

REPUBLIC OF KENYA



UPA
UNITED PROGRESSIVE ALLIANCE
SAFISHA KENYA

PARTY CONSTITUTION

2025

In line with
The Political Parties Act (PPA) 2011 and any further subsequent amendments to the PPA

Thome Estate
Mukima Drive Off Thika Road
House No. 27.
P.O Box 22768 - 00505 Nairobi |
| www.upakenya.com | Email: info@upakenya.com
UPAkenya | UPAKenya

TABLE OF CONTENTS

PARTY CONSTITUTION.....	1
Article 1. Preliminary	5
Article 2. Preamble	6
Article 3. Establishment, Name, Abbreviation and Constitution	7
Article 4. Party Symbol	7
Article 5. Party Colours.....	7
Article 6. Party Slogan and Salute	7
Article 7. UPA Vision	7
Article 8. UPA Mission.....	7
Article 9: Guiding Principles and Core Values.....	7
Article 10: Aims and Objectives:.....	7
Article 11: Registered Head Office, Branch Offices and Party Records.....	9
Article 12: Formation, Maintenance and Termination of Coalitions	10
Article 13: Membership.....	11
Article 14: Application for Membership	11
Article 14.1: Categories of Membership	12
Article 14.2 UPA Membership Register.....	13
Article 15: Rights of Party Member.....	13
Article 16: Duties of Party Member	14
Article 17: Termination of Membership	14
17a Resignation from Membership.....	15
Article 18: National Officials	16
Article 19: Election of National Officials.....	17
Article 19A: Party Nomination.....	18
Article 20: Duties and Responsibilities of National Officials	18
Article 21: Meeting Expenses.....	28
Article 22: UPA Organizational Structure.....	29
Article 23: UPA Party Organs	30
Article 24: National Delegates Convention	30
Article 25: Procedure of Meeting at National Delegates Convention	32
Article 26: The National Governing Council (NGC).....	33
Article 27. Procedure of Meeting at National Governing Council.....	35
Article 28: The National Executive Council (NEC)	36
Article 29: The UPA Central Committee.....	40

Article 30. The National Secretariat (NS)	42
Article 31: UPA Governors Caucus	43
Article 32: Joint Party Parliamentary Group (JPPG)	43
Article 33: UPA County Assemblies Group (CAG)	44
Article 34: Party County Groups (PCG)	44
Article 35: UPA Progressive Women League	44
Article 36: UPA Youth Congress	45
Article 37: UPA National Elections Board	45
Article 38: Policy, Research, and Strategy Committee	46
Article 39: Branch Executive Committee	46
Article 40: Duties of the Branch Executive Committee	47
Article 41: The Sub-Branch Executive Committee	47
Article 42: Ward Executive Committee (WEC)	48
Article 43 Polling Station Committee (PSC)	49
Article 44: Duties of Branch, Sub Branch, Ward and Polling Station Officials	49
Article 45: Branch Delegates Convention	50
Article 46 Sub Branch Delegates Convention	51
Article 47: Ward Delegates Convention	51
Article 47b. Party Coordinators	52
Article 48: Procedure at Branch Meetings and Meetings of Lower Party Organs (including Party Conventions)	52
Article 49: Diaspora Branches	53
Article 50: Branch Secretariat	54
Article 51: Standing and Adhoc Committees	55
Article 52: UPA Professional Caucus	56
Article 53: Policies, Rules and Regulations	56
Article 54: Disciplinary Procedures	57
Article 55: Party Code of Conduct	61
Article 56: Funds and Financial Structures and Systems	61
Article 57: Accounts, Audits and Inspection of Accounts	62
Article 58: Inspection of Party Records	63
Article 59: Party Signatories	63
Article 60: National Values and Principles of Governance	63
Article 61: Board of Trustees	64
Article 62: Liability of Party Officials	65

Article 63: Contractual Liability 65
Article 64: Party Seal 65
Article 65: Press and Publications 66
Article 66: Internal Dispute Resolution 66
Article 67: Amendment of Constitution and Change of Name, symbol, slogan and colors 68
Article 68: Dissolution 69
Schedule I - Party Symbol 70
Schedule 2 - 71
Party Flag 71
Schedule 3- Postal Address 72

Article 1. Preliminary

A

This Constitution shall be cited as the United Progressive Alliance Party Constitution and shall come into operation on such day as it is approved by the National Governing Council. This Constitution shall be the supreme law of the Party.

B

In this Constitution, unless the context otherwise requires:

- **“Agent”** means person duly accredited by a candidate as his agent.
- **“Candidate”** means a person who has been cleared by the party in accordance to these rules.
- **"Electoral Area"** means a County, Constituency or a County Assembly electoral area or sub-location or polling stations.
- **“Election Officer”** means United Progressive Alliance election official on duty.
- **"Joint Nomination"** is the nomination of Presidential, Governor, Parliamentary or County Assembly candidate by a coalition of parties.
- **“Financial Year”** shall be for the period 1st July to 30th June of every year;
- **“Group Member”** means an organization registered in Kenya including but not limited to Trade Unions, Professional Associations and Students’ Unions;
- **“IEBC”** means the Independent Electoral and Boundaries Commission established pursuant to Article 88(1) of the Constitution of Kenya;
- **“Nomination”** refers to nomination of candidates for United Progressive Alliance elections and the nomination of party candidates for national and by-elections in line with the Elections Act Section 2.
- **“Nomination official”** means a person duly appointed and engaged in the nomination process.
- **“Office bearer”** means any person who is elected by the members of the Party to hold a particular office and/or otherwise appointed to hold an office pursuant to this Constitution;
- **“UPA”** means United Progressive Alliance Party;
- **“Party”** means the United Progressive Alliance Party;
- **“Political Parties Act”** is the Political Parties Act enacted by the Parliament of Kenya including such amendments, alterations and/or modifications and/or such other legislation repealing the legislation;
- **“Political Party”** has the meaning ascribed to the term in the Political Parties Act, 2011;

- **“Polling Unit”** means polling station as designated as such by the IEBC at the last General Election or a cluster of such polling stations as may be determined by the National Elections Board;
- **“Registrar”** means the registrar of political parties designated as such under section 3 of the Political Parties Act, 2011.
- **“Special Group”** includes women, the youth and people who are physically and specially challenged
- **"Voter"** for the purpose of party elections and Presidential, County, Parliamentary and County Assembly nominations means an UPA member who is a holder of a National Identity Card or passport, valid UPA membership card and is eligible as a voter in a particular electoral area.
- **“Youth”** shall mean persons between the ages of 18 years to 35 years for civic and 21 years to 35 years for parliamentary seats.

Article 2. Preamble

We the members of United Progressive Alliance (UPA);

ACKNOWLEDGE the sovereignty of the Republic of Kenya and the supremacy of the Constitution of Kenya as given by the people of Kenya:

REAFFIRM our commitment to the national values and principles of governance enshrined in the Constitution of Kenya 2010:

RECOGNIZE that in addition to our separate responsibilities to our individual societies, we have a collective responsibility to uphold the principles of social democracy which entail human dignity, equality and equity at all levels:

DEDICATED in the process of reconstruction and development aimed at reducing the problems of poverty, injustice, inequitable economic and social order:

DETERMINED to establish a government based on the essential values of the rule of law, security, human rights and freedoms including the freedom of assembly, association, movement, residence and social, economic and cultural interaction:

FOCUSED on working with regional and international community in enhancing global peace and security, including climate change:

ANCHORED on principles of social democracy that aims at strengthening social and economic equality, empowering the youth, women, PWDs, and the working-class against the inequalities produced by marginalization and nepotism, enhancing the rule of law, combating corruption in all its forms, integrating women, the youth and PWDs in the mainstream decision making organs of government, and prosecuting all those who have committed economic crimes and abused the sanctity of life and safety of the youth, women, and the marginalized.

DEDICATED to the promotion and protection of the Kenyan people and their property from the threats of insecurity and safeguarding the Kenyan borders from external aggression.

COMMITTED to change and transformation through the promotion of Social Democracy, Justice, Unity, Peace and Patriotism.

LEVARAGING on artificial intelligence and other emerging technological innovations in order to transform and grow Kenya into a modern and progressive economy.

AFFIRM accountability and responsiveness to the sovereign people of Kenya:

RESOLVE that United Progressive Alliance shall be a party of choice for the citizens of Kenya and will strengthen and respect the rule of law where all people are equal before the law therefore creating a just society where there is equal opportunity for all:

ADOPT and give to ourselves and bequeath to our future generations this constitution.

Article 3. Establishment, Name, Abbreviation and Constitution

There is hereby established a political party known as **United Progressive Alliance (UPA)** (hereinafter referred to as “**UPA**” or “**the Party**”); established pursuant to the Constitution of Kenya 2010 and the relevant law therein.

Article 4. Party Symbol

The Party Symbol shall be as per the graphic illustration in Schedule I of this Constitution.

Article 5. Party Colours

The Party Colours for UPA shall be lawn green, white, and red.

Article 6. Party Slogan and Salute

The Party Slogan shall be **Safisha-Kenya** (Acclaimed with swabbing open hands). The party salute shall be swabs, signifying cleaning process.

Article 7. UPA Vision

To be a mass political movement representing all shades of Kenyan society in the promotion and advancement of national cohesion, human liberties, equity, equality and good governance in a peaceful and democratic environment

Article 8. UPA Mission

To guarantee peace, security, cohesion, equity, equality, democracy and prosperity for the people of Kenya

Article 9: Guiding Principles and Core Values

Peace, justice, equity, transparency and national cohesion.

Article 10: Aims and Objectives:

The Aims and Objectives of the UPA are;

- a) To establish a democratic, constitutional, just and accountable Government of Kenya founded upon the national values and principles of Governance as enshrined in the constitution of republic of Kenya.
- b) To protect the Constitution of Kenya with a view to building a peaceful, united, cohesive and prosperous nation
- c) To work towards attaining comprehensive food security, affordable healthcare and grassroots based financial support system
- d) To cooperate and build strong coalition with like-minded political outfits in ensuring social democratic governance in Kenya.
- e) To redefine, defend and support devolution as a constitutional principle of Governance
- f) To eliminate all forms of state sponsored terrorism, harassments, abductions, and torture as a means to instill fear and intimidate the citizenry into negative submissions.
- g) To develop sound and progress policies that promote free healthcare as a means to cushion Kenyans from neglect and perpetual deaths;
- h) To work towards eradication of all forms of discrimination including tribalism, sexism, racism, political intimidation, religious bigotry and all forms of xenophobia.
- i) To defend the hard-fought democratic gains of the Kenyan people and further deepen the democratic culture, institutions and experiences in all spheres of Kenyan society.
- j) To fight for social justice and equity, and to eliminate all forms of inequalities.
- k) To protect and defend Kenyans right to picketing and to demonstrate as a means of expressing their objection/rejection to wrong and retrogressive government policies and programs.
- l) To defend the rights of all Kenyans, paying special attention to the rights of women, youth, children, persons with disabilities, and the rights of cultural, ethnic, racial and religious minorities and the marginalized communities and groups.
- m) To hold all those who have committed atrocities and caused harm and suffering to the Kenyan youth, and/or embezzled public funds either directly or indirectly to answer to their crimes.
- n) To work for the realization of East African and Pan African unity as important building blocks for fair international unity within the international society.

- o) To involve the Kenyan people in the main-stream decision making process on matters that directly affect/impact them through public participation as prescribed in the Kenya Constitution 2010.
- p) To defend the natural environment by promoting conservation, campaigning against pollution, promoting safe and healthy alternatives in energy and industrial processes; and to contribute in the efforts of stemming environmental degradation and in ameliorating the consequences of such degradation.
- q) To guarantee and work towards ensuring that Kenyans own homes in urban areas through a subsidized and voluntary “*Home Ownership Scheme*”
- r) To participate in the construction of a united Kenya imbued with patriotism.
- s) To promote and establish a fair and just leadership in the Governance of Kenya devoid of corruption, nepotism and all forms of discrimination.
- t) To promote safe energy generation and utility as a means to industrialization and job creation
- u) To Protect Kenya’s public utilities and natural resources.
- v) To promote national development, Anchored on the socio-economic needs and interests of Citizens.
- w) To support and advance the cause of women emancipation and empowerment and to ensure that gendered approach informs all of UPA’s policies and practices.
- x) To promote and champion the fight for youth empowerment and ensure that Kenyan youth are at the centre of national development initiatives, and mainstream decision-making organs.
- y) To pursue any other objective incidental to the above and that promotes the core values of the UPA.

Article 11: Registered Head Office, Branch Offices and Party Records

1. The registered Head Office of UPA shall be in Nairobi Thome Estate, Mukima Drive off Thika Road House No. 27.
2. The physical and postal address of the registered head office is specified in the schedule 2.
3. UPA shall maintain at its registered Head Office and at its County Offices in a form approved by the Registrar of Political Parties or any other officer with powers over political parties under a written law in force in Kenya, an accurate and permanent record of:
 - a) UPA Membership Register containing party members details including surname, first name, national Identification number, county, ethnicity, party Branch, gender, telephone contacts, postal address and membership category.

- b) Particulars of any contribution, donation or pledge of a contribution or donation, whether in cash or in kind, made by the founding members of the Party;
 - c) Particulars of any property that belongs to UPA and the time and mode of acquisition of the Property;
 - d) A statement of the Party's accounts, kept in books of account showing the sources of its funds and names of any persons who have contributed thereto, membership dues paid, donations in cash or in kind and all the financial transactions of UPA which are conducted through, by or with the leadership of UPA; and
 - e) Such other relevant particulars as may be required under any written law.
4. The Party shall establish and maintain Branch Offices in such Counties as shall be determined by the National Executive Council from time to time. Each Branch shall be managed by a UPA County Coordinator under the direction of the Branch Executive Committee. The Branch Executive Officer shall maintain and shall be the custodian of all records required to be maintained in the Branch Office under this Constitution and under any law governing Political Parties in Kenya.
 5. The Party shall establish such other offices within the Counties and in the diaspora as shall be decided by UPA National Executive Council from time to time.
 6. To ensure national character and grassroots representation, the Party shall establish and maintain functioning offices in the following hierarchy:
 - a. County Branches: In at least twenty-four (24) Counties, being a majority of the counties in Kenya.
 - b. Constituency Sub-Branched: Within each County where the Party has a presence.
 - c. Ward Sub-Branched: Within each Constituency.
 7. Roles and Responsibilities of Branches

The County Branches and Sub-Branched shall be responsible for:

 - a. Recruiting members and maintaining the membership register at the local level;
 - b. Popularizing the Party and disseminating its policies and manifesto;
 - c. Identifying and vetting aspirants for elective positions (Governor, Senator, MP, MCA) in liaison with the National Elections Board; and
 - d. Coordinating Party campaigns and mobilizing voters during elections.

