and
 - (vii) Perform such other duties as may be assigned by the NEC or as provided in the party charter

6.16. Secretary for County Assembly Affairs

- a) There is hereby established the office of the Secretary for County Assemblies Affairs which shall be held by a Member of a County

Assembly elected by County Assemblies Leadership Caucus and shall;

- (i) Galvanize support of all WDM members of the County Assemblies with respect for their motions, bills or other agenda proposed or supported by the Party.
- (ii) Convene and record the proceedings of the meetings of the County Assemblies Leadership Caucus
- (iii) Brief other organs of the Party on the activities of the CA Leadership Caucus;
- (iv) Submit plans of activities and programmes through the office of the Secretary General for approval by the NEC
- (v) Hold quarterly meetings with and coordinate with the Secretary of Parliamentary Affairs in the furtherance of the party's legislative agenda at both levels of Government.
- (vi) Submit periodical reports on performance to the office of the Secretary General; and
- (vii) Perform such other duties as may be assigned by the NEC and as provided in the party charter.

6.17. Official Signatories to Party Documents

a) The authorized officials to sign various party documents shall be as follows –

- (i) The Secretary General shall sign documents to the electoral commission or Registrar of Political Parties as approved by the relevant party organs and in concurrence with the Party Leader.
- (ii) The Secretary General, the National Treasurer and one other official shall sign bank account transactions as determined by the NEC with the concurrence of the Party Leader. Any other related documents shall be signed by two officials who could be either the National Treasurer, Secretary General or National chairman.
- (iii) The auditor and secretary general shall sign the audited annual accounts
- (iv) The Executive Director, National Treasurer and Secretary General shall sign the financial statements

- (v) The secretary general shall under the party leader's concurrence sign reports or documents approved by the NDC, the Summit, NEC and the NMC
- (vi) The Chairperson National Elections Board, the Vice Chairperson or the Secretary of the National Elections Board and the Party Secretary General shall sign nomination papers and certificates
- (vii) The party leader shall sign life membership certificates; and
- (viii) The National Chairperson and Secretary General with the concurrence of the Party Leader shall sign legal documents of the party.

CHAPTER SEVEN

DISPUTE RESOLUTION AND DISCIPLINARY MECHANISMS

7.1. Internal Dispute Resolution

- a) The Party Members shall attempt at the first instance to settle disputes amicably through negotiations.
- b) Any member may, at any time and without prejudice to any other dispute resolution mechanism provided for under this constitution, seek and settle any complaint or dispute through mediation, conciliation, or reconciliation.
- c) The mediation will be conducted under the Nairobi Centre for international Arbitration (NCIA) mediation rules 2015 or other rules which may be chosen by the parties.
- d) Members are free to chose any person to facilitate mediation, conciliation or reconciliation either from within the party or from outside the party
- e) Mediators will be engaged on voluntary terms or on such terms as parties to the dispute will agree
- f) The mediators and conciliators shall communicate the outcome of the mediation, conciliation, or reconciliation to the NEC for adoption.
- g) Members that are dissatisfied with the outcome of any alternative dispute resolution mechanisms shall escalate the dispute to the Disciplinary Committee for consideration.
- h) Members dissatisfied with decisions of the Disciplinary Committee can refer the matter to NEC whose decision in the matter will be final
- i) A party may nonetheless appeal any such outcome to the Tribunal.
- j) The party will make efforts to establish from its membership a list of qualified dispute resolvers who may be from all sectors and professions and include religious leaders.

7.2. The Disciplinary Committee

- a) There is established the Party Disciplinary Committee which shall comprise of not less than three (3) and not more than seven (7) members including the chairperson.
- b) The Chairperson of the Disciplinary Committee shall be appointed by the Party Leader in consultation with the NEC.
- c) The Chairperson of the Party Disciplinary Committee shall be a person who is qualified as an Advocate of the High Court of not less than five years standing and who satisfies the requirements of the Kenyan Law relating to Leadership and Integrity.
- d) The Party Disciplinary Committee shall have both original and appellate jurisdictions to hear and determine matters relating to or concerning discipline within the party.
- e) Members of the Party Disciplinary Committee, other than the Chairperson, shall be recommended by NEC for appointment by the Party Leader from among persons who are: –
 - (i) citizens of Kenya of aged eighteen (18) years and above;
 - (ii) Persons not holding any other office in the party.
- f) The members of the Party Disciplinary Committee shall appoint one from among them to be the Deputy Chairperson and who shall be of the opposite gender to that of the Chairperson.
- g) The Disciplinary Committee as established under this Constitution shall have the power to receive, hear and determine all cases of discipline concerning Party members. Any Party member may, by a written and or oral complaint reduced in writing, refer to the Committee an issue which may require disciplinary intervention.
- h) A Disciplinary issue shall arise on the grounds of misconduct and a member shall be liable to the Party's disciplinary measures if

he/she engages in any conduct prescribed and prohibited in this Constitution, in the party rules or National laws

