

**GREEN CONGRESS OF KENYA  
(GCK)**

**CONSTITUTION**

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## **Schedules**

## CHAPTER 1

### PREAMBLE:

We, members of **Green Congress of Kenya (GCK)**;

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

**RECOGNIZING** the linkage between ecologically sustainable social order and Democratic governance,

**CONSCIOUS** of present environmental crisis and the need for evolving consciousness leading to the development of a national culture based on Democratic and justice principles, and the need for a mature cooperative relationship between humanity and the ecosphere which gave it birth,

**DESIROUS** of entrenching a more democratic, safer, cleaner world through a political system that puts the public first where decisions are made by the people and not by a few individuals or groups, an economy that gives everyone their fair share, a society capable of supporting everyone's needs and a planet protected from the threat of climate change now and for the generations to come,

**ASPIRING** to contribute to the goal of a sustainable world where nature and human society co-exist in harmony in a society that meets the needs of the present generation, that does not compromise the ability of future generations to meet their own needs, in which each human being has the opportunity to develop itself in freedom, within a well-balanced society and in harmony with its surroundings,

**AWARE** that the establishment of long term goal of sustainability is a fundamental social decision about the desirability of a survivable ecological economic system,

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

**ADOPT, ENACT** and give this constitution to ourselves, as Green Congress of Kenya National Delegates Convention, members of the Green Congress of Kenya and to our future generations.

## **CHAPTER 2**

### **2.0: PRELIMINARY**

2.1 This Constitution shall be cited as the **Green Congress of Kenya** (“GCK” Constitution) and shall come into operation on such day as it is approved by the National Delegates Convention.

2.2 In this Constitution, unless the context otherwise requires:

“GCK” denotes Green Congress of Kenya.

“IEBC” denotes the Independent Electoral and Boundaries Commission.

“Party” means the Green Congress of Kenya (GCK).

“**Political Party**” means a party duly registered under the Political Parties Act 2011, or any association or organization of persons which has for its objects or purposes proposing or supporting of candidates for National or County Government elections.

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

“**Registrar**” means the registrar of political parties designated as such under section 3 of the Political Parties Act, 2011.

## CHAPTER 3

### 3.0: IDENTITY, VISION AND MISSION

#### Article 3.1: Establishment

There is hereby established a Political Party known as the **Green Congress of Kenya (GCK)** (hereinafter referred to as “the Party” or “GCK” in this Constitution). This Constitution shall be the supreme organ of the Party.

#### Article 3.2: The Party Symbol (Emblem)

3.2.1. The Green Congress Of Kenya’s Party Symbol (Emblem) is comprised of Five green trees and the letters words ‘Green Congress Of Kenya’ in capital bold and ‘Mbele iko sawa’ in small letters italicised all in a white background as is illustrated more in Schedule I hereto.

3.2.2. The Party’s symbol (Emblem) name shall be ‘**Green Partners**’.

3.2.3. The Party’s colours shall be Green and white. The colours represent the Party’s ideals and values as follows-

White- - Non Violence - pursuit of objects through peaceful means.

Green - Ecological Wisdom and, Sustainability.

#### Article 3.3: Party Flag

The Party’s flag is five green trees and the words “**GREEN CONGRESS OF KENYA**” and ‘*mbele iko sawa*’ written below them as is more particularly described in Schedule II hereto.

#### Article 3.4: Party Slogan and Party salute

The Green Congress of Kenya’s Party slogan is “*Mbele iko sawa*” - as more particularly illustrated in Schedule III hereto.

The Green Congress of Kenya’s Party salute is an Open palm of the right hand as more illustrated in Schedule III hereto.

#### Article 3.5: Party Vision

The Green Congress of Kenya's vision is a Kenyan Green society where all citizens enjoy economic empowerment, social justice and political rights and uphold Democratic values and thereby live with dignity in a clean and sustainable environment. The vision involves a fundamentally restructured Kenyan economy and Congressisation of the systems of governance to reverse the unsustainable trend of domination by a few individuals who continue to benefit to the detriment of the poorest in society. Power should mostly remain at the local, community level with sustainable, localised economies under Democratic control.

### **Article 3.6: THE MISSION STATEMENT**

The Green Congress of Kenya is focused on building a Democratic state and Society where all Kenyans will live with dignity, respect diversity, uphold equality and Justice and entrench equitable distribution of resources in a sustainable environment.

### **Article 3.7: Party Headquarters and postal address**

The site of the National Headquarters and the postal address of the Green Congress of Kenya will be determined by the National Executive Committee. For the time being the Offices shall be located at **Suite 22, First Floor, AACC, Sir Francis Ibiem House, Off Waiyaki Way, P.O. Box 5634 – 00506 Nairobi, Kenya.**

## **CHAPTER 4**

### **ARTICLE 4.0: PHILOSOPHICAL BASIS, PRINCIPLES/ VALUES, AIMS AND OBJECTIVES**

4.1 The Green Congress of Kenya's philosophical basis is grounded on the firm belief that:-

- A system based on inequality and exploitation is threatening the future of the Kenya, and encouraging reckless personal and communal behaviours.
- A Kenya based on cooperation and democracy would prioritise the many, not the few, and would not risk the Country's future with environmental destruction and unsustainable consumption.
- Conventional political and economic policies are destroying the very foundations of the wellbeing of humans and other animals. Our culture is in the grip of a value system and a way of understanding the world which is fundamentally flawed.