Article 12: Formation, Maintenance and Termination of Coalitions

1. The party may in the interest of pursuing its political interests enter into a coalition or merger with other political parties in line with provisions of existing law on political parties.
2. UPA National Governing Council may, upon recommendation of the Central Committee and or National Executive Council - NEC, resolve to form a coalition, merger, Progressives or

admit affiliation with other political parties before or after any election. In that event, the modalities of formation, maintenance and termination of such coalitions, Progressives or affiliations shall be in tandem with the law governing formation and termination of coalitions in Kenya.

3. Instruments of such coalition, affiliations, merger and Progressives shall be executed and deposited with the Registrar of Political Parties. The Secretary General shall keep custody of all such instruments. UPA National Governing Council may, upon recommendation of the Central Committee, resolve to form a coalition, merger, Progressives or admit affiliation with other political parties before or after any election. In that event, the modalities of formation, maintenance and termination of such coalitions, Progressives or affiliations shall be in tandem with the law governing formation and termination of coalitions in Kenya.
4. Instruments of such coalition, affiliations, merger and Progressives shall be executed and deposited with the Registrar of Political Parties. The party leader shall keep custody of all such instruments.

Article 13: Membership

Membership of United Progressive Alliance (UPA) shall be open to;

- a. All Kenyan citizens irrespective of race, gender, colour, or creed who ascribe to its principles, objects, policies, programmes, directives and discipline of the party and are prepared to abide by this Constitution and any rules made thereunder.
- b. Any other person who has manifested a clear identification with the party and its principles, policies and programs may apply for membership.
- c. Such other Person(s), body, corporate or association as shall be permitted by the Law and duly approved by the Central Committee.
- d. All members shall subscribe to the party's Code of Conduct, pledge of commitment, aims and objectives and work towards achieving the same.
- e. All members shall pay the prescribed fee for membership.
- f. Admission to UPA shall be on the basis of either oral, online or written Application.
- g. No person otherwise disqualified under the Political Parties Act, 2011 shall be eligible for membership as a founding member within the meaning of that Act.
- h. All members shall, before a Certificate of Membership is conferred to him/her, sign and subscribe to the Party's Code of Conduct and a Pledge of Commitment.

Article 14: Application for Membership

1. One can apply for membership in person, in writing, or online to the authorized officials of the party from counties or the National Executive Council (NEC).

2. The National Executive Council (NEC) has the right to reject or allow any application for membership based on the above requirements or any other requirement in this Constitution.
3. On payment of a subscription fee as shall be determined by the National Executive Council (NEC) from time to time, each approved member shall be issued with a valid party membership card,
4. The party shall determine the different types of membership and fees to be paid by each category of members.
5. The Membership Register shall contain details on; Identification, region, ethnicity, persons living with disability, gender and county.
6. There shall be a continuous update of the register of Membership.
7. All members shall, before a Certificate of Membership is conferred him/her, pay prescribed fees for membership.

Article 14.1: Categories of Membership

1. Subject to the approval of the National Delegates Conference, the National Executive Council shall have power to create or abolish any category of membership for the advancement of the Party's interest as the circumstances may permit.
2. The Party shall, for the time being, have the following categories of membership:
 - a. **Ordinary members** shall be free and shall be open to all Kenyan citizens of 18 years and above.

Privileges:

- i. Party membership
- ii. Voting power/right
- iii. Employable by the party
- iv. Participate in party activities

- b. **Bronze Members** shall pay a one-off application fee of Kshs 500 and annual subscription fee of Kshs 200 or as may be determined by the National Executive Council from time to time.

Privileges:

- i. Contest for party leadership at grassroots
- ii. Participate in the coordination of party activities at the grassroots
- iii. Eligible to party membership certificate.

- c. **Life Members** shall pay a one-off application fee of Kshs 20,000 and annual subscription fee of Kshs 10,000 or as may be determined by the National Executive Council from time to time.

- i. Eligibility to vie
 - ii. Eligibility to be nominated under the party
- d. **Honorary Members** shall pay a one-off minimum fee of Kshs. 500,000 or as may be determined by the National Executive Council from time to time.
- i. Honorary Membership shall be open upon application and approval by the Central Committee to other political parties or organizations that subscribes to the party's core values, ideals, objects and accepts this Constitution.
- e. Special Interest Groups (SIGs) shall enjoy a discounted subscription fee, or complete waiver of the same, subject to approval by the NEC.

Article 14.2 UPA Membership Register

There shall be UPA Membership Register containing party members' details including surname, first name, national Identification number, county, constituency, party Branch, gender, disability, phone number, email and membership category. The Secretary General shall ensure that the membership register shall continuously be updated.

Article 15: Rights of Party Member

A member of the party shall have the right to:

- a. Participate in party activities and meetings;
- b. Participate actively and effectively in the discussion, formulation and implementation party policies and programmes;
- c. Receive and impart information on all aspects of Party policies and activities save where such right has been lawfully restricted;
- d. Offer constructive criticism of any member, official, policy, programme or activity within the Party and its structures;
- e. Submit proposals or statements to the Sub Branch, Branch, or Central Committee provided that such proposals are submitted through appropriate Party structures;
- f. Participate in elections and be eligible for party elections at all levels upon nomination.
- g. Access party documents including the Constitution, Members Guide, Election and Nomination Rules, Party Manifesto, circulars, memoranda and other relevant materials and information about their local branch upon formal request to the authorized party office bearer;
- h. Submit proposals or statements to the constituency, county, or NEC provided such proposals are submitted through the appropriate structures and follow established protocol in the party;

Article 16: Duties of Party Member

A member of UPA shall have the duty to:

- a. Popularize the party.
- b. Take all necessary steps to understand and carry out the aims, policies and programmes of the party.
- c. Observe discipline, comply with the Party Code of Conduct and obey decisions made by party organs.
- d. Explain the aims, policies and programmes of the party to potential members or supporters and the general public.
- e. Combat negative propoganda detrimental to the interest of the party and defend the aims, policies and programmes of the party.
- f. Register as a voter and take part in Party and all other electoral processes at all levels.
- g. Refrain from publishing and or distributing through any media, without appropriate authorization, any information deemed confidential, or any views purporting to be the views of the party.
- h. If a member holds an elective office in national, county, constituency or ward, such member shall be a member of the appropriate party caucus, and must abide by its rules, regulations and decisions under this Constitution.
- i. Members of the party elected as Member of County Assembly, Members of Parliament and Governor shall provide strategic leadership and work with the party officials in their respective electoral areas to promote the party and its programmes except in all matters relating to party elections.
- j. Take part in elections through voting and be eligible for Party and National Elections at all levels upon nomination, save for ordinary members.
- k. Be liable to pay such fees as shall be prescribed by the party.
- l. Support the party financially and materially when called upon for good cause.
- m. Not promote policies, manifesto and interest of other parties.
- n. Not support the candidature of another political party unless otherwise decided by the party.

Article 17: Termination of Membership

1. A member of the Party shall cease to be one:
 - a) Upon written resignation notice to the relevant Branch. Membership shall terminate with effect from the date of the receipt of the notice, provided that the termination shall not absolve the member from performing any outstanding obligations owed to the Party or other members.

- b) By a resolution passed by the National Executive Council and/or the Central Committee.
- c) By pronouncing, accepting an office in, subscribing to or promoting activities of another Political Party or Organization whose aims and objectives are in competition with or in conflict with those of UPA.
- d) Expulsion from the party
- e) Openly contradicts the party position as espoused by the party leader or legitimate organ of the party
- f) Upon death; and
- g) By operation of any written law.

17a Resignation from Membership

- I. A member is deemed to resign from the party if:
 - a) Join another political party – Any member who formally registers with another political party will be considered to have resigned from UPA.
 - b) Promote ideologies of another party – Actively supporting, campaigning, or endorsing the policies of a different political party is grounds for automatic resignation.
 - c) Form a new political party – Initiating or registering a new political entity leads to immediate resignation from UPA-OT6-092.
 - d) Are jailed for a term exceeding six months – A member convicted and sentenced for a period beyond six months loses party membership.
 - e) Are declared bankrupt – In line with national legal requirements, a bankrupt individual may be deemed unfit to hold party membership.
 - f) Contravene Chapter Six of the Kenyan Constitution – Violation of integrity and leadership provisions (such as corruption, abuse of office, or criminal activity) leads to automatic resignation or removal.

This also applies to serving party officials.

II. Procedures for Resignation

a. Resignation Process for Party Officials

When an official of the party resigns:

- i. Must submit a formal resignation letter to the Secretary General, indicating the reasons for stepping down.
- ii. The resignation shall take effect upon acceptance and official communication from the NEB.
- iii. The party shall initiate a process to fill the vacant position through appointment or election, as determined by party regulations.

- iv. Such officials return all party properties in his or her possession.

b. Resignation of Ordinary Members

- i. A member who wishes to leave the party **may resign voluntarily by a formal letter to the secretary general or through the USSD code.**
 - ii. The resignation is voluntary and irreversible, with no entitlement to a refund of membership fees or contributions made during their tenure.
 - iii. The Secretary General shall update the membership register accordingly.
2. A person who has terminated his or her membership:
 - a) shall not be entitled to a refund of fees or subscriptions made by him or her to the Party prior to termination, and all rights, privileges and responsibilities or facilities granted to or enjoyed by him or her by virtue of his membership shall automatically terminate with effect from the date of receipt of written resignation by the Party;
 - b) shall return all Party property within his/her custody, possession or control, failure to which the Party shall have a right to lay claims against such person for the property or for any damage or loss occasioned to Party property which was in his custody, possession or control prior to termination of membership;
 - c) Shall have his/her name struck off from the Register of Party Members.

Article 18: National Officials

1. The Party shall be managed by the following Officers, who shall be known as the National Officials:
 - i. Party Leader
 - ii. First Deputy Party Leader - Administration, Planning and Strategy
 - iii. Second Deputy Party Leader - Resource Mobilization and Policy
 - iv. Chairperson
 - v. First Deputy Chairperson - Strategy and Political Affairs
 - vi. Second Deputy Chairperson - Programmes
 - vii. Secretary General
 - viii. Deputy Secretary General
 - ix. Treasurer
 - x. Deputy Treasurer

- xi. Organizing Secretary
- xii. Deputy Organizing Secretary
- xiii. Chairperson of UPA Governors Caucus
- xiv. Chairperson of National Elections Board
- xv. Joint UPA Party Parliamentary Group Chairperson
- xvi. UPA County Assemblies Caucus Chairperson
- xvii. President of UPA Women League
- xxviii. President of UPA Youth Congress
- xix. Chairperson of UPA Professionals Caucus
- xx. UPA National Assembly Whip
- xxi. UPA Senate Whip
- xxii. Head of UPA Public Policy, Research, and Strategy
- xxiii. President of UPA Persons with Disabilities
- xxiv. Secretary for Parliamentary and Legal Affairs
- xxv. Secretary for Publicity, Information Communication and Innovation.
- xxvi. Secretary for Political and International Relations
- xxvii. Secretary for Devolution
- xxviii. Secretary for Education
- xxix. Secretary for Youth and Special Interest Groups
- xxx. Secretary for Environment
- xxxi. Secretary Gender Affairs
- xxxii. UPA Executive Director (Ex officio)

Article 19: Election of National Officials

1. The guiding principle in the election of National Officials of UPA shall be that, progressively, the Party shall endeavor to achieve the two third gender rule, notwithstanding, one of the three deputy party leaders must be of either gender.
2. Further, the Party Election and Nomination Rules shall ensure that the community and cultural diversity of the Party is reflected and there shall be a prescribed mechanism to protect minorities within the Party.

3. All National Officials other than the Joint Parliamentary Group Secretary, Chairperson National Elections Board, the National Assembly Whip, the Senate Whip, the Chairperson of UPA Governors Caucus, Chairperson of UPA County Assemblies Caucus, Head of Public Policy, Research and Strategy and the Executive Director shall be elected by the National Delegates Convention and shall hold office for a term of five years.
4. Elections shall be through secret ballot or any other method of voting acceptable to the delegates in session and, where an office is contested by more than one candidate, the vote shall be decided by a simple majority. Where only one candidate is nominated to an office at the close of the nominations, that candidate shall be declared duly elected to the office for which he/she was nominated. Nomination of all candidates shall be in the form prescribed by the Party Election and Nomination Rules in schedule 3.
5. Nomination to the Offices of Party Leader, Chairperson, Secretary General, National Treasurer and National Organizing Secretary shall be by a written application to the National Elections Board in the prescribed form; and
6. The election of National Officials shall be balanced carefully by the National Elections Board so as to endeavor to progressively achieve the representation of all groups including PWDs, special interest groups and other marginalized groups.

Article 19A: Party Nomination

1. UPA shall conduct nominations for the Presidential, Parliamentary, Governor and County Assembly nominations in preparation for national elections or by-elections in the Republic of Kenya and party lists nominations for candidates under Article 97 (1) (c); Article 98(1)(b)(c) and (d); and 177 (1) (b) and (c) of the Constitution of Kenya, 2010
2. The party shall develop a hand book for the rules and procedures of the party elections, nominations and party lists nominations.
3. Party elections and nominations shall adhere to democratic principles including the two-thirds gender rule and inclusivity of the minorities and the disabled. The party shall promote their participation by waiving or reducing the nomination fees in the various categories as stipulated in the UPA nomination rules.