7.3. The Disciplinary Procedures

- a) The Disciplinary Committee shall formulate its rules of procedure with the approval of the NEC and in compliance with the provisions of the Constitution of Kenya, the relevant laws and this Constitution
- b) The Party Disciplinary Committee shall have the power to impose any penalty provided for under this Constitution or the Disciplinary Rules.
- c) The decision of the Party Disciplinary Committee shall be final, unless set aside, varied or substituted by a decision of the NEC in accordance with the Constitution, by a court of law or Tribunal established by law.
- d) The Party Disciplinary Committee shall accord a fair hearing to all parties appearing before it
- e) The Disciplinary Committee shall give parties equal opportunity to represent themselves either in person or through their legal representative.
- f) The Party Disciplinary Committee shall report its finding and decision to the NEC for adoption.
- g) The NEC may confirm, vary or substitute the finding and decision of the Disciplinary Committee on Appeal by the concerned Member.
- h) Ordinary members, officials and representatives of the Party shall abide by this Constitution, the Code of Conduct and the party rules and regulations.
- i) Any member, whether individual or as a group, that commits any of the following acts shall be liable for disciplinary action –
 - (i) The payment of subscription fees for persons or groups of persons who would otherwise be unwilling to pay their own subscriptions fees;

- (ii) The offer of reduced rate membership fee or subscription fee to persons who are ineligible for that category of membership;
 - (iii) The recruitment of voters who do not reside at the address claimed for purpose of manipulating branch meetings or the outcome of an election;
 - (iv) Any member vying for any elective seat or acting as the campaign or election agent of any such person, or sponsors or such party which is directly competing with a candidate duly endorsed by the party;
 - (v) Joining or advancing the interests of other parties or organizations whose ideologies, and objectives are contradictory to those of the party.
 - (vi) Failure to pay membership subscriptions for a period of at least three (3) months without any justifiable reason;
 - (vii) Engaging in corruption;
 - (viii) Misappropriation of party funds or misuse of party property
 - (ix) Publicly declaring loyalty to another political party;
 - (x) Showing disrespect to the party organs and party officials;
 - (xi) Contravention of the party's code of conduct;
 - (xii) Failure, refusal or neglect to carry out directives or instructions of the party; and
 - (xiii) Committing such acts as set out in the party regulations and disciplinary rules.
- j) The Disciplinary Committee shall, after a determination of facts on a complaint, make recommendation to the National Executive Committee which shall have the power to pass a penalty including, but not limited to a reprimand, fine, Censure, Sanction, and Suspension for a definite period, Expulsion or removal from an office where a member has been appointed as a result of being a party member.

- k) Vacancies created by reason of expulsion or removal from office shall be filled in the same manner as they were originally filled
- l) The NEC may appoint an ad hoc committee to investigate and hear disciplinary matters in any County, Branch, Sub-Branch or Polling Station committee.
- m) The Party Branch, Sub-Branch, or Polling Station shall have no power to suspend or expel a member of the Party. Where an issue of discipline is referred to the Party Branch, Sub- Branch, or Polling Station, it shall constitute a Special Branch Disciplinary Committee to deliberate on the issue. Where the Committee is of the view that the misconduct is so serious as to invite suspension or expulsion, the Committee shall refer the matter to the Standing Disciplinary Committee at the Party Headquarters which shall summarily review the facts and make an appropriate recommendation to the National Executive Committee. Provided however the Branch/Sub- Branch/Ward or Polling Station shall have the power to censure, fine, or reprimand.
- n) Any Party member under a disciplinary process shall be accorded a fair hearing and be entitled to represent him/herself in person or by an authorized representative or next friend.
- o) The NEC may act on any recommendations made by the committee appointed under this constitution and any action or decision taken by the NEC shall be final.
- p) The party may make further rules with respect to disciplinary procedures to strength its internal disciplinary mechanisms.