- Since independence the ruling parties have mainly pursued the goal of economic growth camouflaged as encompassing social development. Some people have indeed become very rich amidst abject poverty. The poor in Kenya are becoming poorer as wealth continues to be transferred to the rich people from the poor ones.
- Traditional political parties continue to promote policies which will lead not to more riches, even for the few, but poverty for all.
- The pursuit of economic growth as a force driving over-exploitation of Kenya should cease. We should aim to develop sustainable economy, which improve well-being focused on human values rather than consumerism. Traditional measures of economic activity, such as GDP, should be replaced by new indicators that measure progress towards this aim.
- Traditional politics divides humans from nature and the individual from society. The rejection of this way of seeing the world is fundamental to the Party's philosophy. Rather than set them against each other, the Party seeks healthy interdependence of individual, nature and society.
- As human beings, we all have the potential to live co-operatively and harmoniously with each other, and with reverence and respect for the complex web of life of which we are a part. Yet it has become increasingly obvious that this potential cannot be realised while basic human needs remain largely unmet.
- By basic needs we mean not only the physiological needs of food, water, air, shelter and sleep, but also psychological needs. These include the need for love, respect, autonomy, security, and meaningful activity within our communities.
- The fact that many people's basic needs are not met has far reaching consequences which may be expressed as anxiety, insecurity, and aggressive behaviour towards others, and exploitation of their environment. These personal factors give rise to and are then perpetuated by, social institutions which actively encourage oppression, pollution, resource depletion, poverty and military conflict.
- The Party therefore places both personal and political change at the heart of its response to the ecological crisis and is committed to creating a society in which individuals, through their ability to satisfy their basic needs more fully, are then able better to contribute to future sustainability. This principle is reflected in the radical Party agenda both for changes in values and lifestyles, and for reformed social, economic and political structures.

- The Party values the diversity of ways in which people relate to each other and the natural environment. It seeks a balance between a number of different processes which contribute to human well-being, rather than stressing one at the expense of all others. It refuses to treat any single value, whether freedom, wealth or equality, as a supreme criterion of political success. In an ecological society a wide range of lifestyle choices will be promoted as individuals and communities seek to establish the most appropriate means of implementing sustainability.
- The Party in effect shares with like minds the belief that:  
*"Only after the last tree has been cut down,  
 Only after the last river has been poisoned,  
 Only after the last fish has been caught,  
 Only then will you find that money cannot be eaten."*

#### **4.2 The Party shall be guided by the following principles-**

1. Ecological Wisdom
2. Social Justice
3. Participatory Democracy
4. Non-Violence
5. Sustainability
6. Respect for Diversity

#### **The party therefore undertakes:-**

- (a) To respect, uphold and defend this constitution, the Constitution of Kenya 2010, the Political Parties Act and any other written law relating to elections and political parties, political party election and nomination rules, and any other rules and regulations developed and agreed upon in accordance with any code of conduct in force;
- (b) To respect, uphold and promote human dignity, equity, social justice, inclusiveness and non-discrimination and protection of the marginalized, human rights and the rule of law, national patriotism and national unity, Democratic values and principles, inclusive participation of party members and accountable representation in governance for the sustainable development of the country, good governance, integrity, respect, tolerance, transparency and accountability,
- (c) To promote cooperation in the political competition, sharing and devolution of power and resources,



- (d) To respect, uphold and promote democratic practices through free, fair and credible political party nominations, leadership and integrity as prescribed in the constitution of Kenya; and transparency and accountability in all its legislation and regulations, structures, procedures and performance;
- (e) To promote free competition among political parties in respect of different political views and principles;
- (f) To foster trust and confidence through mechanisms for co-operation, manage and mitigate political differences through constructive dialogue enhancing harmony among the parties; and promote national reconciliation and building national unity;
- (g) To promote and pursue policy alternatives responding to the interests, the concerns and the needs of the citizens of Kenya, respect and uphold the democratic process in pursuit of political power so as to implement its policies;
- (h) To promote consensus building in policy decision making on issues of national importance,
- (a) To respect the right of all persons to participate in the political process,
- (b) To promote effective participation of the youth, minorities and marginalized groups;
- (c) To respect and promote gender equity and equality, human rights and fundamental freedoms, tolerance and inclusivity in all its political activities.
- (d) To pursue peaceful means in promoting national reconciliation and quest for political power;
- (e) To practice zero tolerance to corruption by fighting influence peddling, bribery or any other form of corruption;

- (f) To not misuse public resources other than those allocated to it through the political party fund;
- (g) To avoid hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm;
- (h) To not obstruct, disrupt, break-up or in any other way whatsoever interfere with a meeting, rally or demonstration of another political party or its leadership;
- (i) To not establish or maintain a para-military force, militia or similar organisation or having any links with such organizations;
- (j) To not use state resources for partisan campaigns.

#### **4.3 The Party shall entrench the following values-**

1. The Party is a party of social and economic justice, which supports a radical transformation of society for the benefit of all. GCK is geared towards solving the threats to economic, social and environmental wellbeing.
2. Every person, in this and future generations, should be entitled to basic material security as of right.
3. Our actions should take account of the well-being of the people of Kenya, other nations and the future generations. We should not pursue our well-being to the detriment of others.
4. A healthy society is based on voluntary co-operation between empowered individuals in a democratic society, free from discrimination whether based on race, colour, gender, religion, social origin or any other prejudice.
5. Principles of democracy require that structures or institutions for governance be open, participatory, transparent and accessible.
6. The Party emphasises democratic participation and accountability by ensuring that decisions are taken at the closest practical level to those affected by them.
7. The Party looks for non-violent solutions to conflict situations, which take into account the interests of minorities and future generations in order to achieve lasting settlements.

8. The success of a society cannot be measured by narrow economic indicators, but should take account of factors affecting the quality of life for all people: personal freedom, social equity, health, happiness and human fulfilment.
9. Electoral politics is not the only way to achieve change in society, and we will use a variety of methods, including lifestyle changes, to help effect progress, providing those methods do not conflict with our other core principles.
10. Humankind depends on the diversity of the natural world for its existence. We do not believe that other species are expendable.
11. The Earth's physical resources are finite. We threaten our future if we try to live beyond those means, so we must build a sustainable society that guarantees our long-term future.