Article 20: Duties and Responsibilities of National Officials

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

1. The Party Leader

The Party Leader shall provide oversight leadership, overall running of the Party affairs and represent the vision and position of the Party; on all national issues

- a) The party leader shall be the automatic presidential candidate of the party;
- b) Have oversight authority on all organs of the Party and must be consulted before any major decisions are made by other national officials, party organs and national secretariat.
- c) Preside over the National Executive Council, Party Central Committee, National Governing Council and National Delegates Convention.
- d) Promote national cohesion and integration of all party members in national development;
- e) Articulate UPA policies and chart a clear strategy for the achievement of Party's objectives.
- f) Champion the Party's campaign to form Government.
- g) Imbue Party members with charisma and lead the membership to newer heights of loyalty and patriotism to Party ideals, values and objectives.
- h) Lead the Party at political negotiations to form a viable working coalition, Progressive merger and affiliations with any other Party or Parties with the sole purpose of forming a democratic and responsive Government as may be desirable in the circumstances.
- i) Provide counsel and judicious direction to the National Officials and Party Members in general on any matter in dispute or under controversy within any Party organ or amongst Party Members.
- j) Grant full or partial clemency, with or without conditions, from any suspension or expulsion imposed upon any member at the final conclusion of disciplinary procedures under this constitution where the Party Leader at his or her discretion considers that grant of such clemency will promote the unity and harmony within the Party.
- k) Confer honors of recognition, merit, distinction, commendation or accolade to a member of the Party or any other person who, in the considered opinion of the Central Committee, has made an outstanding contribution to the Party in the achievement of its objects, policies or programmes or in furtherance of the same.
- l) Be a signatory to all nomination certificates for election to any office of the political party
- m) Be the custodian of Party Instruments including Land Title Documents, Party Seal, and instruments of intellectual property rights, instruments of party registration, and Register of Assets and Liabilities.

- n) Have the power to appoint heads of technical committees for the UPA party.
- o) Issue directives for the performance of specific acts or omissions of any official or Organ of the Party in furtherance of the objectives, manifesto or ideals of the Party or the protection or implementation of the Party Constitution.
- p) On behalf of NEC appoint professionals/experts he deems add value to the progression of the party.
- q) Cause to convene and preside over meetings of the Parliamentary Group and joint meetings of the Parliamentary Group, the National Executive Council, and the Party Central Committee.

2. The Deputy Leaders

The Deputy Party Leader shall assist the Party Leader and carry out the duties of the Party Leader in his /her absence and:

- a) Perform such duties and functions as may be expressly delegated to him/her by the Party Leader.
- b) Assist the Party Leader in developing policy formulation processes and development.
- c) In consultation with the Party Leader oversee formulation and implementation of the Party's Strategic Plan and Technical Committee recommendations.

3. The Chairperson

The duties and responsibilities of the National Chairperson shall include:

- a) To provide leadership and oversee overall management and running of the Party affairs.
- b) To articulate and defend Party policies.
- c) To instill onto members a sense of loyalty and patriotism to the objects, policies and programmes of the Party.
- d) To ensure discipline and proper order within the Party in accordance with the Party's Constitution.
- e) To impart onto Party membership the need to adhere to Party objects, policies programmes and laws made under this Constitution.
- f) To forge a strong sense of unity within Party organs *inter se* and amongst Party rank and file and to ensure a pleasant working relationship between Party officers and members.
- g) To convene the National Executive Council meetings.
- h) To preside over the National Delegates Conference and any other meetings requiring his attendance in the absence of the Party Leader.

- i) To ensure order at all meetings of the Party organs.
- j) To consult and take counsel from Party Leader on any matter in dispute or under controversy within any Party organ or amongst Party members.

4. The Deputy-Chairperson

The Deputy Chairperson shall:

- a) Perform duties of the Chairperson in the absence of the Chairperson.
- b) Collect political intelligence and advice on strategies to popularize the party at the grassroots.
- c) Assist the National Chairperson in matters relating to general Party administration, Party policies and programmes;
- d) Oversee administrative operations of Branches, Women Congress and Youth Congress;
- e) Perform such other specific assignments as might be delegated to him/her by the National Chairperson or the NEC from time to time.
- f) Assist with matters relating to coordination of local strategic review, organizing strategic groups at the County level to ensure that the party adopts such strategies which take cognizance of the local sensitivities and concerns;
- g) Maintain liaison with Branches and establish think-tanks to facilitate a feedback mechanism to the Party that culminates into a coherent national strategic party planning and action.
- h) Streamline and encourage strategic discourse and activities at the grassroots level that facilitates timely response to regional needs of the party;

5. Secretary General

The Secretary General shall be the overall Party Spokesperson and shall be responsible for the management of the National Secretariat and shall be the custodian of Party Records and registers from grassroots to the national level. The duties of the Secretary General shall include:

- a) Ensuring compliance with the statutory requirements of existing law on political parties in consultation with the National Party Chairperson and the Party Leader.
- b) In concurrence with the Party Leader, maintaining liaison with branches and establish think-tanks aimed at making a coherent national strategic party planning and action;

- c) In consultation with Party Leader and Organizing Secretary, responsible for all matters pertaining to logistics and operations;
- d) Ensuring that all Meetings of the Party take place as provided for in the Constitution at such time as may be decided by the National Executive Council and or the Party Central Committee;
- e) Keeping or causing to be kept a proper record of minutes of all Meetings of the National Executive Council, the Party central committee, the National Governing Council and the National Delegates Convention and ensuring the distribution of such Minutes and conveying of decisions made to persons and Branches concerned.
- f) Oversee administrative operations of branches, UPA women League and UPA Youth League;
- g) Issuing correspondence on behalf of Party Organs in consultation with the party leader and the Party Chairperson.
- h) Preparing annual reports on the work of the National Executive Council, the National Governing Council and the National Delegates Convention
- i) Be the custodian of all Minutes, Register of Party Officials, Financial statements, Party Members Register, registration of Branch Party Members' Registers.
- j) In consultation with the Party Leader, corresponding and consulting with the Registrar of Political Parties on behalf of the Party as an authorized principal officer of the Party.
- k) Accounting officer of the party.
- l) He/she will be a signatory to all nomination certificates for election to any of the political party.
- m) Any other duties conferred upon the Secretary General by this Constitution or the National Executive Council, or the party central committee.
- n) Responsible together with the Party Leader for signing NEC minutes

6. Deputy Secretary General

The Deputy Secretary General shall

- a) Deputize the Secretary General in his/her duties
- b) Under the direction of the NEC, and the Central Committee, assist the Secretary General in the implementation of the Party's strategies, policies and programmes and any other specific assignments as might be assigned to him/her by the Secretary General or the National Executive Council and the party Central committee from time to time.

7. Treasurer

The Treasurer shall be in charge of Party Finances and shall supervise all financial transactions at all Party levels under the direction of the National Executive Council and the Central Committee. The National Treasurer shall:

- a) Ensure compliance with the requirements of existing law on political parties.
- b) Receive and bank all monies on behalf of the National Executive Council
- c) Keep such books of account as may be necessary to record clearly the Financial position of the Party;
- d) Prepare Annual Party Budgets or Estimates and overall fiscal planning;
- e) Monitor Financial allocations and expenditure according to departmental votes as may be approved by the National Executive Council or the Central Committee;
- f) Ensure the execution of prudent stewardship standards and best Financial practices to protect Party's Finances;
- g) Prepare and submit to the National Executive Council and the Central Committee a Financial Statement every quarter of the year and ensure that copies of duly audited Annual Accounts are circulated to all delegates at the same time the notice convening the National Delegates Convention is sent out;
- h) Be responsible, in conjunction with the Party's Finance and Resource Mobilization Committee, for the formulation and execution of resource mobilization plans and strategies
- i) Head of Accounts of the party.

8. Deputy Treasurer

The Deputy Treasurer shall assist the National Treasurer in;

- a) Ensuring the execution of prudent stewardship standards and best Financial practices to protect the Party's Finances;
- b) The National Treasurer, the National Executive Council, and the Party Central Committee might delegate performing such other specific assignments as to him/her from time to time.

9. Organizing Secretary

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

- a) Assist the Secretary General in all matters pertaining to logistics and operations;
- b) Organize public meetings, functions, and meet the people tours;

- c) Be responsible for sensitizing the public on party activities including the recruitment of Party members at Branch level;
- d) Coordinate effective functioning of all Branches and ensuring they hold meetings in accordance with the requirements of this Constitution;
- e) Maintaining and developing new relationships with party supporters in the diaspora;
- f) In consultation with the Secretary General and the National Executive Council or Party Central Committee, supervise the organization of the National Delegates Convention, National Governing Council and the National Executive Council and thereafter report on the progress in the holding of such Meetings; and
- g) Ensure order at all Meetings of the Party Organs.

10. Deputy Organizing Secretary

The Deputy Organizing Secretary shall work under the direction of the National Organizing Secretary, and shall perform such assignments as he/she shall be assigned to him/her from time to time by the National Organizing Secretary or the National Executive Council, or the Party Central Committee.

11. Chairpersons of Governors Caucus, Party Parliamentary Group, Professionals' Caucus and County Assemblies Caucus

The Chairmen of Governors Caucus, Party Parliamentary Group, Professional Caucus and County Assemblies Caucus shall work under the direction of the Party Leader and shall chair all meetings of their respective caucuses/group.

12. Head of Public Policy, Research, and Strategy

The Head of Policy, Research, and Strategy shall be the party's chief advisor and Chair of Party's Technical Team Committee. He shall among other duties;

- a) Chair Party Technical team;
- b) Member of NEC and all other main organs of the party;
- c) Conduct research and originate all the instruments of the party;
- d) Advice the party leadership on mergers, coalitions and other inter-party relations and activities;
- e) Be responsible for the development of policy on any matter as the Party shall direct;

- f) Be required to publicly defend such policy so adopted whenever called upon by the party leadership;
- g) Commission, publish and submit to the NDC policy motions or proposals at the request of the NEC;
- h) Principal advisor to the NEC on matters of policy and strategy;
- i) In consultation with Secretary General, coordinate county and sub-county branches;
- j) Be the party representative on RPP tribunal;
- k) Undertake any other party activities as directed by the Party Leader or NEC; and
- l) Answerable to the Party leader.

13. Chairperson of National Elections Board

The Chairperson of National Elections Board shall:

- a) Be the chair of the national elections board; and
- b) Lead the national elections board to conduct credible, free and fair party elections and nominations at all levels.

14. President of UPA Women League

The President of UPA Women League shall:

- c) Be the President of UPA Women League;
- d) Coordinate the activities of UPA Women League; and
- e) Generally, promote and mobilize Party activities and policies among the women of Kenya under the direction of the National Executive Council or the Party Central Committee.

President of UPA Youth Congress

The President of UPA Youth Congress shall:

- a) Be a youth aged between 18 and 35years at the time of elections;
- b) Be the National President of UPA Youth Congress;
- c) Generally, promote and mobilize Party activities and policies among the youth of Kenya under the direction of the National Executive Council or the party Central Committee.

16. UPA National Assembly Whip

UPA National Assembly Whip shall be responsible for:

- a) Galvanizing support of all Members of National Assembly of UPA and other Members of Parliament of different persuasions for motions and bills proposed or supported by the Party; and
- b) Be responsible for recording the proceedings of the Meetings of the Parliamentary Group and briefing other organs of the Party on the activities of the Parliamentary Group.

17. UPA Senate Whip

UPA Senate Whip shall be responsible for:

- a) Galvanizing support of all Party Members of Senate and other Members of Senate of different persuasions for motions and bills proposed or supported by the Party; and
- b) Be responsible for recording the proceedings of the Meetings of the Senate Group and briefing other organs of the Party on the activities of the Senate Group.

18. Secretary for Legal and Constitutional Affairs

The Secretary for Legal and Constitutional Affairs shall;

- a) Be the legal adviser to the Party on all legal and constitutional matters;
- b) Be a Lead Counsel in matters of litigation for the party; and
- c) Perform such other duties as may be directed by the National Executive Council and the party Central Committee.

19. Secretary for Publicity, Information Communication, Technology (ICT) and Innovation

The Secretary for Publicity, ICT and Innovation shall:

- a) Be responsible for dissemination of information, publicity, public relations and innovation;
- b) Be responsible for good relationship between the party and media houses;
- c) Be responsible for the development of publicity and sensitization material for the party;
- d) The promotion of the use of Information and Communication Technology (ICT) within the Party;
- e) Building the capacity for Party members to utilize ICT; and
- f) Perform such other related duties as may be directed by the National Executive Council, and the Party Central Committee.

20. Secretary for Political and International Affairs

The duties of the Secretary for Political and International Affairs shall be:

- a) Coordination and liaison with other like-minded political parties as may be directed by the party leader;
- b) Collection of political intelligence and advice on strategies to popularize the party at the grassroots;
- c) Be responsible for matters of foreign policy, contact with foreign organizations and creation of mutually beneficial links with foreign organizations and states; and
- a) Perform such other related duties as may be directed by the National Executive Council, and the Party Central Committee.

21. Secretary for Devolution

The Secretary for Devolution shall be elected Governor and be responsible for:

- a) Promoting policies for equitable distribution of resources among the regions and monitoring devolved government to ensure it is accountable; and
- b) Perform any other related duties as may be directed by the National Executive Council, and the Party Central Committee.

22. Secretary for Education

The Secretary for Education shall be responsible for;

- a) Promoting education policies that meet current technological needs, and promoting innovation in technological development so as to create self-sufficiency for the party and the country; and
- b) The National Executive Council and the Party Central Committee may direct performing any other related duties.

23. Secretary for Youth and Special Interest Groups

The Secretary for Youth and Special Interest Groups shall be responsible for:

- a) Promoting the interest of youth and special interest groups within the Party, in terms of representation and participation in Party structures and activities;
- b) The promotion and advocacy of the rights of persons with disability in the Party;
- c) To advice the Party on all matters that appertain to disability and public policy;
- d) To advice the Party on all matters that pertain to youth;

- e) The identification and mobilization of special interest groups and ensuring that views of special interest groups are fully articulated and considered within the Party;
- f) Shall be responsible for the development of the party's strategic plan for humanitarian and the disaster mitigation, management, evaluation and coordination of response to disaster response;
- g) The development of the party's strategic plan for such activities and their mitigation, management, evaluation and coordination of responses; and
- h) Perform such other related duties as may be directed by the National Executive Council and the Party Central Committee.