CHAPTER EIGHT

NOMINATIONS AND PARTY LIST

8.1 The Party Nomination and Party Lists

- a) The Party shall nominate members to contest in the Presidential, Parliamentary, Gubernatorial or County Assembly elections in the Country, or to be nominated to Parliament and County Assemblies.
- b) Candidates nominated by the Party shall be members of the Party who subscribe to the Party Constitution, ideology, principles and policies.
- c) Any individual desiring to be nominated as a candidate for Presidential, Parliamentary, Gubernatorial or County Assembly elections on the Party ticket shall pay nomination fee as determined by the NEC and such other fees as may be required under written law to be payable for the purpose of the nominations exercise and elections
- d) The Party shall sponsor only one candidate for every elective position in any given elective area.
- e) Candidates nominated on the Party ticket shall adhere to both the party's and National Electoral laws and rules.
- f) The party will make a list of candidates to be nominated for both County and National governments.
- g) The Party shall make nomination rules and regulations for all levels as published in the Party Regulations and Procedures.
- h) The Party will prepare the Party Members list for the electoral commission for nominations of its members as provided in the Party's nominations rules, electoral laws and regulations and in this Constitution.

CHAPTER NINE

FINANCE, RESOURCES AND AUDIT

9.1 National Finance and Resource Mobilization Committee; -

- a) There is hereby established the National Finance and Resource Mobilization Committee. The committee will consist not less than seven (7) and not more than eleven (11) members, who shall include the National Treasurer, the Secretary General, the National Deputy Treasurers and other members appointed by the NEC.
- b) The National Treasurer shall chair the committee.
- c) The committee shall appoint its secretary.
- d) The NEC shall fill vacant positions in the Committee when they arise
- e) Members shall hold office for a term of five (5) years and be eligible for re-appointment at the expiry of their term.
- f) The Committee shall work closely with the NEC and the Board of Trustees.
- g) The Committee shall report at least twice (2) a year on the finances and resource mobilization exercises.
- h) The Committee shall be responsible for: -
 - (i) Financial resource mobilization;
 - (ii) Preparation of strategies, programmes and plans regarding financing and resource mobilisation; and
 - (iii) Advising the party on matters touching on finance and resource mobilisation.

9.2 The Internal Audit Committee

- a) There is hereby established an Internal Audit Committee consisting of not less than three (3) and not more than five (5) members to be appointed by NEC.
- b) The members of the Internal Audit Committee shall elect a chairperson, deputy chairperson and its secretary.
- c) The Internal Audit Committee shall: -

- (i) Oversight the financial reporting process, the audit process, the party's system of internal controls and compliance with the relevant laws and regulations;
- (ii) Monitor and evaluate the party's books of account;
- (iii) Review the results of external audits with the secretariat and external auditors; and
- (iv) Perform such other duties as recommended by the NEC.

9.3 Party Funds

- a) The sources of funds of the Party shall include the following; -
 - (i) membership Fees;
 - (ii) fundraising and contributions;
 - (iii) grants, investments, donations and legacies accepted by the NEC;
 - (iv) nomination fees;
 - (v) contributions from Party Members of Parliament, Governors, Members of County Assemblies and
 - (vi) such monies allocated to the Party from the Political Parties Fund.
 - (vii) Net income from publications and consultancies
- b) The funds shall be used to run the party programmes and activities and for administration of its offices and will not be used for distribution among members.
- c) The Party shall operate such accounts with such banks as shall be determined by the NEC and in accordance with this Constitution.
- d) The Party Bank accounts withdrawals, payments and any other financial instruments shall be authorized by two (2) mandatory signatories and one other Signatory. The names of the persons to operate the party accounts shall be decided by NEC and the

information relayed to the relevant Bank(s) by the Executive Director with the Secretary General's instructions.

- e) The NEC shall make rules governing the collection, management and expenditure of funds with regard to the approved budgets or NEC resolutions.

9.4 Auditors

- a) The NDC shall, appoint a qualified and registered auditor to audit the party books of accounts.
- b) The auditor shall not be an office bearer or a member of any party organ or committee.
- c) The Party accounts, records and documents shall be open for inspection by the auditor at any time.
- d) The auditor shall audit the accounts annually and submit the report to the NEC no later than 31st March of every year.
- e) The reports of the auditor shall be tabled before the NDC for consideration and adoption.
- f) The auditor shall be paid such fees for the services as shall be determined by the NEC.
- g) The Party's books of accounts shall be subjected to audit by the auditor General in accordance with the Political Parties Act 2011.

9.5 Inspection of Accounts and Member's Register

- a) The party books of accounts and the member's register shall be available for inspection at the registered Party offices to any officer or member of the Party.
- b) Any member intending to inspect books of accounts, member's register or any other Party documents shall give a notice in writing of at least fourteen (14) days to the Secretary General.