#### **4.4.0. The purposes, aims and objects**

##### **4.4.1 Purposes of the Party**

It is the purpose of the Party to advance the Party's philosophy, Positions, Policy, Values and objectives, and to contribute to the welfare of Kenya, Kenyans and the community, of life in Kenya by:-

- a. Promoting the fact that the basis of ecological wisdom is that human beings are a part of the natural world and this world is finite, therefore unlimited material growth is impossible, ecological sustainability is paramount;
- b. Acknowledging that unlimited material growth is impossible, therefore the key to social responsibility is the just distribution of social and natural resources both locally and globally;
- c. Implementing the principles of ecological wisdom and social responsibility that ensure decisions are made directly at the appropriate level by those affected;
- d. Promoting positive political change that put green values into practice through national and county legislation and entrench the core values of the party which are - ecological wisdom, social justice, participatory democracy, non-violence, sustainability and respect for diversity which recognize the interconnectedness of all life forms and the importance of sustainable living for the future of our country, and of our world.
- e. Creating political platforms that would promote the incorporation of eco-friendly habits into peoples' daily lives.
- f. Promoting the implementation of policies which protect human rights and rejects all forms of exploitation for any purpose whatsoever. Individual human rights include the freedom to combine with others in common

- endeavours in representative institutions such as trade unions and community groups. The Party believes that human rights can only ultimately be protected by the watchful activity of such organisations within society.
- g. Striving for the creation of a society in which individuals, through their ability to satisfy their basic needs more fully, are better able to contribute to future sustainability reflected in the changes in values and lifestyles, and for reformed social, economic and political structures.
  - h. Promoting an ecological society offering a wide range of lifestyle choices as individuals and communities seek to establish the most appropriate means of implementing sustainability.
  - i. Promoting policies which respect the environment's complexity and full potential value as opposed to established human domination of the exploitable environment as the basis of human power and the basis for hierarchies of wealth.
  - j. Promoting policies that ensures that human activities contribute to, rather than destroy, the richness of life.
  - k. Promoting an ecological society made up of self-governing communities of a variety of sizes which will regulate their own social and economic activities. Nothing should be decided at a higher level if it can be decided at a lower one. But the Green Congress of Kenya accepts that regional, national and county governments will continue to have an important role.
  - l. Promoting social institutions that protects the interests of the powerless against the powerful and ensure the legitimate interests of all people are of equal value by rejecting all forms of discrimination whether based on race, colour, sex, religion, national origin, social origin or any other prejudice.
  - m. Championing the rights of future generations. The suffering of future generations as a result of global warming caused by current generations makes it crucial that their rights are recognised and championed by organisations within society today.
  - n. Integrating with other nations in championing the interests of future generations.
  - o. Promoting basic material security for all. Society should guarantee access to basic material security for all and should provide a wide range of opportunities for personal fulfilment in both a material and non-material sense. If hardship is even a possibility, a sense of insecurity will prevent individuals from acting in accordance with ecological constraints. A guarantee of security will not ensure voluntary ecological behaviour, but it is a necessary precondition.

- p. Committing to freedom. Firstly, wealth and power are often used to curtail the freedoms of the poor and powerless. The protection of legitimate freedom therefore requires restrictions on oppressive activities.
- q. Combining with others in common endeavours in such a way that decision-making powers are delegated to representative institutions such as trade unions, community groups and governments.
- r. Adopting new economic ideas, institutions and organisations that reduce our dependence on monetary units as the basis of measuring wealth to those that ensure that the needs of all are met.
- s. Promoting redistribution of income and sharing of wealth in such a way that everyone has a guarantee of economic security, otherwise people will not heed ecological restraints in their daily lives.
- t. Promoting responsible land use planning and management in such a way as to ensure sustainable human development and safeguard biodiversity.
- u. Promoting towns and cities structured in such a way as to maximise resource conservation in order to protect the natural environment from pollution and degradation. The Party believes that technologies which promote reuse and recycling of materials and products should be given priority over the production of goods from newly generated resources.
- v. Promoting policies that choose to develop technologies that are inherently beneficial to the common good technology, like other aspects of human culture, needs to be used selectively and within limits. The path of technological development is not a given, but a choice made by society.
- w. Promoting a society in which people are empowered and involved in making the decisions which affect them. We advocate participatory and Democratic politics. Leadership should always be accountable, consensus-driven and moral.
- x. Encouraging the enactment of property laws that are designed to ensure that all have access to the things they need. All those who have a stake in property should have a real say in how it is managed. Common goods need to be accountably managed by the community that depends on them.
- y. Promoting access to creative, rewarding work which is a fundamental human right. We also oppose the view that hard work is to be praised for its own sake. A healthy life is a balanced one, including time for both work and leisure. Employment policies should aim to match the work which needs to be done with the abilities of people.

#### **4.4.2 The aims of the Party are:-**

- To promote meaningful and smart solutions to ensure future generations of Kenyans have clean air, clean water and clean soil and to work in many other areas to champion integrity, decency and fairness.
- To enrich debates on ecological issues through monitoring and evaluating the progress on local, national and regional commitments on environmental related issues.
- To maintain registration as a political party with the Registrar of Political Parties under the Political Parties Act, 2011.
- To do all such things political or otherwise as are incidental or conducive to the attainment of any of the above objects.
- To promote and enforce effective and beneficial devolution of power.
- To promote communities' participation in development of Kenya.
- To ensure respect for all fundamental rights of the people in which all citizens regardless of caste, creed and religion, can live in peace, harmony and happiness.
- To ensure independence of judiciary and to provide inexpensive and expeditious system of justice through a healthy, responsive, credible and effective court system.
- To protect the rights and interests of the minorities and to respect their aspirations.
- To implement land reforms to create an equitable system of land tenure.
- To promote tolerance and to eliminate all kinds of prejudices throughout the country; whether regional, ethnic, religious, sectarian, linguistic or tribal; and to inculcate a spirit of unity, mutual affection, brotherhood and prosperity for all.
- To support international efforts for welfare and dignity of global community and to establish a just international economic order.
- To strive for the right of the citizens to have free access to public information
- To protect and promote the rich and diverse cultural heritage.
- To enhance the effectiveness of the Global Green Movement in creating a Green Society by providing an evolving social and political structure that embraces and supports Green Values and offers itself as a voice for the broader Green Movement.
- To elevate and nurture caring and compassionate values among all peoples and all cultures which will provide the basis for sustaining, just, democratic, peaceful and diverse communities.
- To commit ourselves, and encourage everyone, to promote enhanced and socially engaged caring and compassionate values through research, dialogue, and example, as well as through increasing awareness of our own capacities to be caring and compassionate for others, ourselves, and life's rich diversity.