24. Secretary for Environment

The Secretary for Environment shall:

- a) Be responsible for ensuring that sound environmental conservation and management policies are articulated in the Party manifesto and propagated in Party programmes; promoting sustainable management of natural resources at the national level; and
- b) Perform such related other duties as may be directed by the National Executive Council and the Party Central Committee.

25. Secretary for Gender Affairs

The Secretary for Gender Affairs shall:

- a) Promoting the interest of women within the Party, in terms of representation and participation in Party structures and activities;
- b) The promotion and advocacy of the rights of women and other minorities;
- c) To advice the Party on all matters that appertain to gender and other minorities.

Article 21: Meeting Expenses

1. The National Executive Council shall, approve Party budget and determine the policy governing the payment of honoraria and reimbursement of reasonable out-of-pocket expenses incurred by National Officials, Committee Members, or staff in attending duly convened Party meetings or other meetings where they represent the party.
2. The Central Committee may authorize such payments in line with policies and budgetary limits approved by the National Executive Council.

Article 22: UPA Organizational Structure

1. The Party shall be governed by the following principal organs:

- a. National Delegates Convention (NDC) is the highest decision-making entity.
- b. National Governing Council (NGC) shall report to and implement resolutions of the NDC.
- c. National Executive Council (NEC) shall be the principal executive and management organ of the Party and shall report to the NGC and the NDC. May form committees under it to implement decisions of the NDC and party policies.
- d. Party Central Committee shall serve as the operational and coordinating arm of the NEC and shall exercise may make decisions on behalf of the NEC guided by the provisions of this constitution.

2. UPA shall devolve its functions through the following organs;

- a. Branch Executive Committee (County Level) reports to NEC
- b. Sub-Branch Executive Committee (Constituency/Sub-County Level) reports to the BEC.
- c. Ward Executive Committee reports to the SBC.
- d. Polling Station Executive Committee reports to the WEC.

3. UPA Caucuses

Parliamentary Caucuses and Professional Caucuses shall operate under the oversight of the NEC.

- a. UPA Governors Caucus
- b. Joint UPA Parliamentary Group (JPPG)
- c. UPA County Assemblies Group (CAG)
- d. UPA Professional Caucus

4. Administrative and Electoral Bodies

- a. National Secretariat (NS) shall serve as the administrative arm of the NEC.
- b. National Elections Board (NEB) shall operate independently in the conduct of Party elections and nominations but shall report administratively to the NEC.
- c. Party Standing Committees shall report to the NEC.

5. Affiliate Leagues

The Women League and Youth Congress shall function as affiliate organs of the Party and shall report to the NEC.

- a. UPA Women League
- b. UPA Youth Congress

6. Those mandated to elect Executive Committees and Delegates shall ensure that special interest groups in accordance with the categories listed under Article 100 of the Constitution of Kenya 2010 are adequately represented at all levels.

Article 23: UPA Party Organs

The Party shall be governed by the following Party Organs:

- a. National Delegates Convention (NDC)
- b. National Governing Council (NGC)
- c. National Executive Council (NEC)
- d. The Party Central Committee
- e. Branch Executive Committee (BEC)
- f. Sub-Branch Executive Committee (SBEC)
- g. Ward Executive Committee
- h. Polling Station Executive Committee
- i. UPA Governors Caucus
- j. Joint UPA Parliamentary Group (JPPG)
- k. UPA County Assemblies Group (CAG)
- l. UPA Women League
- m. UPA Youth Congress
- n. National Secretariat (NS)
- o. National Elections Board (NEB)
- p. Party Standing Committees
- q. UPA Professional Caucus.

Article 24: National Delegates Convention

1. The National Delegates Convention (NDC) shall be the Supreme Organ of UPA with power to determine Party policy and make decisions that supersede and override all other decisions of other Party Organs.
2. The NDC shall be composed of the following Members:
 - a. All Members of the National Executive Council
 - b. All UPA elected and nominated Governors, Members of Parliament and Members of County Assemblies

- c. All Members of the Party's Standing Committees
 - d. All Members of the Branch Executive Committees
 - e. Four Members of the UPA Youth Congress Branch Executive Committees comprising of: the Chairperson, Secretary, Organizing Secretary and Treasurer,
 - f. Four members of the UPA Women League, Branch Executive Committees comprising of: the Chairperson, Secretary, Organizing Secretary and Treasurer.
 - g. Seven Members of the Sub-Branch Executive Committees comprising of: the Chairperson, Secretary, Organizing Secretary, Treasurer, President for UPA Women Congress, President for UPA Youth Congress, and one official representing persons with disability and special interest or marginalized
 - h. Five Executive Members from the National Women Congress and Five from the National Youth Congress.
 - i. Two Members from each registered Diaspora Branches specially nominated by the NEC to attend the Convention as delegates.
3. The National Executive Council or the Party Central Committee may, in its wisdom, invite individuals who have made special/extra-ordinary contribution to the Party or who have special skills or experience to attend the Convention but with no right to vote.
4. The National Delegates Convention shall have the following specific powers, duties and obligations:
- a. To determine Party Policies;
 - b. To review party policies and programmes and give directions regarding the organization of the Party;
 - c. To make amendments to the Party Constitution.
 - d. To receive, examine and approve Annual Financial Statement and Audited Accounts presented by the National Treasurer for the period since the previous Ordinary Session of the National Delegates Convention.
 - e. To receive, discuss and ratify reports and decisions of the National Governing Council, the National Executive Council and National Executive Council and the party Central Committee
 - f. To appoint Party Auditor and fix his/her Remunerations/honorarium.
 - g. To elect, from among eligible Party Members, the National Officials of the Party who shall constitute the National Executive Council and the Party Central Committee for a term of five years as set out in this constitution.

- h. To delegate or confer any of its powers or duties to the National Executive Council and the Party Central Committee in addition to its functions.
- i. To elect or appoint any other Standing Committee and assign specific tasks and duties to such committee.
- j. To nominate the Party's Presidential candidate for the election as the President of the Republic of Kenya.
- k. To initiate all such activities to further the aims and objects of the Party.
- l. To perform any other duties and functions as the National Delegates Convention may deem fit.

Article 25: Procedure of Meeting at National Delegates Convention

1. An Ordinary Session of the National Delegates Convention shall be convened by a resolution of the National Executive Council or the party Central committee with concurrence of the National Governing Council. it shall be held once every five years but not later than 31st December of the fifth year, at a place, time and date to be determined by the National Executive Council or the party central committee with concurrence of the National Governing Council.
2. The notice and agenda convening the Meeting shall be sent out by the Secretary General, failing which, any other Party Official specially appointed for that purpose by the National Executive Council or the Party Central Committee at least three weeks before such date and shall be published at least twice in a daily Newspaper, Party website and or any other UPA party social media platforms with wide circulation; and shall further be broadcast at least twice by a leading broadcasting station.
3. Only agenda items as approved by the NEC, Party Central Committee in concurrence with the NGC shall be discussed at the Ordinary Session of the National Delegates Convention.
4. A Special Session of the National Delegates Convention shall be summoned by the National Chairperson upon the decision of the National Executive Council or Central Committee and the party Leader or upon a requisition in writing signed by at least one third of the delegates eligible to attend an Ordinary Session of the National Delegates Convention.
5. The notice and agenda convening the Meeting shall be sent out by the Secretary General at least twenty-one (21) days before such date and shall be published at least twice in a daily newspaper with the widest circulation, and broadcast at least twice by a leading national broadcasting station.
6. Where a Special Session of the National Delegates Convention is requisitioned by delegates, a notice calling upon the National Chairperson to summon the Convention including the Agenda and date desired for the Convention shall be served upon the Secretary General not

later than forty-five working days before the date proposed; but where the National Chairperson fails to summon the Convention within twenty one working days after due service of the notice, the Convention shall, stand duly summoned and properly convened on the date and at the place and time contained in the notice.

7. Where a Special Session of the National Delegates Convention requisitioned by delegates is convened in default of the National Chairperson summoning the same, the Delegates requisitioning the Convention shall, not less than twenty one working days before the proposed date, cause a notice convening the Convention to be published at least twice in a daily English newspaper with the widest circulation in Kenya and broadcast twice by a leading national Swahili radio station; provided always, that such notice shall contain the agenda, place, date and time of the Convention.
8. Only agenda items prepared by the National Executive Council, Party Central Committee, or in the Delegates Notice shall be discussed at the Special Session of the National Delegates Convention.
9. At all meetings, the Party Leader or in his or her absence the Deputy Party leader or in the absence Chairperson shall preside, and in the absence of the three, the members shall elect one among themselves to preside a delegate specially elected by delegates in attendance, to preside.
10. Similarly, the Secretary General or, in his absence any of his deputies but failing which a delegate specially elected by delegates in attendance, shall be the Secretary of such Convention.
11. Quorum of the Ordinary or Special Sessions of the National Delegates Convention shall be 30% of eligible members present and voting.
12. Where quorum is not attained at the first sitting, the meeting shall stand adjourned and, at a second sitting, shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.
13. Decisions shall be taken through the vote by consensus, secret ballot or any other acceptable method as the delegates present may, by a unanimous resolution, decide.

Article 26: The National Governing Council (NGC)

1. The National Governing Council shall be the second highest organ of UPA and shall consist of the following Members:
 - a. All Members of the National Executive Council;
 - b. All Members of the Party's Joint Parliamentary Group;
 - c. All UPA elected Governors

- d. Head of Policy, Research, and Strategy
- e. Chairperson of UPA County Assemblies Caucus
- f. All Members of the National Elections Board;
- g. All Chairpersons of the Branch Executive Committees;
- h. Chair of the County Assembly caucus from every County
- i. President UPA Women League
- j. President UPA Youth Congress
- k. National Secretariat CEO
- l. All Chairpersons of the Party's Standing Committees.

2. The National Governing Council shall have the following duties:

- a. To formulate or review NEC and Central Committee policy proposals for approval by the National Delegates Convention;
- b. To review and ratify recommendations of the National Executive Council and the Party Central Committee;
- c. To ensure that all recommendations by the National Delegates Convention are duly implemented;
- d. To receive reports from the National Executive Council and Central Committee on the operations of the Party;
- e. To monitor general activities of the Party on behalf of the National Delegates Convention and to give guidance;
- f. To establish specialized committees and other advisory bodies as are necessary to carry out aims and objectives of the Party;
- g. To run the party and make decisions in between the National Delegates Convention;
- h. To review and develop political agenda for the Party's Civic and Parliamentary Groups;
- i. To appoint a qualified and registered Firm of Auditors to carry out financial audits of the Party whenever the National Delegates Convention is not convening in time for the appointment of the Auditor;
- j. To approve the agenda for the National Delegates Congress as may be prepared and presented by the National Executive Council, Party Central Committee, or as may be notified by any Party member. A notice to include any other agenda item to the National Delegates Convention by a member shall be sent to reach the Secretary

General not later than twenty-one working days before the session of the National Governing Council;

- k. To make policy and administrative decisions on behalf of the National Delegates Convention if it is the considered opinion of the National Executive Council and the Party Central Committee that such decision cannot await the next National Delegates Convention but thereafter present such decisions for ratification at the Ordinary Session of the National Delegates Convention immediately following;
- l. To initiate all such activities as might further the aims and objects of the Party;
- m. To ratify Party rules made by the National Executive Council, and the party Central Committee;
- n. To exercise any power conferred upon the National Delegates Convention pending the next National Delegates Convention.

Article 27. Procedure of Meeting at National Governing Council

1. An Ordinary Session of the National Governing Council shall be convened by a resolution of the National Executive Council with concurrence of the Party Leader and held at least once every two years at a place, time and date to be determined by the National Executive Council with concurrence of the Party Leader.
2. The notice and agenda convening the Meeting shall be sent out by the Secretary General, failing which, any other Party Official specially appointed for that purpose by the National Executive Council at least twenty-one (21) days before the meeting date.
3. Only agenda items as approved by the NEC, Party Central Committee in concurrence with the Party Leader shall be discussed at the Ordinary Session of the National Governing Council.
4. A Special Session of the National Governing Council shall be summoned by the National Chairperson upon the decision of the National Executive Council and/or the party Leader.
5. Only agenda items prepared by the National Executive Council shall be discussed at the Special Session of the National Governing Council.
6. At all meetings, the Party Leader or in his or her absence the Deputy Party leader or in the absence Chairperson shall preside, and in the absence of the three, the members shall elect one among themselves to preside.

7. Quorum of the Ordinary or Special Sessions of the National Governing Council shall be 30% of eligible members present and voting.
8. Where quorum is not attained at the first sitting, the meeting shall stand adjourned and, at a second sitting, shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.
9. Decisions shall be taken through the vote by consensus, secret ballot or any other acceptable method as the delegates present may, by a unanimous resolution, decide.

Article 28: The National Executive Council (NEC)

1. The National Executive Council shall be the executive organ of the Party and shall be composed of the following members:
 - a. Party Leader
 - b. 2 Deputy Party Leaders
 - c. National Chairperson
 - d. 2 National Deputy Chairpersons
 - e. Secretary General
 - f. Deputy Secretary General
 - g. National Treasurer
 - h. National Deputy Treasurer
 - i. National Organizing Secretary
 - j. National Deputy Organizing Secretary
 - k. Head of Policy, Research, and Strategy
 - l. Chairperson of the UPA Governors Caucus
 - m. Chairperson of the UPA County Assemblies Caucus
 - n. UPA Senate Whip
 - o. UPA National Assembly Whip
 - p. National Women League President
 - q. National Youth Congress President
 - r. National Persons with Disabilities President
 - s. Secretary for Publicity, Information Communication, Technology and Innovation
 - t. Secretary for Political and International Relations
 - u. Secretary for Legal and Constitutional Affairs

- v. The Party's Executive Director, who shall be an *ex-officio* Member.