9.6 The Press and Publication

- a) The Party may own or operate a printing press, radio or television station which ownership may be in form of full ownership or shares in a business entity.
- b) The Party may publish its own literature, newspaper, magazine, pamphlets, books, calendars, bulletins, brochures or any other material for own use, sale or for free distribution.
- c) The Secretary General shall be in charge of the Party's Press and Publication.
- d) It shall inform and convey the party's vision, mission and agenda.
- e) The NEC will propose regulations to manage the media and electronic press to meet the objectives of the party

CHAPTER TEN

AFFILIATIONS, ALLIANCES, MERGERS AND COALITIONS

10.1 Coalitions and Co-operation Agreements

- a) The Party with the approval of the NEC and NDC may enter into a pre and post-election political coalitions, cooperation agreements, partnerships or mergers with likeminded political parties.
- b) Whenever the Party intends to enter a pre-election or post-election arrangement, a Coalition Coordinating Committee (CCC) consisting of the Party Leader, National Chairperson, the Secretary General, the Secretary for the CCC and three (3) other persons nominated by the NEC shall be constituted.
- c) The Party Leader chairs meetings of the CCC.
- d) The CCC shall consider proposals for pre-election or post-election agreements and make recommendations to the NEC and NDC.
- e) The CCC will ensure continuous monitoring and evaluation of coalition, cooperation and merger arrangements and advice the NEC and NDC as appropriate.

10.2 Pre- Election Arrangements

- a) The Party may, prior to an election, cooperate and form alliances or coalitions with other likeminded political parties.
- b) The Party may also prior to elections cooperate and form alliances and collaborate with like-minded political organizations situated abroad.
- c) The Party may merge with other likeminded political parties for the purpose of winning national elections and forming a government.
- d) The CCC may propose a pre-election arrangement for consideration and approval by two-thirds of the NEC and NDC or by a special NDC.
- e) Where the NEC or NDC rejects a proposed pre-election arrangement, such arrangement shall be deemed to have failed.
- f) A pre-election arrangement shall comply with the provisions of the Constitution of Kenya and the Political Parties Legislation.
- g) The instrument of a pre-election arrangement shall be signed by the National Chairperson and the Secretary General and witnessed by the Party Leader before sealing by the Party Seal and submission to the Registrar of Political Parties by the Secretary General and the Executive Director.

10.3 Post- Election Arrangements

- a) The CCC may negotiate for a post-election arrangement with such political parties as shall be determined appropriate by the Party and submit a report to the NEC for approval.
- b) The NEC may pass a resolution to commit the Party to a postelection arrangement or terminate any pre-election arrangement entered by the Party.
- c) A Post-Election arrangement shall be for purposes of addressing Parliamentary strength of the Party in Parliament or in a County Assembly and sharing of executive power and positions.

- d) Any post-election arrangement process shall be in compliance with the Political Parties Act and this Constitution.
- e) The instrument of the post-election arrangement shall be signed by the National Chairperson and the Secretary General and witnessed by the Party Leader. It shall be sealed by the party seal and submitted to the Registrar of Political Parties by the Secretary General and the Executive Director

CHAPTER ELEVEN

AMENDMENTS OF THE CONSTITUTION

11.1 Amendments of the Constitution

- a) The NEC may propose amendments to this Constitution which proposals shall be presented before the NDC or a special NDC for approval.
- b) The NEC may similarly propose amendments to the party name, symbol colours and rules which amendments will be presented before the NDC or a special NDC for approval
- c) A member of the Party may by a notice in writing, propose any amendments to the Constitution and such proposal shall be forwarded to the office of the Secretary General at least three (3) months before the NDC or the special NDC.
- d) The NEC shall give at least one (1) months' notice of any proposed amendment to the Constitution to the general membership and specifically to all counties, branches, sub-branches and all other structures as provided for under this Constitution.
- e) Any amendments to this Constitution shall be supported by a two-thirds majority of delegates present and voting at the NDC or a special NDC convened for that purpose.

CHAPTER TWELVE

FINAL AND GENERAL PROVISIONS

12.1 Dissolution

- a) The Party may be dissolved by a resolution passed by a two-thirds majority of registered members of the Party at a special NDC convened for the purpose of dissolution of the Party.
- b) Where a resolution is passed for the dissolution of the Party, all properties and funds of the Party less liabilities shall be distributed as shall be determined by the special NDC at which the resolution for dissolution is passed.

12.2 Effective Date

This Constitution shall come into force on its promulgation by the Party Leader or on the expiry of a period of fourteen (14) days from the date of approval by the NDC or a special NDC.