- To develop and implement ecological policies consistent with the Philosophical Basis of the Party as expressed in Policies for a Sustainable Society.

#### **4.4.3 Objects of the Party**

The overriding Object of the Party shall be to encourage the development of a sustainable and ecologically sound society as envisioned by the Philosophy, principles and Values of the party towards having a greener Kenya. The party may therefore undertake any activities, which promote the attainment of this Objective.

#### **Specific objectives shall be:-**

- i. To field and elect candidates in national and county elections and to win seats at all levels of government.
- ii. To encourage and participate in debating and forming legislation in the Kenyan Parliament and by participating in, or forming, the Government of Kenya.
- iii. To promote ecological policies and values through participation in the electoral process.
- iv. To advance ecological environmental issues in the political arena.
- v. To represent constituents, speak on behalf of those who wouldn't otherwise get much of a say inside parliament namely children, refugees, students, individuals and families living in poverty and, our natural environment.
- vi. To form and maintain Party organizations at the national, county and grassroots levels.
- vii. To mainstream ecological principles and values into government policies as well as those of the regional governments.
- viii. To develop, advance and implement Policy, Positions, and Platforms consistent with its Values and philosophy.
- ix. To work in solidarity with green ecological parties of other jurisdictions and green parties globally.
- x. To influence, encourage and assist communities within Kenya and the neighbouring region to sustainably manage their natural resources.
- xi. To promote unity and reconciliation among Kenyan people through non-violent conflict resolution as the process by which ecological wisdom, social responsibility, and appropriate decision making are implemented.
- xii. To organise any non-violent activity which, will publicise and further the purposes, aims and objects.

## CHAPTER 5

### MEMBERSHIP, RIGHTS AND DUTIES

#### **Article 5.0: Membership**

- 5.0.1 Eligibility criteria - Membership of the Green Congress of Kenya is open to all Kenyan citizens above the age of 18 years irrespective of gender, race, colour or creed and who accepts principles, objects, policies, programmes, directives and discipline of the Party and are prepared to profess and abide by this Constitution and rules made there-under provided that such person is not a member of another registered political party.
- 5.0.2 Any person who, upon application to the National Executive Committee, has manifested a clear identification with the Green Congress of Kenya and its principles, objects, policies, programmes, directives and discipline and is resident in Kenya and the Diaspora may apply for membership. A member temporarily residing abroad for a continuous period of more than twelve months may retain his/her membership but shall notify Party Headquarters of his/her forwarding address.
- 5.0.4 No person otherwise disqualified under the Political Parties Act, 2011 (as may be amended from time to time) shall be eligible for membership as a founding member within the meaning of that Act.
- 5.0.5 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.
- 5.0.6 All members shall, before a Certificate of Membership is conferred him/her, pay prescribed fees for membership.

#### **Article 5.1: Categories of Membership**

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

The Party shall, for the time being, have the following categories of membership:



- i. Ordinary membership.
- ii. Life membership.

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

5.1.3 The National Delegates Convention shall satisfy itself that no person admitted as a member is likely to compromise the interests of the party, or whose objects are significantly opposed to those of the party, and in this regard, may impose such terms and conditions for membership as circumstances may warrant.

### **Article 5.2: Rights of Party Member**

5.2.1 A member of the Green Congress of Kenya shall have the right to:

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

### **Article 5.3: Duties of Party Member**

5.3.1 A member of the Green Congress of Kenya shall;

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

The National Delegates Convention shall provide for further rights, duties and benefits accruing to the various categories of memberships provided therein.

### **Article 5.4: Termination of Membership**

5.4.1 A person shall cease to be a member of the Party-

- a) By resignation in writing to the relevant Branch. Membership shall terminate with effect from the date of the receipt thereof.
- b) By a resolution passed by the National Executive Council and ratified by the National Governing Council;

- c) By accepting an office, subscribing to or promoting activities of a political party or organization whose aims and objectives are in competition with or in conflict with those of Green Congress of Kenya ;
- d) Upon death;
- e) By an operation of any prescribed law.

**5.1.2 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 from the Party;
- b) Shall not be absolved from performing any outstanding obligations owed to the Party or other members *qua* members;
- c) Shall return all party property within his custody, possession or control, failure to which the Party shall have a right to lay claims against such person for any money due or owing to the Party or for any damage or loss occasioned to Party property which was in his custody, possession or control prior to termination of membership;
- d) Shall have his/her name struck off from the register of Party members.
- e) Any person, other than a person who was a life member prior to termination of his membership, may, if he or she so wishes to rejoin the Party, apply for re-admission through his Party Branch that shall process the application and make recommendations to the National Executive Committee for consideration.
- f) A person who was a life member prior to termination of his or her membership may apply for re-admission to Party membership if he so wishes to the National Executive Committee.