2. Eligibility Criteria for Election to the Governing Body

- 2.1 Any member of the Party is eligible to be elected as a National Official (and thus a member of the NEC) provided they:
 - a. Are a duly registered, fully paid-up, and active members of the Party.
 - b. Meet the ethical and leadership requirements set out in Chapter Six of the Constitution of Kenya and the Party's Code of Conduct.
 - c. Are nominated and elected in accordance with the Party's electoral laws, rules, and regulations.
- 2.2 A person is disqualified from being a member of the governing body if that person—
 - a. is an undischarged bankrupt;
 - b. has been convicted of a criminal offence and sentenced to imprisonment for a period of not
 - c. less than six months;
 - d. has been suspended for a period of six months for violating the code of conduct of the
 - e. political party; or
 - f. has contravened the provisions of Chapter Six of the Constitution.
- 3. NEC shall be constituted through party elections at the National Delegates Convention save for Chair of Governors Caucus, Joint Parliamentary Group Chair, the Parliamentary Whips and County Assembly Caucuses Chair who shall be elected by the respective Parliamentary Groups and ratified by the NEC or Party Central Committee. The elected members shall hold office for a term of five years.
- 4. NEC shall be the management organ of the Party and shall implement the decisions of the National Governing Council and the National Delegates Convention. Its rights and duties shall include;
 - i. authorizing the affixation of the Seal of the Party on to any Instrument;
 - ii. authorizing disposal of any Property of the Party;
 - iii. authorizing borrowing of money by the Party and use of the Party's Property as Security;
 - iv. authorizing the opening of the Party's Bank Accounts;
 - v. authorizing specified Party Officials to sign on behalf of the Party:
 - a. Documents presented to the Registrar including Membership Register, Mergers, and other Reports;
 - b. The Accounts and Bank Accounts of the Party;

- c. The audited Annual Accounts and Financial Statements of the Party;
- d. Any report or document of the Party required under the existing law on political parties or any other written law; and
- e. The nomination Certificates for any nomination or election of a member of the Party.
- vi. To supervise the administrative machinery of the Party at all levels and to take such measures as it deems necessary to enforce the decisions and programmes of the Party as laid down by the National Governing Council and the National Delegates Convention;
- vii. To issue and send directives and instructions to and receive reports from the Branches;
- viii. To convene the Meetings of and prepare the agenda for and reports to the National Governing Council and National Delegates Convention;
- ix. To oversee the operations of the Governors Caucus, Parliamentary Groups, County Assembly Caucus, party Women League (PWL), the party Youth Congress (PYL), and the Standing Committees.
- x. Establish departments and set up Committees as it deems necessary from time to time for specified tasks and to determine their terms of reference;
- xi. To operate and determine the manner in which the Party Accounts and Finances shall be prudently managed;
- xii. Approve names recommended by Central Committee to fill party vacant positions pending the national Delegates Convention
- xiii. To appoint and fix the Terms and Conditions of Service of the Executive Director and other members of staff in the employment of the Party;
- xiv. To receive reports, supervise the work of, and delegate such functions to the National Secretariat and National Elections Board as it considers necessary;
- xv. To recommend to the Party Leader names of any member of the Party or any other person who has made an outstanding contribution to the Party in the achievement or furtherance of its objects, policies or programmes for the conferment of honors' of recognition, merit, distinction, commendation or accolade in accordance with the Party's Reward and Merits Scheme as it may deem appropriate.
- xvi. To initiate, prepare or cause to be prepared the necessary quarterly, semi-annual or annual Financial budgets for approval by the National Governing Council and the National Delegates Convention;
- xvii. Hiring of staff of the Party and terminating their services:

- xviii. Identifying and appoint person(s) to be nominated by the Party to Parliament and County Assemblies.
 - xix. Receiving, considering, approving and implementing reports and recommendations from the various standing and ad hoc committees or individuals;
 - xx. Liaising with the Party National Elections Board in order to ensure the coordination of elections of Party Officials at all levels and Party nominations for Presidential, Parliamentary and County assembly elections;
 - xxi. Making Rules and/or Regulations as may be prescribed under this Constitution and laying them before the National Governing Council for ratification;
 - xxii. Initiating and undertaking all such activities as might further the aims and objects of the Party.
5. The National Executive Council shall meet at least once in every three months except for special meetings which may be convened by the Secretary General according to exigencies of time in consultation with the party Leader and National Chairperson or by a written request by 25% of the members thereof. Quorum for National Executive Meeting shall be 1/3rd of the eligible members.
 6. Where quorum is not attained at the first sitting, the meeting shall stand adjourned and, at a second sitting, shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.
 7. Notices and Agenda for all NEC meetings shall be sent out by the Secretary General and shall be published on the party website and shared on the party's various platforms.
 8. Notice shall be issued at least twenty-one (21) days prior to the meetings.
 9. Any vacancy occurring in the NEC or any other organ of the party during the course of the term before the next National Delegates Convention may be filled through nomination by the National Executive Council or Party Central Committee from amongst members of the National Delegates Convention or as the NEC or Central Committee deems fit until the vacancy is substantially filled at the next Delegates Convention.
 10. There shall be two classes of Meetings as follows:
 - a. Ordinary Meetings shall be convened by a written notice of twenty-one (21) days.
 - b. Special Meetings shall require a notice of seven (7) days and shall be requisitioned for a specific purpose only by order in writing to the Secretary General. No other matter shall be discussed other than that stated in the requisition.

11. Any official who fails to attend three consecutive meetings without good reason shall be liable to disciplinary action.
12. At all meetings, the Party Leader or in his or her absence the Deputy Party leader or in the absence Chairperson shall preside, and in the absence of the three, the members shall elect one among themselves to preside.
13. Resolutions, unless otherwise stated in the constitution shall be decided by simple majority by secret ballot or any other method of voting acceptable to the members. Decision as to what method of voting to employ shall first be put to members to choose unanimously by consensus.
14. In the event of an equality of votes at any voting, there shall be a second voting, after which the Party Leader shall have a deciding vote.
15. NEC shall make Elections Nomination Rules and Regulations to be approved by the National Governing Council.
16. NEC shall carry out any other functions provided by this constitution.
17. The National Executive Council may, by resolution, delegate specific functions to the Central Committee for a defined period or purpose, provided that such delegation shall not divest the National Executive Council of its ultimate authority.

Article 29: The UPA Central Committee

1. There shall be established a central committee of the National Executive Council which shall consist of:
 - a. The Party Leader Or His/her Designate
 - b. Deputy Party Leaders
 - c. The National Chairperson,
 - d. The Secretary General,
 - e. The National Treasurer,
 - f. The Organizing Secretary,
 - g. The Women League President (On Need Basis),
 - h. The Youth Congress President (On Need Basis),
 - i. The Executive Director (Ex-Officio)
 - j. Three members nominated by the Party Leader.
2. **The functions of the UPA Central Committee shall be to:**
 - a. Provide strategic political coordination between meetings of the National Executive Council;

- b. Oversee the day-to-day political and administrative operations of the Party on behalf of the NEC;
 - c. Monitor implementation of NEC decisions and report progress to the NEC;
 - d. Coordinate Party communications and authorize public statements on urgent political matters, subject to NEC policy;
 - e. Convene urgent executive consultations where circumstances require immediate political direction;
 - f. With recommendation from the National Secretariat, review and approve staff and personnel matters;
 - g. Ensure operational alignment of Party organs, leagues, caucuses and committees in accordance with NEC directives;
 - h. Recommend to NEC, names to fill Party vacancies pending confirmation by the National Delegates Convention where applicable;
 - i. Review Party policy instruments and propose amendments for consideration and approval by the NEC;
 - j. Receive and review reports from disciplinary and dispute resolution committees and submit recommendations to the NEC;
 - k. Coordinate emergency political responses where delay would prejudice the interests of the Party, subject to subsequent NEC ratification;
 - l. Authorize press and media briefing on matters of National Importance;
 - m. Implement party policies.
 - n. Implement NEC decisions
 - o. Review and recommend revision of the party constitution; party nomination rules, regulations and procedures; Women League Charter; the Youth Congress Charter, and any other party policy instruments
 - p. Under the recommendation of the National Elections Board approve the counties, constituencies and wards to effect indirect nominations to the extent of issuance of direct ticket in national elections based on localized opinion polls'
 - q. Vet and determine candidates proposed for senior government appointments in the case that UPA form the government;
 - r. Perform any other operational function expressly delegated to it by the NEC.
3. The Central Committee shall be meeting once every two months and at any other time, on a need basis, as convened by the Party leader by issuing a notice five (5) days prior to the date of meeting. Where a meeting has been certified urgent by the Party Leader a 24-hour notice shall suffice.
 4. Quorum for the UPA Central Committee meeting shall be a third of the membership thereof. Where quorum is not attained at the first sitting, the meeting shall stand adjourned and, at

a second sitting, it shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.

Article 30. The National Secretariat (NS)

1. The Party shall have a National Secretariat which shall be headed by an Executive Director assisted by a Deputy Executive Director and other employees as shall be determined by the National Executive Council from time to time.
2. The Executive Director shall be appointed, as an employee of the party by the National Executive Council or Party Central Committee. He/she shall be responsible for overall coordination of Party activities, budget and resource and programme management at the party national secretariat.
3. The National Secretariat shall consist of paid employees of the Party with such structures and offices as defined by the National Executive Council, provided that all employees in the Secretariat must:
 - a. Subscribe to the aims and objectives of the Party; and
 - b. Be vetted and approved by the Finance and Administration Committee and confirmed by the National Executive Council.
4. No member of staff shall be allowed to hold any position in any Party structure. Any member of staff who wishes to contest any election for any political position, within or outside the party shall resign from his office within six months from the date of such meeting where the election will be held.
5. The National Secretariat shall keep records of all employees including their personal information, terms of employment and any other information pertaining to human resources.
6. The National Secretariat in conjunction with the NEC shall formulate and implement policies, procedures and regulations to support human resources, financial, audit and administration processes.
7. The main duties of the National Secretariat shall be:
 - a. Management of Party operations.
 - b. Implementation of Party decisions.
 - c. Voter outreach and membership recruitment.
 - d. Registration, mobilization and maintenance of voters or members registers.
 - e. Coordination, facilitation and synchronization of Party activities and events.
 - f. Public relations, communication and media outreach.
 - g. Fundraising and resource mobilization.

- h. Campaign strategies.
 - i. Operations and logistics.
 - j. Party policy and research.
 - k. County coordination.
 - l. Liaison with all Party structures.
 - m. Any other duties as may be assigned by the National Executive Council and Party Central Committee.
8. Members of Staff appointed to each department by the National Executive Council or the Party Central Committee shall be guided by the Party's Code of Service.
 9. The Secretariat shall be responsible for implementing decisions and programmes of the Party under guidance and approval of the National Executive Council and the Party Central Committee.
 10. The National Secretariat shall supervise the operations of subsidiary organizations of the Party.
 11. The National Secretariat shall function directly under the office of the Secretary General.

Article 31: UPA Governors Caucus

1. There shall be a UPA Governors Caucus comprising of all UPA Governors whose role shall be to espouse Party policies and promote the Party devolution agenda.
2. The UPA Governors Caucus shall strive to implement the party manifesto in counties where the party is represented.
3. The UPA Governors Caucus shall elect its chairperson and secretary from among its members.
4. The Chairperson of UPA Governors Caucus shall be a member of the UPA party
5. All affiliate parties' governors, if applicable.

Article 32: Joint Party Parliamentary Group (JPPG)

1. There shall be established UPA Joint Party Parliamentary Group comprising the following officers:
 - a. Parliamentary Leader in the National Assembly.
 - b. Parliamentary Leader in the Senate.
 - c. Party Whip in the National Assembly.
 - d. Party Whip in the Senate
 - e. Party's Joint Parliamentary Group Secretary.
 - f. All UPA Members of Parliament.
 - g. All affiliate party's members of parliament, if applicable.

2. The duties of UPA JPPG shall include espousing, advancing and defending Party policies and programmes out and within Parliament and shall, at all times, whether jointly or severally exercise due diligence in the discharge of their parliamentary duties.
3. The Joint Party Parliamentary Group shall make its own rules and regulations to govern the conduct of its members, meetings and deliberations provided that such rules shall be laid before the National Executive Council or Party Central Committee for approval.
4. The Chairperson of the UPA JPPG shall be a member of UPA Party.

Article 33: UPA County Assemblies Group (CAG)

1. There shall be a county assemblies group consisting of all the elected and nominated UPA members of county assemblies and affiliate parties Members of the county assemblies.
2. Each CAG shall meet at least once every six months.
3. The NEC shall make rules and regulations to govern the conduct of CAG meetings and deliberations.
4. The Chairperson of the CAG shall be a member of UPA Party.

Article 34: Party County Groups (PCG)

1. There shall be a Party County Group in every County, consisting of all UPA elected Governors, elected and nominated Senators, elected Women Representative(s) and elected and nominated members of County Assemblies, to advance the Party's agenda in the Counties.
2. Each PCG shall meet at least once every six months.
3. The NEC shall make rules and regulations to govern the conduct of PCG meetings and deliberations.

Article 35: UPA Progressive Women League

1. There shall be a Women League known as UPA Progressive Women League (PWL). Membership to the Women League shall be open to all women who are members of UPA. UPA Progressive Women League shall be an integral part of the Party and shall be subject to the general direction of the National Executive Council and the Party's general control and discipline at all levels.
2. There shall be a UPA/PWL Executive Committees at the National, Branch, Sub Branch, Ward and Sub-Location Levels consisting of, save for the PWL President at the national level, the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy

Treasurer, Organizing Secretary, Deputy Organizing Secretary and six Committee Members.

3. The officials of UPA Progressive Women League Executive Committees at National, Branch, Sub-Branch, Ward and Sub-Location shall be elected simultaneously and in the same manner as the Party Officials.
4. The PWL officials shall hold office for a term of five years, and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
5. Application for membership shall be made digitally, verbally or in writing to the Ward UPA PWL Executive Committee or the nearest Party office.
6. The organization, functions, rules and regulations of the UPA Women League shall be formulated and coordinated by the National Executive Council.