12.3 Repeal of Previous Constitution

The Constitution in force immediately before the effective date shall stand repealed on the effective date

12.4 Interpretation and general provisions

- a) This Constitution and any rules made hereunder should be interpreted and implemented in accordance to the principles, values and objectives of the Party.
- b) In this Constitution, unless the context requires otherwise-
 - (i) “Article” means Article of this Constitution and “clause” or “sub-clause” shall be similarly construed;
 - (ii) “Branch” means an organ of the Party in a Constituency;
 - (iii) “CCC” means the Coalition Coordinating Committee established under this Constitution;
 - (iv) “Constitution” means this Constitution;
 - (v) “Constituency” means an electoral area for a Member of National Assembly established under the Constitution of Kenya;
 - (vi) “Constructive withdrawal” means automatic withdrawal of a member from the party when a member of the party promotes ideologies of other parties without the express permission of

the party leadership, and fails to observe or honor the party Regulations and procedures.

- (vii) “County” means a county as provided for under Article 6(1) of the 2010 Constitution of Kenya and the Second Schedule to the Constitution of Kenya 2010;
- (viii) “Effective date” means the date that this Constitution came into force;
- (ix) “Elective office” –refers to both nominated and elected members.
- (x) “Marginalized communities” means a community that because of its relatively small population or for any other reason has been unable to fully participate in the integrated social and economic life of Kenya as a whole;
- (xi) “Marginalized people” means disadvantaged people as defined under Article 260 of the Constitution of Kenya 2010;
- (xii) “Member” means member of the Party;
- (xiii) “Member of Parliament” means a member of the National Assembly, the Senate or regional Parliaments
- (xiv) “Minority” mean numerically fewer people as defined in the Constitution of Kenya;
- (xv) “NEB” means the National Elections Board established under Article 30(a) of this Constitution;
- (xvi) “NEAB” means the National Elections Appeals Board” established under this Constitution;
- (xvii) “NEC” means the National Executive Council established under this Constitution;
- (xviii) “NDC” means the National Delegates Congress established under article 24 of this Constitution;
- (xix) “Nomination Rules” means procedures for Nomination of party candidates for election for the President, County Governors position, Parliament or to the County Assemblies, and the preparation of Party Lists.
- (xx) “Office Bearer” means an elected or appointed official of the Party.
- (xxi) “Officer” means an employee of the Party.

- (xxii) “Older member of society” means a person who has attained the age of 60 years as provided for under Article 260 of the Kenyan Constitution, 2010;
 - (xxiii) “Parliament” means the National Assembly and Senate or regional Parliaments
 - (xxiv) “Party” means Wiper Democratic Movement (WDM);
 - (xxv) “Party Leader” is head of the party as defined under this Constitution;
 - (xxvi) “Person with disability” includes all persons with disabilities including those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various attitudinal and environmental barriers, hinders their full and effective participation in society on an equal basis with others;
 - (xxvii) “Political Party” means as association contemplated in Part 3 of Chapter Seven of the Constitution of Kenya, 2010;
 - (xxviii) “Secretary for Parliamentary Affairs” means a Member of Parliament elected by Members of Parliament elected on the Party ticket to be their leader;
 - (xxix) “SPC” means the Strategic Planning Committee established under this Constitution;
 - (xxx) “Trustees” mean custodians of the properties of the Party as provided for under this Constitution;
 - (xxxi) “Polling station” means any room, place, vehicle or vessel set apart and equipped for the casting of votes by voters at an election in accordance the Elections Act;
 - (xxxii) “WDM” means Wiper Democratic Movement
 - (xxxiii) “Ward” means an electoral area for a Member of a County Assembly;
 - (xxxiv) “Youth” means the collectivity of all individuals in the country who have attained the age of eighteen years but have not attained the age of thirty-five years;
- c) In the event of a gap in this Constitution or where an office provided for has not been established, or an office provided for in this Constitution has not been filled, or because of a procedural

technicality, the NEC in consultation with the Party Leader shall have the power to make such arrangements to satisfy the spirit of this Constitution.

- d) In addition to the relevant Articles prescribed under this constitution, chairpersons convene meetings at any time provided that the convening of such meetings does not contravene the provisions of this Constitution.
- e) In an endeavour to ensure that the elderly, persons with disabilities, women, youth, and other vulnerable persons are adequately represented in all decision-making structures, the Party shall implement programmes of affirmative action to ensure popular participation of the elderly, persons with disability, women, youth, and other vulnerable persons in the Party

FIRST SCHEDULE

Party Flag



Party Logo



SECOND SCHEDULE

Party Organogram