## CHAPTER 6

### NATIONAL OFFICE BEARERS

**Article 6.0:** National Office Bearers shall be:

1. Party Leader
2. Deputy Party leader
3. National Chairperson
4. Deputy Chairperson
5. Secretary General
6. Deputy Secretary General
7. National Treasurer
8. Deputy Treasurer - Finance
9. National Organizing Secretary
10. Deputy Organizing Secretary
11. Secretary for Public Policy and Economic Affairs
12. Secretary for Legal and Constitutional Affairs
13. Secretary for Publicity and Information
14. Secretary for International Affairs
15. Secretary for Women Affairs ( Green Congress of Kenya Women Congress Leader)
16. Secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader)
17. Secretary for Special Interest Groups
18. Secretary for Environment
19. Secretary for Parliamentary Affairs (Whip)
20. Secretary for Devolved Government
21. Secretary for Science and Technology
22. Secretary for Labour and Human Resource Development
23. Secretary for Special Programmes, Security and Social Welfare
24. Secretary for Humanitarian and Disaster Management Affairs
25. Secretary for Disability Affairs
26. Secretary for Political Affairs
27. Executive Director (Ex officio)

**Article 6.2:** Election of National Office bearers

- 6.2.1 The Election of National Office bearers shall be conducted on the guiding principle that at least one third shall be of either gender.
- 6.2.2 All National Office bearers other than the Secretary for Parliamentary Affairs and the Executive Director shall be elected by the National Delegates Convention and shall hold office for a term of five years.
- a) Candidates for Party Leader and Deputy Party Leader or Co-Party Leader shall have been a member of the Party for a minimum six months preceding the date of close of nominations, and shall be required to complete a standard application form for the post and addressed to the National Executive Committee. The nominations must be supported by the signatures of a minimum of twenty members of the Party drawn from different Counties.
  - b) Two members of opposite sexes may, together stand for the office of Party Leader in order to hold the post as a job share. The post of Deputy Party Leader may not be held as a job share. In the event of the election of two people job sharing the Party Leader post, they shall be known as 'Co-Party Leaders', no election for Deputy Leader shall take place, and the duties, responsibilities and votes of both posts will be held by the Co-Party Leaders. Members standing to be Co- Party Leaders may not simultaneously be candidates as individuals for either Party Leader or Deputy Party Leader.
  - c) The vote for Party Leader shall be counted first. Candidates for Deputy Leader of the same sex as the newly elected Party Leader will then be disqualified. In the event of the Party Leader election being won by two people standing as a job share, they shall be known as 'Co- Party Leaders' and no count for Deputy Leader shall take place.
  - d) Elections for the Party Leader and Deputy Party Leader will include the opportunity for each candidate to address members through specific mailings, a party membership newsletter and web based communications.
  - e) In the event of ten per cent of the membership petitioning the National Executive Committee to recall the Party Leader or either or both of two Co- Party Leaders, a new election for both posts of Party Leader and Deputy Party Leader shall be held in which the current post-holders shall be eligible to stand. In the event of a similar petition to recall the Deputy Party Leader, a new election for that post only will be held, in which the current post-holder and other members of the same sex as the current

- post-holder shall be eligible to stand, subject to clause 8 (iii) above. The current post-holders will retain their -post until the result of that election.
- f) Should the Party Leader or one of the two Co- Party Leaders resign there will be a by-election for both Party Leader and Deputy Party Leader or both Co- Party Leaders. Should the Deputy Party Leader resign, there will be a by-election for Deputy Party Leader. They shall serve a term lasting as if they were starting following the result of the previous election.
  - g) In the event of the suspension or resignation of the Party Leader, the Deputy Party Leader shall have the position of Acting Party Leader until a new election has taken place. In the event of the suspension or resignation of one of two Co- Party Leaders, the other Co- Party Leader shall have the position of Acting Party Leader until a new election has taken place. In the event of the suspension or resignation of both the Party Leader and Deputy Party Leader, or of both of two Co- Party Leaders, the Secretary General shall have the additional position of Acting Party Leader until a new election has taken place.
  - h) The Secretary for Parliamentary affairs shall be the Party Parliamentary Whip elected by the Party's Parliamentary Group immediately after a General Election. He or she shall hold office for a term of five years or for the residue of his/her Parliamentary term as may be current on his/her election, whichever is shorter.
  - i) 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 prescribed form.
  - j) Any National Official may attend any meeting(s) organized by the Branch as an ex-officio member.

### **Article 6.3: Duties and Responsibilities of National Office bearers**

- 6.3.1 All office bearers shall perform their functions within the spirit and provisions of this Constitution and shall ensure that they are guided by the objectives and values of the Party. Subject to any other duty expressly

provided for by this Constitution, the main duties of elected National Office bearers shall be:

**1) The Party Leader shall:**

- i) Be accountable to party committees in the same way as other members of the Executive and will be expected to outline his or her future plans and work to the Executive and The Party.
- ii) In exercising his or her duties at all times abide by Party policy and Philosophical Basis.
- iii) Articulate and defend Party policies;
- iv) Convene, set the agenda and preside over all Party national meetings including National Delegates Convention and any other special meeting as he or she shall deem necessary;
- v) Convene and preside over the joint meetings of the Parliamentary Group and the National Executive Committee;
- vi) Convene and preside over meetings of the National Governing Council.

**2) The Deputy Party Leader shall:**

- i) Assist the Party Leader and carry out the duties of the Party Leader in his /her absence.
- ii) Be the principal deputy of the Party Leader and shall perform such duties and functions as might be expressly delegated to him/her by the Party Leader.
- iii) Assist the Party Leader in developing policy formulation processes including formulation of the Party's Strategic Plan.

**3) National Chairperson**

The duties and responsibilities of the National Chairperson shall include:

- i) To chair meetings of the Party other than those chaired by the Party Leader and Deputy Party Leader;
- ii) To convene and preside over National Executive Committee meetings under the direction of the Party Leader.
- iii) To preside over the National Delegates Convention.
- iv) To convene and preside over the Parliamentary Group meetings.

**4) National Deputy-Chairperson**

The National Deputy Chairperson shall, under the direction of the National Chairperson:

- i) Chair Meetings in the absence of the Chairman
- ii) Assist the National Chairperson in matters relating to coordination and liaison with other political parties;
- iii) Perform such other specific assignments as might be delegated to him/her by the National Chairman from time to time.