Article 36: UPA Youth Congress

1. There shall be a Youth Congress known as the Progressive Youth Congress (PYC). Membership to the PYC shall be open to all Party Members aged between eighteen and thirty-five years. The UPA Youth Congress shall be an integral part of the Party and shall be subject to the general direction of the National Executive Council and the party's general control and discipline at all levels.
2. There shall be a PYC Executive Committees at National, Branch, Sub-Branch, Ward and Sub-Location Levels consisting of the Chairperson, Deputy-Chairperson, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary and six Committee Members; save for the PYC President at the national level.
3. The officials of PYC Executive Committees at National, Branch, Sub-Branch, Ward and Sub-Location shall be elected simultaneously and in the same manner as the Party Officials. The officials shall hold office for a term of 5 years, and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
4. Application for membership shall be made verbally or in writing to the Sub-Location Youth Congress Executive Committee or to the nearest Party Office.
5. The organization, functions, rules and regulations of PYC shall be formulated and coordinated by the National Executive Council or the Party Central Committee.

Article 37: UPA National Elections Board

1. There is hereby established the UPA National Elections Board whose mandate is to plan, organize, direct and coordinate all party elections and nominations.

2. The National Elections Board will be appointed by the National Executive Council with the recommendation of the party leader and will comprise of not less than seven and not more than twelve respected and knowledgeable persons of high integrity who do not hold any elective Party position and at least one-third shall be of either gender.
3. The Chairperson of the National Elections Board shall be recommended by the NEC or the Party Central Committee and shall be appointed by the Party Leader.
4. The National Elections Board shall appoint Election Coordinating Panels at each Branch [County] comprising of six persons of high integrity to supervise the Party elections in the Counties.
5. The County Election Coordinating Panel Members shall not hold any elective party position and not more than two-thirds of the members shall be of the same gender.
6. The National Elections Board shall make its own rules of procedure for its meetings subject to approval of the National Executive Council.
7. The National Secretariat shall provide secretarial support services to the Board.
8. The members of the National Elections Board may serve for a term of five years and are eligible for re-appointment at the expiry of their term, subject to a maximum of two consecutive terms.
9. Notwithstanding the foregoing, the National Executive Council shall have power to invite the body for the time being mandated to conduct elections under the Constitution of Kenya
10. The National Election Committee shall vet, determine and propose to the Executive, where there is no contest, candidates to be fielded directly by the party for the civic, parliamentary and other elective seats as provided for under the Kenya Constitution 2010.

Article 38: Policy, Research, and Strategy Committee

1. The Committee shall be responsible for advising the Party on strategy, planning, Party organization, and Party policy.
2. The Committee shall conduct appropriate research and advise the Party on its findings
3. Membership and composition shall be determined by the NEC or Party Central Committee and approved by the NGC.

Article 39: Branch Executive Committee

1. The Party shall establish Branches based on the counties in Kenya. Diaspora Branches shall be established in line with Article 45. A Branch shall be responsible to the National Executive Council.
2. Each branch shall have a Coordinator to oversee the activities of the party at the branch level.

3. The Branch consists of all and is representative of all those UPA units in a County. Each Branch shall be managed by a Branch Executive Committee comprising of the Branch Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Deputy Treasurer, UPA Women League Leader, UPA Youth Congress Leader; and a representative of special interest groups, a representative of persons with disability and seven Committee Members, all of whom shall be elected at the Branch Delegates Convention.
4. There shall be a Branch Executive Officer, appointed by the Branch Executive Committee in consultation with the National Secretariat, who shall be an ex-officio member of the Branch Executive Committee.
5. Where a member of the Branch Executive Committee other than a Committee member elects to offer him/herself for election at any Parliamentary or County Assembly election within the Branch that Member shall resign from office six months before the election at which he/she is an aspirant. He/she shall forward his/her letter of resignation to the National Election Board; provided that this provision shall not apply in the event of a by-election.

Article 40: Duties of the Branch Executive Committee

The duties of the Branch Executive Committee shall be to:

- a) Promote party policies and activities among the people in the Branch in order to realize the Party's objectives, policies and programmes.
- b) Recruit members to the Party.
- c) Articulate views and interests of the Branch members at the National Executive Council, the National Governing Council and National Delegates Congress.
- d) Ensure discipline and adherence to Party policies and programmes among individual Party members and the Women League and Youth Congress.
- e) Investigate any allegations of misconduct of any member and take interim disciplinary measures including suspension from the Party Office and make recommendations to the National Executive Council.
- f) Promote political and general civic and voter education amongst the people for the benefit of the Party.
- g) The Branch Executive Committee shall meet at least once every three months.

Article 41: The Sub-Branch Executive Committee

1. A Sub-Branch shall be established in every Constituency in Kenya as shall be determined by the NEC. The Sub-Branch shall, in the interest of efficient organization be subdivided into

Wards based on units delimited as Wards under the Constitution of Kenya. The Sub-Branch Executive Committee shall function under the general direction of the Branch Executive Committee.

2. Each sub-branch shall have a Coordinator to oversee the activities of the party at the sub-branch level.
3. The Sub-Branch shall be governed by a Branch Executive Committee which shall consist of: Sub- Branch Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Sub-Branch Deputy Treasurer, Sub-Branch UPA Women League Leader, Sub-Branch UPA Youth Congress Leader, two representatives of special interest/or marginalized groups and persons with disability representative and six Committee Members.
 - a. Duties of the Sub-Branch Executive Committee shall be similar to those of the Branch Executive committee.
 - b. The Chairperson of a Sub-Branch may invite one or more of the Local Opinion Leaders who is an UPA Member to attend a Sub-Branch Executive Committee meeting if it is in the best interest of the Party. Such invited leaders shall have the right to speak but not to vote thereat.
 - c. The Sub-Branch Executive Committee shall meet at least once in every three months.

Article 42: Ward Executive Committee (WEC)

1. Each Ward shall be derived from the current electoral ward under the Constitution of Kenya.
2. The Ward shall be governed by a Ward Executive Committee which shall consist of: Ward Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Deputy Treasurer, UPA Women Congress President, Ward UPA Youth Congress President, two representatives of special interest/or marginalized groups and persons with disability representative and six Committee Members.
 - a. Duties of the Ward Executive Committee shall be similar to those of the Sub-Branch Executive committee.
 - b. The Chairperson of the Ward Executive Committee may invite one or more of the Local Opinion Leaders who is an UPA Member to attend a Ward Executive Committee meeting if it is in the best interest of the Party. Such invited leaders shall have the right to speak but not to vote thereat.

Article 43 Polling Station Committee (PSC)

1. Every gazette Polling station shall have a Polling Station Committee.
2. Each polling station shall have a Coordinator to oversee the activities of the party at the polling station level.
3. PSC shall consist of: Chairperson, Secretary, Treasurer, Organizing Secretary, UPA Women Leader, UPA Youth Leader, one representative each for special interest and persons with disability.
4. PSC shall be elected by UPA party members duly registered at the particular Polling Station where the members are registered to vote or such other venue as shall be determined by the NEC
5. PSC shall be responsible for popularizing the party, mobilizing voters to register and vote recruitment of members and any other duties assigned by the Branch.
6. PSC will hold such meetings as may be required to propose, adopt and review Committee programmes and policies relevant to the Polling Station for approval by the Sub County Executive Committee.

Article 44: Duties of Branch, Sub Branch, Ward and Polling Station Officials

1. The duties of the office bearers of the Branch, Sub-Branch, Ward and Polling station Executive Committees shall be as follows:

a. The Chairperson

Shall convene and preside over all Meetings and shall spearhead Party programmes in the respective area of jurisdiction.

b. The Deputy Chairperson

The Deputy Chairperson shall perform such duties as shall be assigned by the Chairperson. The Deputy Chairperson shall assist and assume the office of the Chairperson in the latter's absence.

c. The Secretary

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

d. The Deputy Secretary

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

e. The Treasurer

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

f. Deputy Treasurer

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

g. The Organizing Secretary

The Organizing Secretary shall organize and supervise the programmes and work of the Party within the Party Unit, and shall ensure the proper and effective functioning of the Organs of the Party within Unit. He/she shall ensure the proper and effective functioning of the other Organs of the Party within the Unit, including Youth and Women Congresses.

h. The Deputy Organizing Secretary

He/she shall perform such duties as shall be assigned to him by the Organizing Secretary. He/she shall assist and assume the Office of the Organizing Secretary in the latter's absence.

i. The Branch Executive Officer

He/she shall be the Party's Chief Operating Officer within the Branch. The Branch Executive Officer shall work under the direction of the Branch Executive Committee. The Branch Executive Officer shall be the custodian of all the Branch Property, books of accounts, minute books, membership register and all the records of the party at the Branch. He/she shall be an employee of the National Secretariat.

Article 45: Branch Delegates Convention

1. Each Branch shall hold a Branch Delegates Convention at least once in every two years
2. The Branch Delegates Convention shall be composed of:
 - a. All Branch Executive Committee Members.
 - b. All Sub-Branch Executive Committee Members.
 - c. All Ward Committee members
 - d. All Location Committee Members
 - e. All Sub-Location Committee Members
 - f. All Polling Station Committee Members

- g. All Party Coordinators
- 3. Duties of the Branch Delegates Convention shall be to:
 - a. Elect the Branch Executive Committee when required.
 - b. Approve Party strategies in the Branch.
 - c. Propose to the National Executive Council Party programmes and policies relevant to the Branch.

Article 46 Sub Branch Delegates Convention

- 1. Each Sub Branch shall hold a Sub Branch Delegates Convention at least once in every year.
- 2. The Sub Branch Delegates Convention shall be composed of:
 - a. All Sub Branch Executive Committee Members.
 - b. All Ward Executive Committee Members.
 - c. All Polling Station Committee Members
 - h. All Party Coordinators at the sub-branch level
- 3. Duties of the Sub Branch Delegates Convention shall be to:
 - a. Elect the Sub-Branch Executive Committee when required.
 - b. Approve Party strategies in the Sub Branch.
 - c. Propose to the Branch Executive Committee Party programmes and policies relevant to the Sub Branch.

Article 47: Ward Delegates Convention

- 1. Each Ward shall hold a Ward Delegates Convention at least once in every six months
- 2. The Ward Delegates Convention shall be composed of:
 - a. All Ward Executive Committee Members.
 - b. All Sub-Location Executive Committee Members.
 - c. All Polling Station Committee Members
 - d. All Party Coordinators at the ward level
- 3. Duties of the Ward Delegates Convention shall be to:
 - a. Elect the Ward Executive Committee when required.
 - b. Approve Party strategies in the Ward.
 - c. Propose to the Sub Branch Executive Committee Party programmes and policies relevant to the Ward.

Article 47b. Party Coordinators

There shall be party coordinators who will serve as the vital link between the party national headquarter and its grassroots members, and shall have the following responsibilities:

1. **Grassroots Mobilization:** They act as primary agents for political mobilization, rallying members to support the party's agenda and encouraging public participation in political decisions.
2. **Membership Recruitment & Management:** Oversee the recruitment and enlisting of new members at polling station, ward, sub-branch, and branch levels. Together with local Secretary, they are also responsible for updating and maintaining accurate membership registers for their specific regions.
3. **Public Education & Sensitization:** Educate the electorate on the party's vision, values, and policies, as well as the broader electoral system and citizens' democratic rights.
4. **Electoral Coordination:** Coordinate the nomination of local officials and candidates during elections.
5. **Manage party agents at polling stations to monitor the voting and tallying processes.**
6. **Facilitate local party caucuses where members can debate and develop policy ideas, ensuring that local priorities are articulated in the national party manifesto.**
7. **Serve as the official "eyes and ears" of the party, preparing regular reports for the head office on local political trends and member concerns.**
8. **Together with local Secretary. keep authentic records of party members, and constitution within their jurisdictions.**
9. **Assist in internal dispute resolution mechanisms (IDRMs) to resolve conflicts among local members before they escalate to the Political Parties Disputes Tribunal (PPDT).**
10. **Participate (The Branch Coordinator) in the Political Parties Liaison Committee (PPLC) at the county level to maintain dialogue with the Office of the Registrar of Political Parties (ORPP) and the IEBC.**

Party Coordinators shall be appointed by NEC or Party Central Committee.

Article 48: Procedure at Branch Meetings and Meetings of Lower Party Organs (including Party Conventions)

Notices and Agenda for all Meetings shall be sent out by the Secretary General.

1. Party conventions at Branch and lower party organs shall be sanctioned by the National Secretary General in concurrence with the Party Leader.
2. There shall be two classes of Meetings as follows:
 - a. Ordinary Meetings shall be convened by a written notice of twenty-one days.
 - b. Special Meetings shall require a notice of fourteen days and shall be requisitioned for a specific purpose only by order in writing to the Branch Secretary. No other matter shall be discussed other than that stated in the requisition.
3. Quorums for all meetings shall be one-third of the membership thereof. Any official who fails to attend three consecutive meetings without good reason shall be liable to suspension
4. Where quorum at any meeting is not attained at the first sitting, the meeting shall stand adjourned and, at a second sitting, shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.
5. At all meetings, the Chairperson or in their absence the Vice-Chairperson shall preside, and in the absence of both, the members shall elect one among themselves to preside.
6. Resolutions, unless otherwise stated in the constitution shall be decided by simple majority by secret ballot or any other method of voting acceptable to the delegates. Decision as to what method of voting to employ shall first be put to members to choose unanimously by consensus.
7. In the event of an equality of votes at any voting, there shall be a second voting, after which the Chairperson shall have a deciding vote.
8. For purposes of this constitution, conventions are meetings of party committees at all levels called and held for purposes and at intervals stipulated in this constitution at which elections, party policy deliberations are the main agenda and resolutions are made.
9. Elections for committee members, apart from filling vacant slots, shall follow a hierarchical order where the PSC is elected by voters registered as UPA members at a polling station; the PSCs will elect the WEC; the WECs shall elect SBECs; and SBECs will elect the BEC.
10. Elections at a convention shall ensure that Persons with disabilities and special interest groups or marginalized groups are adequately represented.