**5) Secretary General**

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

- i) Ensuring discipline and proper order in the Party in accordance with the Party Constitution and in all respects establishing unity within the Party and ensure adherence to Party policies and relevant by-laws by office bearers, members and the Party Parliamentary Group.
- ii) Ensuring that all meetings including the National Executive Committee, National Governing Council and National Delegates Convention take place as provided for in the Constitution at such time as may be decided by the National Executive Committee;
- iii) Keeping or causing to be kept a proper record of minutes of all meetings of the National Executive Committee, the National Governing Council and the National Delegates Convention and ensuring the distribution of such minutes and conveying of decisions made to persons and branches concerned;
- iv) Issuing correspondence on behalf of Party organs in which he or she is a member and sending out notices of all meetings of the organs concerned;
- v) Preparing annual reports on the work of the National Executive Committee, the National Governing Council and the National Delegates Conferences;
- vi) Be the depository and custodian of all Party documents including Party Seal, Minutes Register, instruments of



- intellectual property rights, instruments of registration, registration of all Party Branches and Party members' register;
- vii) Corresponding and consulting with the Registrar of Political Parties on behalf of the Party as the authorized principal officer of the Party;
- viii) Being signatory to all the bank accounts and a mandatory signatory to the Political Parties Fund Account;
- ix) Be the chairman of the committee responsible for the oversight of finance and administration;
- x) Signing the nomination certificates of the Party's candidates subject to the provisions of this Constitution or any other written law;
- xi) Act as the Party Leader in the event of vacancy in the office of Party Leader and Deputy Party Leader.
- xii) Any other duties conferred upon him or her by this Constitution or the National Executive Committee.

**6) Deputy Secretary General**

The Deputy Secretary General shall, under the direction of the Secretary General and assist the Secretary General in the implementation of Party's strategies, policies and programmes and any other specific assignments as might be delegated to him/her by the Secretary General from time to time.

**7) National Treasurer**

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

- i) receive and bank all monies on behalf of the National Executive Committee and operate a banking account together with such other signatories as may be specified by the National Executive Committee;
- ii) keep such books of account as may be necessary to record clearly the financial position of the Party;
- iii) prepare Annual Party Budgets or Estimates and overall fiscal planning;
- iv) monitor financial allocations and expenditure according to departmental votes as may be approved by the National Executive Committee;

- v) ensure the execution of prudent stewardship standards and best financial practices to protect Party's finances;
- vi) prepare and submit to the National Executive Committee a Financial 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;
- vii) be responsible, in conjunction with Party's Finance and Resource Mobilization Committee, for the formulation and execution of resource mobilization plans and strategies.

**8) Deputy National Treasurer -**

The Deputy National Treasurer shall assist the National Treasurer in;

- i) Ensure the execution of prudent stewardship standards and best financial practices to protect Party's finances;
- ii) Perform such other specific assignments as might be delegated to him/her by the National Treasurer from time to time.

**9) National Organizing Secretary**

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

- i) Organize public meetings, functions, and meet the people tours;
- ii) Be responsible for promoting and mobilizing for party activities including the recruitment of Party members at branch level;
- iii) Coordinating effective functioning of all branches and ensuring they hold meetings in accordance with the requirements of this Constitution;
- iv) maintaining and developing new relationships with party supporters in the Diaspora;
- v) In consultation with the Secretary General and the NEC, supervise the organization of the National Delegates Convention, National Governing Council and thereafter report on the progress in the holding of such meetings.

**10) Deputy National Organizing Secretary**

The Deputy National Organizing Secretary shall work under the direction of the National Organizing Secretary, and perform such

assignments as he/she shall be assigned from time to time by the National Organizing Secretary.

**11) Secretary for Public Policy and Economic Affairs**

The Secretary for Public Policy and Economic Affairs shall;

- i) Be responsible for the development of policy on any matter as the Party may in its wisdom choose to focus attention on and to upraise the party on merits and demerits of the same;
- ii) Be required to defend such policy so adopted whenever called upon by the party leadership in the public domain;
- iii) Perform such other related duties as may be directed by the National Executive Committee.

**12) Secretary for Legal and Constitutional Affairs**

The Secretary for Legal Affairs shall;

- i) Be the legal adviser to the Party in all legal and constitutional matters;
- ii) Perform such other duties as may be directed by the National Executive Committee.

**13) Secretary for Publicity and Information**

The Secretary for Publicity and Information shall:

- i) Be responsible for dissemination of information and public relations;
- ii) Perform such other related duties as may be directed by the National Executive Committee.

**14) Secretary for International Affairs**

The Secretary for International Affairs shall:

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

**15) Secretary for Women Affairs (Women Congress Leader)**

The Secretary for Women Affairs (Women Congress Leader) shall:

- i) Be the National Chairperson of the Green Congress of Kenya Women Congress;
- ii) Coordinate the activities of the Green Congress of Kenya Women Congress;
- iii) Generally promote and mobilize Party activities and policies among the women of Kenya under the direction of the National Executive Committee.

**16) Secretary for Youth Affairs Young Congress Leader)**

The Secretary for Youth Affairs shall:

- i) Be a youth aged not more than 35 years at the time of elections;
- ii) Be the National Chairperson of the Green Congress of Kenya Young Congress;
- iii) Generally promote and mobilize Party activities and policies among the youth of Kenya under the direction of the National Executive Committee.

**17) Secretary for Special Interest Groups**

The Secretary for Special Interest Groups shall be responsible for:

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

**18) Secretary for Environment**

The Secretary for Environment shall:

- i) 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;
- ii) Perform such related other duties as may be directed by the National Executive Committee.

**19) Secretary for Parliamentary Affairs (Whip)**

The Party Whip shall be responsible for:

- i) Galvanizing support of all Members of Parliament of the Green Congress of Kenya and other Members of Parliament of different persuasions for motions and bills proposed or supported by the Party;
- ii) Be responsible for calling and recording the proceedings of the meetings of the Parliamentary Group and briefing other organs of the Party on the activities of the Parliamentary Group.

**20) Secretary for Devolved Government**

The Secretary for Devolved Government shall be responsible for:

- i) Promoting policies for equitable distribution of resources among the regions and monitoring devolved government to ensure it is accountable.
- ii) Perform any other related duties as may be directed by the National Executive Committee.

**21) Secretary for Science and Technology**

The Secretary for Science and Technology shall be responsible for;

- i) the promotion of the use of Information and Communication Technology (ICT) within the Party;
- ii) Building the capacity for Party members to utilize ICT;
- iii) 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;
- iv) Performing any other related duties as may be directed by the National Executive Committee.

**22) Secretary for Labour and Human Resource Development**

The Secretary for Labour and Human Resource Development shall be responsible for:

- i) Developing policies that promote reform;
- ii) The enactment of labour laws that enhance equity in labour relations and match skills to industry needs;
- iii) Liaising with trade and employers' unions.

**23) Secretary for Security**

The Secretary for Security shall be responsible for development of Party policy on matters of internal security and public order.

**24) Secretary for Humanitarian and Disaster Management Affairs**

The Secretary for Humanitarian and Disaster Management Affairs 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.

**25) Secretary for Persons with Disability**

The Secretary for Persons with Disability shall be responsible for:

- i) The promotion and advocacy of the rights of persons with disability in the Party;
- ii) To advice the Party on all matters that appertain to disability and public policy.

**26) Secretary for Special programmes, Security and Social Welfare**

The Secretary for Special Programmes, Security and Social Welfare will be responsible for:

- i) The management of all special programmes of the party;
- ii) Internal and public order
- iii) The development of the party's strategic plan for such activities and their mitigation, management, evaluation and coordination of responses.

**27) Secretary for Political Affairs**

The Secretary for Political Affairs will deal with all matters political, including but not limited to:

- i) Coordination and liaison with other political parties;
- ii) Collection of political intelligence and advice on strategies to popularize the party at the grassroots;
- iii) Perform any other duties as may be assigned by the National Executive Committee.

6.4 The National Executive Committee shall, in its own discretion and subject to the availability of funds, grant such honoraria, out of pocket expenses, to any National Official so as to reasonably facilitate his or her attendance at meetings or to ameliorate his or her just and fair expenses.

## CHAPTER 7

### ARTICLE 7.0: PARTY ORGANS

7.1. The party shall be managed and run through such organs and a Secretariat as the National Executive Committee, with the approval of the National Delegates Convention, may establish from time to time.

7. 2. For the time being and until decided by the stated relevant organs, the organs of the Party shall be:

- a) National Delegates Convention (NDC)
- b) National Governing Council (NGC)
- c) National Executive Committee (NEC)
- d) Branch Executive Committee (BEC) (County)
- e) Sub-Branch Executive Committee (SBEC) (Constituency)
- f) Location/Ward Steering Committee
- g) Sub-Location/Kijiji/Unit/Management Committee (SL/K/U/MC)
- h) Party Parliamentary Group (PPG)
- i) The Party Governors Forum (PGF)
- j) Party County Assembly Group (PCAG)
- k) Women Congress League (WCL)
- l) Young Congress League (YCL)
- m) National Secretariat (NS)
- n) National Elections Board (NEB)

#### **Article 7.2: National Delegates Convention**

7.2.1 The National Delegates Convention shall be the supreme organ of the Party with power to determine Party policy.

7.2.2 The National Delegates Convention shall be composed of the following members:

1. All members of the National Executive Committee
2. All members of the Party Parliamentary group
3. All Members of the Council of Governors.
4. All members of the Branch Executive Committee

5. All National Office bearers of the Green Congress of Kenya Young Congress League.
6. All National Office bearers of the Green Congress of Kenya Women Congress League .
7. Eight members of the Sub Branch Executive Committee comprising of: Chairperson, Secretary, Organizing Secretary, Treasurer, Secretary for Women Affairs (Green Congress of Kenya Women Congress Leader), Secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader), persons with disability representative and special interest /marginalized representative.
8. All members of the Party's Standing Committees specially nominated by the National Executive Committee to attend the Convention as delegates.
9. At least one member from each registered Overseas Branch specially nominated by the NEC to attend the Convention as delegates.

7.2.3 The National Executive Committee may, in its wisdom, invite individuals who have made special contribution to the Party or who have special skills or experience to attend the Convention with no right to vote; provided always that this category shall include, but not limited, to representatives of special interest groups, comprising at least two representatives of persons with disability.

7.2.4 The National Delegates Convention shall have the following specific powers, duties and obligations:

- a) To review party policies and programmes and give directions regarding the organization of the Party.
- b) To consider, modify, amend and, if it thinks fit, ratify the Manifesto, Constitution, Rules and Regulations of the Party and those governing its subsidiary organizations and their operations.
- c) To establish and/or revise the by-laws, if required for the proper regulation of the affairs of the Party.
- 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 and review annual dues payable by the Party members.
- e) To receive and discuss reports of the National Governing Council and the National Executive Committee.
- f) To appoint Party Auditor and fix his/her honorarium.
- g) To elect, from among eligible Party members, the National Office bearers of the Party who shall constitute the National Executive 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 Governing Council and the National Executive 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 initiate all such activities to further the aims and objects of the Party.
- k) To perform any other duties and functions as the National Delegates Convention may deem fit.

### **Article 7.3: Procedure of Meeting at National Delegates Convention**

#### **7.3.1 Ordinary Session:**

An Ordinary Session of the National Delegates Convention shall be convened by a resolution of the National Executive Committee ratified by the National Governing Council, and held once every five years but not later than 31<sup>st</sup> December of the fifth year, at a place, time and date to be determined by the National Executive Committee.