Article 49: Diaspora Branches

1. The National Executive Council or the Party Central Committee shall approve and register Diaspora Branches. The Committee may allow more than one Diaspora Branch in a Country.
2. A Diaspora Branch shall consist of at least 50 Members, provided that there shall not be more than one Branch in any given Diaspora city.
3. A Branch so formed shall apply to the Party Headquarters for registration and upon approval, be furnished with a Certificate to that effect.

4. Other provisions applying to Branches in this Constitution shall apply to the duly registered Diaspora Branches including their functions.

Article 50: Branch Secretariat

1. Branches may have a Branch Secretariat headed by a Branch executive officer and employees as shall be determined by the Branch Executive Committee in consultation with National Executive Council or the party Central Committee.
2. The Branch executive officer shall be appointed by the Branch Executive Committee. He/she shall be responsible for coordination of Party activities, budget and resource and programme management in the Branch.
3. The Branch Secretariat may consist of paid employees of the Party with such structures and offices as defined by the Branch executive committee, provided that all employees in the Secretariat must:
 - a. Subscribe to the aims and objectives of the Party; and
 - b. Be vetted and approved by the Finance and Administration Committee and confirmed by the Branch Executive Committee.
4. No member of staff shall be allowed to hold any position in any Party structure. Any member of staff who wishes to contest any election for any political position, within or outside the party shall resign from his office within six months from the date of such meeting where the election will be held.
5. The Branch Secretariat shall keep records of all employees including their personal information, terms of employment and any other information pertaining to human resources.
6. The policies, procedures and regulations under 26.6 shall be applicable in the Branch secretariat.
7. The Branch secretariat shall perform the functions of the national secretariat at the Branch level.
8. Members of Staff appointed to each department by the Branch Executive Committee shall be guided by the Party's Code of Service.
9. The Branch Secretariat shall be responsible for implementing decisions and programmes of the Party under guidance and approval of the National Secretariat and the Branch Executive Committee.
10. The Branch Secretariat under the direction of the Branch executive committee shall supervise the day-to-day operations of sub-counties, wards, sub-locations and polling stations within the Branch.
11. The Branch Secretariat shall function directly under the office of the Branch Secretary General.

Article 51: Standing and Adhoc Committees

1. The National Executive Council shall constitute standing committees or from time to time constitute *ad hoc* committees to help it in executing its mandate under this constitution.
2. The membership of the standing and adhoc committees may include national officials, members of professional caucus, elders, strategists or other members.
3. There are hereby established the following Standing Committees of UPA;

a. Finance, Administration and Resource Mobilization Committee

- i. The Committee shall be responsible for developing strategies for and realizing financial resource mobilization and other support to the Party.
- ii. Membership and composition shall be determined by the NEC and approved by the NGC.
- iii. It shall assist NEC to recruit and manage employees working at the national secretariat and other offices.

b. Legal Committee

- i. The Committee shall advise the Party on all legal matters.
- ii. Membership and composition shall be determined by the NEC and approved by the NGC.

c. Disciplinary Committee

- i. There shall be caused to exist a disciplinary committee by the NEC;
- ii. The disciplinary committee shall be composed of 6 members nominated by the Party Central Committee and approved by either the NEC or the NGC;
- iii. The Committee shall handle all matter related to the discipline of Party Members and staff in accordance with the provisions of this Constitution;
- iv. Disciplinary Committee Chairperson shall be appointed by the party Leader;
- v. The chairperson shall be an advocate of the high court of Kenya of not less than 5 years' experience and approved by the NGC.
- vi. Other members shall be members of high moral standing and integrity with a minimum education qualification of a degree from a recognized university in Kenya;
- vii. Membership shall be sourced from but not limited to Members of the NEC, Party Central Committee, NGC and Standing Committees; and shall serve for one year.

d. Internal Dispute Resolution Committee - IDRC

- i. The Committee shall handle all matter related to the internal disputes in accordance with the provisions of this Constitution.

- ii. Membership and composition shall be determined by the NEC or Party Central Committee and approved by the NGC.

e. Ad Hoc and Specialized Committees

- i. Notwithstanding the provisions of this Article, the National Executive Council or Party Central Committee shall have powers to establish any other standing or adhoc specialized Committees which shall have timeframes to discharge mandates and report to the National Executive Council and to Party Central Committee.

Article 52: UPA Professional Caucus

1. There is hereby established the UPA professional caucus whose mandate is to provide voluntary advisory services to the party.
2. The members shall be duly registered party members and shall include eminent personalities.
3. Subject to appointment by the National Executive Council, members of the professional caucus may be included in the standing and ad hoc committees from time to time.
4. The professional caucus shall be under the direction of the Secretary General.

Article 53: Policies, Rules and Regulations

1. The party shall formulate policies including but not limited to election manifestos, strategic plans, blueprint, and sectoral policies in line with its political ideology, vision, mission and core values.
2. The party shall formulate mechanisms on reporting which shall include but not limited to Policy Briefs, M7E reports, Audit reports, performance reports to evaluate implementation of the party policies.
3. The party shall establish an organ whose mandate is to develop and regulate policy formulation and procedures applicable to party matters, approvals and publications;
4. The standing committees in consultation with relevant head of policy and strategy shall help the party to generate policy issues and documents for consideration by the National Executive Council and Party Central Committee, and subsequently by the national governing council and national delegates' convention.
5. The national delegates' convention shall be the main policy formulation and implementation organ.
6. The secretariat shall provide access to approved policy documents for review by members and the public.
7. The NEC and or Party Central Committee shall have the power to adopt policies, rules and regulations for the better carrying out of the activities of the party.

8. All such policies, rules and regulations shall not be inconsistent with the constitutional norms of the party.

Article 54: Disciplinary Procedures

1. Establishment of Disciplinary Committee

- i. There is established the National Disciplinary Committee and devolved disciplinary committees at the County (branch) and Sub-County (sub-branches).
- ii. Every member whose case has been forwarded to the Disciplinary Committee shall have all rights of being heard and if need be, the right to an advocate. The party shall always adhere to the constitution of Kenya 2010 Article 47 & 50.

2. Composition of Disciplinary Committees

- i. Each Disciplinary Committee shall be composed of seven (7) impartial members;
- ii. The NEC shall appoint the Disciplinary Committees.
- iii. The NEC shall appoint the Chairperson of the Disciplinary Committees.
- iv. The Chairpersons to the Disciplinary Committees shall be persons qualified to be a judge of the High Court of Kenya and a person of integrity and high standing in society and in compliance with Chapter six of the Constitution of Kenya.
- v. The members of each Disciplinary Committee shall appoint from among themselves the Deputy Chairperson who shall be opposite gender of the Chairperson.
- vi. The members of the Disciplinary Committees shall be appointed by the NEC from among persons who are: ~
 - a) Members of the party;
 - b) Have proven relevant experience in any of the following fields:
 - i. Electoral matters;
 - ii. Management;
 - iii. Finance;
 - iv. Governance;
 - v. Public administration;
 - vi. Law;
 - c) Meets the requirements of Chapter six of the Constitution of Kenya; and
 - d) Consist of women, youth and Persons with disabilities.

3. Members of the Disciplinary Committees shall serve for a term of three (3) years, renewable once.

4. No member to any Disciplinary Committee shall hold any elective Party position at the County level or be a candidate for any elective office during their tenure on the Committee.
5. The Disciplinary Committee shall investigate and determine all disciplinary matters arising within the Party and shall issue reasoned decisions setting out the findings and recommended sanctions to be imposed and the grounds thereof.
6. All members, without exception, must abide by the Constitution of the party, the Rules, the Standing Orders and Codes of Conduct as adopted or amended from time to time.
7. Disciplinary proceedings against a member shall be confined to violations of the existing law on political parties, party Constitution, Rules, Standing Orders, Codes of Conduct, or the commission of offences as set out hereinafter, and shall not:
 - a. Be used as a means of stifling debate or denying members their basic democratic rights;
 - b. Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the organization are not directly affected, unless such conduct itself constitutes a violation or an offence affecting the organization.
8. Serious offences committed by any member who prejudices the integrity or repute of the party, its members, employees or its operational capacity by impeding the activities of the party including;
 - a. Creating division within its ranks or membership;
 - b. Doing any other act which undermines its effectiveness as an organization;
 - c. Undermining the position of the party and its organs;
 - d. Acting on behalf of or in collaboration with:
 - e. Counter-revolutionary forces;
 - f. A political organization or party other than an organization or party in Progressive with UPA in a manner contrary to the aims, policies and objectives of UPA;
 - g. Intelligence or the security services of other countries;
 - h. Any person or group who seriously interferes with the work of the organization or prevents it from fulfilling its mission and objectives.
9. The following shall also be regarded as serious offences, without prejudice to the generality of this provision and the right of the Disciplinary committee with the concurrence of the NEC to add to this category of offences:
 - a. Conviction in a court of law and sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;
 - b. Misappropriation of the funds of the party or destruction of its properties;
 - c. Behaving corruptly in seeking or accepting any bribe for performing or for not performing any task;

- d. Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others;
 - e. Abuse of elected or employed office in the party or in the State to obtain any direct or indirect undue advantage or enrichment;
 - f. Fighting or behaving in a grossly disorderly or unruly way;
 - g. Deliberately disrupting meetings and interfering with the orderly functioning of the party.
 - h. Violations of the existing law on political parties.
10. If, in the opinion of the relevant body exercising its right to invoke disciplinary proceedings under this Constitution, a member is guilty of the following offences, disciplinary proceedings may follow:
- a. Behavior which brings the party into disrepute or which manifests a flagrant violation of the moral integrity expected of members or conduct unbecoming that of a member;
 - b. Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any form of discrimination;
 - c. Behaving in such a way as to provoke serious divisions or a break-down of unity in the organization;
 - d. Undermining the respect for or impeding the functioning of the structures of the organization;
 - e. Participating in organized factional activity that goes beyond the recognized norms of free debate inside the organization and threatens its unity.
11. The National 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 signed complaint, refer to the Committee an issue of discipline.
12. Disciplinary proceedings shall normally be conducted at the party level where the alleged violation or offence took place, namely the Branch, county or national, and may be heard by the relevant structure.
13. The structure of the disciplinary committee at the grassroots level (ward level) shall be determined by the sub-branch and shall be approved by the Branch office and certified by the Party Central Committee.
14. The NEC may direct that the disciplinary proceedings should be heard at a higher level from where the alleged violation or offence took place.
15. Any person faced with disciplinary proceedings shall receive 14 days written notice of any hearing and of the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defense.

16. Disciplinary Committee shall afford a fair hearing to such member complained against with reasonable opportunity to defend him/herself against the charges or allegations made against him/her in accordance with the Rules of Natural Justice.
17. The quorum in any of their meetings shall be five of the members of the Disciplinary Committee.
18. Any person found guilty in a disciplinary proceeding, or the complainant has the right, within a reasonable period, to appeal against the conviction or sentence, to the next higher body of the party.
19. The NEC may direct that any appeal should be heard by a body higher than the one to which the appeal has been made. All appeals shall be instituted 7 days after determination and communication of the disciplinary action and shall be concluded within 21 days of commencement.
20. Penalties for proven violations of the Constitution, principles, norms and decisions of the party shall include but not limited to reprimand, censure, sanction payment of compensation and/or the performance of useful tasks, temporary suspension and expulsion.
21. A Decision to expel shall be ratified by the National Governing Council. Vacancies thus or otherwise created shall be filled in acting capacity pending election.
22. The National Disciplinary Committee having regard to the nature and seriousness of an alleged violation or offence by a member, may summarily recommend to the NEC to suspend the membership of any member pending the preparation of a charge against the member and the finalization of disciplinary proceedings against the member.
23. The member shall be informed of such suspension. The temporary suspension shall lapse if no disciplinary proceedings are instituted against the member within 30 days of the date of the temporary suspension. Such disciplinary proceedings shall be attended to as quickly as possible and completed within a reasonable period.
24. All disciplinary proceedings shall be heard and concluded within 60 days.
25. Decisions relating to disciplinary proceedings shall be publicly announced. Proceedings shall conclude with a written decision including the reasons for the same.
26. The decisions of the national disciplinary committee shall be final except that the NEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NEC.
27. The national disciplinary committee shall hear and determine violations or offences on appeal from appropriate organs of the party.
28. In exceptional situations arising out of serious breaches of the constitution, rules or code of conduct, the national disciplinary committee itself may exercise jurisdiction to investigate and determine a complainant.
29. The National Executive Council may, upon application by the disciplinary committee and within fourteen (14) days, review the decision and recommended sanction to be imposed,

where it considers that the sanction imposed is disproportionate or inconsistent with this Constitution, and may affirm, vary, or remit the matter to the Disciplinary Committee for reconsideration, and shall give written reasons where it departs from the Committee's recommendation.

Article 55: Party Code of Conduct

1. Any member or official of any organ of the Party must adhere to the Party Code of Conduct.
2. The Party Code of Conduct prohibits party Members or Officials from:
 - a. Getting involved in violence as a means of promoting their individual or party position on any political matter.
 - b. Tampering with Party records, documents or accounts.
 - c. Campaigning for or canvassing for votes for a person vying for election in opposition to a candidate of UPA.
 - d. Joining or supporting a political organization or party other than the UPA or a party in coalition or Progressive with UPA.
 - e. Prejudicing the integrity or repute of the Party, its personnel or its operational capacity by impeding the activities of the Party or creating division within its ranks or membership.
 - f. Failing to pay their subscriptions.
 - g. Misappropriating the funds of the Party or destroying its properties.
 - h. Abusing elected or employed officers of the Party or in Government to obtain any direct or indirect undue advantage or enrichment.
 - i. Behaving in manner that shows disrespect to the party Leader, and all other officials of the party.
 - j. Breaching the peace through disorderly behavior.
 - k. Deliberately disrupting meetings or otherwise interfering with the orderly functioning of the Party; and
 - l. Doing or failing to do any other thing that undermine the aims or objectives of the UPA or otherwise contravenes the Party's rules or regulations made under this Constitution.

Article 56: Funds and Financial Structures and Systems

1. The National Executive Council shall establish rules governing the collection, management and expenditure of funds. All withdrawals shall be against expenditures in the approved budgets or by resolutions of the National Executive Council or Party Central Committee.
2. Subject to any written law governing funding of Political Parties, the sources of funds for the Party shall include the following:

- a. Membership Fees.
 - b. Funding by the Exchequer.
 - c. Fundraising and Contributions.
 - d. Voluntary Contributions.
 - e. Donations, legacies, contracts, bequests, and grants from any source permitted by Law.
 - f. Proceeds of any investment, project or undertaking in which the Party has an interest.
 - g. Net income from Publications and Consultancies.
 - h. Nomination fees.
 - i. Contributions from elected Party Members in the national elections.
3. The Party shall operate Account(s) with local Bank(s) according to modalities laid down by the National Executive Council.
 4. The signatories to the Bank Account(s) shall be the Party Leader, Secretary General and National Treasurer. Any two can sign with the Party Leader being a mandatory signatory.
 5. Party funds shall be used for lawful purposes in line with party policies and rules and shall not be distributed among members.

Article 57: Accounts, Audits and Inspection of Accounts

1. The Treasurer shall ensure that the Party Secretariat shall at all times keep proper books and records of Accounts of the Party's income, expenditure, assets and liabilities
2. The National Delegates Convention (or the National Governing Council) shall appoint or re-appoint a qualified and registered Auditor to audit the books of the Party and submit to the Party Treasurer a report within two months after the end every Financial year of the Government of Kenya. The Auditor shall not be an office bearer or a Member of any Committee of the Party.
3. The National Treasurer shall produce and submit audited accounts made up-to-date, which shall not be less than four weeks and not more than two months before National Delegates Convention or the National Governing Council scheduled to consider the Accounts.
4. The Treasurer shall within three months after the end of each Financial year of the Government, submit to the Auditor General the Accounts of the Party for audit as required by Law
5. All Party accounts, records and documents shall be open to inspection by the Party's Auditor, members and the Auditor General at any time.
6. The Party Auditor shall be paid such honorarium for his duties as shall be approved by the National Delegates Congress.

Article 58: Inspection of Party Records

1. The Register of Members of the Party, party records and accounts shall be available for inspection at the registered Head Office of the Party and in every Branch office to members of the Public and members of the party;
2. Any Official or Member of the Party shall be granted access to the information upon giving seven days written notice;
3. Members of the public shall be required to make a written request in writing to the Secretary General and upon review by the Central Committee on the nature of information sought, while adhering to the right to Access to information under Article 35 of the Constitution of Kenya and the Data Protection Act, CAP 411C request shall be determined.
4. Where the member may request copies of documents, the same shall be availed at a cost to be determined by the National Executive Committee.

Article 59: Party Signatories

1. The Party Leader or his designee, Secretary General and the Chairperson to the National Elections Board shall sign the party nomination certificates for presidential, parliamentary and county elections. With the Party Leader or his designee being a mandatory signatory to the party nomination certificate.
2. The Party Leader and Secretary General shall be the signatories to mergers, coalition and co-operation agreements.
3. The Party Leader, Secretary General and Treasurer shall be the signatories to bank accounts and financial reports of the party. Signature of any two shall validate the transaction; The Party Leader shall be a mandatory signatory.
4. The Secretary General shall on behalf of the National Executive Council and in concurrence with the Party Leader sign all membership registers, correspondences, reports, documents, letters and any other document required under this constitution and law to internal and external parties including the registrar of political parties.
5. The Secretary General and the Treasurer shall be signatories to the audited Annual Accounts and Financial Statements of the Party.

Article 60: National Values and Principles of Governance

1. The party shall make or implement policy decisions in line with Article 10 of Constitution of Kenya by:

2. Ensuring appointments and elections to party organs or committees adhere to the principles of the Constitution including.
 - a. representation of ethnic, minorities and marginalized groups to the extent possible; and not have more than two-thirds of the members of the same gender.
 - b. Promoting and enhancing adherence to the principle of the rule of law premised upon the respect for, and the supremacy of, the Constitution and constitutional order in the political arrangements.
 - c. Promoting democratic culture and practice by holding of regular, free and fair elections in line with this constitution.
 - d. Prohibiting, rejecting and condemning unconstitutional change of government in the country as a serious threat to stability, peace, security and development;
 - e. Striving to achieve the one third gender rule.
 - f. Condemning and rejecting all acts of corruption related offenses, impunity, abuse of human rights through abductions, intimidation and threats.
 - g. Eliminating all forms of discrimination, especially those based on political opinion, gender, ethnic, religious and racial grounds as well as any other form of intolerance.
 - h. Respecting ethnic, cultural and religious diversity.
 - i. Ensuring maximum participation of party members in decision making processes.

Article 61: Board of Trustees

1. There shall be established a trust deed where all land, buildings and all immovable property, investment, bonds and other securities that may be acquired by the party shall be vested.
2. **Composition of the Board of Trustees:**

There shall be nine (9) trustees inclusive of the Party Leader or his nominee to be appointed by the National Executive Council and ratified by National Governing Council.
3. **Qualifications:**

To be appointed a Trustee, a person must:

 - i. Be a fully paid-up Life Member of the Party;
 - ii. Meet the requirements of Chapter Six of the Constitution of Kenya (Leadership and Integrity); and
 - iii. Possess knowledge in law, finance, or estate management.
4. **Tenure:**

Trustees shall serve for a term of five (5) years, renewable once.

The NEC may remove a Trustee for bankruptcy, insanity, conviction of a criminal offence, or gross misconduct.

5. Meetings:

- i. The board of trustees shall meet at least once each year and shall elect one of them to preside over their meetings.
 - ii. The quorum in any of their meetings shall be five of the members of the board.
 - iii. Where quorum is not attained at the first sitting, the meeting shall stand adjourned and, at a second sitting, shall be deemed properly constituted to transact business notwithstanding the absence of quorum, provided that the meeting was convened in accordance with this Constitution and the agenda remains unchanged.
6. The trustees, on behalf of UPA party shall be vested with the power to manage party assets under the rules and procedures determined by the National Executive Council and approved by the NGC; be the custodian on behalf of the party, and undertake to invest in property.
7. The trustees shall pay all income from the properties invested in the trustees to the National Treasurer.
8. Any expenditure incurred by the trustees shall be authorized by the National Executive Council.

Article 62: Liability of Party Officials

No office bearer shall be held personally liable for any reasonable act or omission in good faith in the performance of his or her duties as an official.

Article 63: Contractual Liability

No contractual instrument shall bind the Party or create legal relationship with the Party unless the person executing it has written authorization from the National Executive Council or the Party Central Committee.

Article 64: Party Seal

1. The Party shall have a seal which shall be kept in the custody of the party Leader or his designee.
2. Other than documents which by law must be sealed, the National Executive Council or the Party Central Committee may, by a resolution in writing, determine what class of contracts or documents must be sealed.

3. The Party Seal shall be authenticated by appending to the document under seal the signature of the Party Leader, or National Chairperson and the Secretary General or, in his absence, any other member of the National Executive Council specifically mandated to do so by the National Executive Council or the Party Central Committee by a resolution in writing.

Article 65: Press and Publications

1. The Party may own and/or operate a Printing Press, Radio and/or Television Station or hold an interest or shares in any media house.
2. The Party may publish its own Literature, Newspaper, Periodical Magazine, Pamphlets, and Books among others.

Article 66: Internal Dispute Resolution

There shall be an Internal Dispute Resolution Committee consisting of not less than 5 persons and not more than 9 persons appointed by the National Executive Council or Party Central Committee and ratified by the National Governing Council.

1. At least 1/3 of the members of the internal disputes' resolution committee shall be of either gender.
2. The Internal Dispute Resolution Committee shall deal with disputes or complains arising from:
 - a. between members of UPA;
 - b. between members and their political party;
 - c. as a result of elections and nominations;
 - d. in the election or appointment into party offices;
 - e. arising from party lists;
 - f. from the management and administration of party funds and Finances and other party assets;
 - g. as a result of the management and administration of a party's non-financial assets;
 - h. regarding the management of party affairs;
 - i. relating to the political party constitution, code of conduct or policy document; or
 - j. Any other matter incidental thereto.
3. Disciplinary matters shall not be handled by the internal dispute resolution committee, they shall be determined in accordance with Article 54 of this constitution.
4. The Chairperson of the Internal Dispute Resolution Committee shall be appointed by the National Executive Council
5. A person shall qualify to be a chairperson or a member of the Internal Dispute Resolution Committee (IDRC) if the person:

- a. is of good moral character;
 - b. meets the requirements of Chapter Six of the Constitution; and
 - c. meet the criteria laid down in the party Constitution, rules, and in any relevant policy documents of the party.
6. A person shall not be qualified to be a chairperson or a member of the Internal Dispute Resolution Committee if the person:
 - a) Is a member of a governing body of the political party;
 - b) Is a member of the appointing organ;
 - c) Is an undischarged bankrupt
 - d) has been convicted of a criminal offence and sentenced to a term of imprisonment; or
 - e) has not met the requirements of Chapter Six of the Constitution.
 7. The chairperson and other members shall be appointed for a term of three years renewable for one further term of three years.
 8. The Internal dispute Resolution Committee shall appoint, from amongst its members, a suitably qualified person to be the secretary.
 9. The members of the internal dispute resolution organ shall, in the performance of the functions and duties of office adhere to a code of ethics which include;
 - a) Not participate in bribery or corrupt practices;
 - b) Not breach of confidentiality;
 - c) uphold principles of natural justice; and
 - d) Not to abuse their position.
 10. The headquarters of the Internal Dispute Resolution Committee shall be the party headquarters.
 11. The dispute resolution process will be guided by principles of objectivity, fairness and justice, giving consideration to, among other things, the rights and obligations of the parties and the circumstances surrounding the dispute, including any previous relationships and practices between the parties.
 12. A person who is an eligible and fully paid-up member of a political party or a member of a party organ or party official may refer a dispute under rule 63.2 to the internal dispute resolution committee for determination.
 13. The party may commence a dispute resolution under these rules, by submitting a written request to the Secretary to the internal dispute resolution committee.
 14. The Secretary to the internal dispute resolution committee shall upon receipt of a written request, within fourteen (14) days, write to the respondent informing him or her of the written request and requesting his or her response concerning the matter in dispute to-
 - a. Any or all of the claims.
 - b. A statement of the nature and circumstances of his rebuttal.

15. Where the secretary, upon receipt of the response, is satisfied that -
 - a. the dispute falls within this constitution; or
 - b. the parties will benefit from dispute resolution, the secretary shall within seven (7) days, refer the dispute to the internal Dispute Resolution Organ for determination.
16. Internal Dispute Resolution organ shall summon the respective parties within reasonable time but not later than fourteen (14) days after the statement and response has been filed.
17. The internal dispute resolution committee shall hear and determine the dispute within ninety (90) days of the dispute being lodged.
 - a. The quorum shall be a simple majority of the membership.
 - b. Decisions shall be made by majority of the quorum.
18. The ruling made by the internal dispute resolution committee shall be final and binding on the parties and persons claiming under them respectively.
19. The internal dispute resolution committee shall make its own rules of procedure for its meetings subject to approval of the National Executive Council or the party Central Committee.
20. Any dispute that shall not be resolved by the organs of the Party shall be adjudicated through arbitration. The aggrieved party (ies) shall agree on one arbitrator or otherwise invoke the Arbitration Act of Kenya. The recommendations of the arbitrator shall be communicated to the National Executive Council and or Party Central Committee in writing. The National Executive Council and or Party Central Committee in writing will make its decision and communicate in writing to the National Governing Council for ratification.

Article 67: Amendment of Constitution and Change of Name, symbol, slogan and colors

1. The National Executive Council may propose or receive proposals from any member of the Party for amendment or review of the entire constitution or change of name of the Party, which proposals shall be presented for approval by at least two-thirds of members present at the National Delegates Convention.
2. The quorum for any meeting at which the amendment of the Constitution or change of name of the Party is proposed shall be one half of the delegates eligible to attend and vote.
3. A resolution to amend the Constitution or change the name of the Party shall be supported by at least two-thirds of the delegates in attendance.
4. The National Executive Council and or the Party Central Committee shall have powers to review and revise the party constitution, nomination rules, regulations and procedure, youth congress charter, and the women league charter. Such revisions shall take effect immediately upon notification to registrar of political parties.

5. The National Executive Council and or the Party Central Committee shall have the power to amend the party constitution and nomination rules and procedures pending ratification by the National Delegates Convention. Such amendments shall take effect immediately upon notification to registrar of political parties.

Article 68: Dissolution

1. The Party may be dissolved by a resolution passed by a two-thirds majority at a Special National Delegates Convention called expressly for the purpose of dissolution.
2. In such dissolution, the NDC shall endorse the disposal of properties and funds of the Party less liability by the National Executive Council in a manner it deems fit.
3. The quorum for any meeting at which the dissolution of the Party is proposed shall be two-thirds of the delegates eligible to attend an Ordinary Session of the National Delegates Convention.
4. A resolution to dissolve the Party shall be supported by at least two-thirds of the delegates eligible to attend and vote.
5. Voting shall be by Secret Ballot only.

Schedule I - Party Symbol

THE UPA Symbol is a soap with bubbles signifying cleaning up the nation



UPA
UNITED PROGRESSIVE ALLIANCE
SAFISHA KENYA

Schedule 2 - Party Flag

The Party flag is rectangular; it is one and a half times longer than it is wide. It is horizontal comprising from top to bottom, the colour lawn green with a streak of white, and a red soap in bubbles at the centre. At the bottom is the party slogan – Safisha Kenya

Schedule 3- Postal Address

United Progressive Alliance (UPA)
Thome Estate, Mukima Drive Off Thika Road
House No. 27.
P.O. Box 22768 - 00505
Nairobi, Kenya
Website: www.upakenya.com
Email: info@upakenya.com