7.3.2 The notice and agenda convening the meeting shall be sent out by the Secretary General at least twenty one days before such date. It shall be communicated either through advertisement in daily newspapers or through radio, television or other electronic means.

7.3.3 Only agenda items as approved by the National Governing Council shall be discussed at the Ordinary Session of the National Delegates Convention.

#### **7.3.4 Special Session:**

A Special Session of the National Delegates Convention shall be summoned upon the decision of the National Executive Committee 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.

The notice and agenda convening the meeting shall be sent out by the Secretary General at least twenty one days before such date. It shall be communicated either through advertisement in daily newspapers or through radio, television or other electronic means.

- 7.3.4 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 sixty-five working days before the date proposed;
- 7.3.5 Only agenda items prepared by the National Executive Committee or as may be requisitioned by delegates shall be discussed at the Special Session of the National Delegates Convention.
- 7.3.6 The National Chairperson or, in his absence, any of his deputies but failing which a delegate, specially elected by delegates in attendance, shall preside at a Special Session of the National Delegates Convention requisitioned by delegates. The Secretary General shall be the Secretary of such Convention.
- 7.3.7 Quorum of the Ordinary or Special Sessions of the National Delegates Convention shall be 30% of eligible members present and voting.
- 7.3.8 Decisions shall be taken through the vote by consensus, secret ballot or by a unanimous resolution.

**Article 7.4: The National Governing Council (NGC)**

- 7.4.1 There is hereby established a National Governing Council, which shall be the second highest organ of the Party, and shall consist of the following members:
- a) All members of the National Executive Committee;
  - b) All Chairmen of the Branch Executive Committees;
  - c) All members of the Party's Parliamentary Group;
  - d) All members of the Council of Governors;
  - e) All members of the National Elections Board;
  - f) All Chairmen of Party's Standing Committees;
  - g) All Green Congress of Kenya Women Congress League National Office bearers;
  - h) All Green Congress of Kenya Young Congress League National Office bearers.

7.4.2 The National Governing Council shall have the following functions:

- a) To review and/or formulate policies of the Party for approval by the National Delegates Convention;
- b) To act as the broader executive body of the National Delegates Convention and to ensure that all recommendations by the National Delegates Convention are duly carried out by the Party and the National Secretariat;
- c) To receive reports from the National Executive Committee on the operations of the Party;
- d) To monitor general activities of the Party on behalf of the National Delegates Convention and to provide direction for such activities;
- e) To establish specialized committees and other advisory bodies as are necessary to carry out aims and objects of the Party;
- f) To run the party and make decisions in between the National Delegates Congress;
- g) To review and develop political agenda for the Party's Civic and Parliamentary Groups;
- h) To review and recommend the reports of the National Executive Committee to National Delegates Convention;
- i) To approve the agenda for the National Delegates Convention as may be prepared and presented by the National Executive Committee or as may be notified by any Party member. A notice to include any other agenda item to the National Delegates 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;
- j) To make policy and administrative decisions on behalf of the National Delegates Convention if it is the considered opinion of the National Executive 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;

- k) To initiate all such activities as might further the aims and objects of the Party.

7.4.3 The National Governing Council shall be convened by a resolution of the National Executive Committee and shall meet at least once every twelve (12) months.

**Article 7.5: The National Executive Committee (NEC)**

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

- a) All the National Office bearers;
- b) The Party's Executive Director, who shall be an *ex-officio* member.

7.5.2 The National Executive Committee shall be constituted by the National Delegates Convention to hold office for a term of five years save for the Secretary of Parliamentary Affairs who shall be elected by the Parliamentary Group and ratified by the National Delegates Convention..

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

- a) To act as the executive body and carry out the decisions of the National Governing Council and the National Delegates Congress:
- b) To supervise the National Secretariat of the Party and to take such measure as it deems necessary to enforce the decisions and programmes of the Party as laid down by the National Governing Council and the National Delegates Convention.
- c) To issue and send directives and instructions to and receive reports from the Branches.
- d) To convene the meetings of and prepare the agenda for and reports to the National Governing Council and National Delegates Convention.

- e) To oversee the operations of the Green Congress of Kenya Women Congress, Green Congress of Kenya Young Congress, Party Parliamentary Group and the County Assembly Group
- f) Set up committees as it deems necessary from time to time for specified tasks and to determine their terms of reference.
- g) To operate and determine the manner in which the Party accounts and finances shall be prudently managed.
- h) To appoint and fix the Terms and Conditions of Service of the Executive Director and other members of staff in the employment of the Party.
- i) To receive reports, supervise the work of, and delegate such functions to the National Secretariat and National Elections Board as it considers necessary.
- j) 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 honours of recognition, merit, distinction, commendation or accolade in accordance with the Party's Reward and Merits Scheme as it may deem appropriate.
- k) To initiate, prepare or cause to be prepared the necessary quarterly, semi-annual or annual financial statements for approval by National Governing Council and the National Delegates Convention.
- l) To nominate and prepare a Party List for presentation to the IEBC in accordance with the provisions of the Law.
- m) To receive, consider, approve and implement reports and recommendations from the various standing, *ad hoc* and specialized committees or individuals
- n) To liaise with the Party National Election Board in order to ensure the coordination of elections of Party Office bearers at all levels and Party nominations for Presidential, Parliamentary and Civic elections.

- o) To make Elections and Nomination Rules and lay them before the National Governing Council for approval.
  - p) To appoint various schemes aimed at stimulating Party activities.
  - q) To make Elections and Nomination Rules and/or Regulations as may be prescribed under this Constitution and lay them before the National Governing Council for ratification.
  - r) To initiate all such activities as might further the aims and objects of the Party.
- 7.5.4 The National Executive Committee shall meet at least once in every three months except for emergency meetings which may be convened by the Secretary General according to exigencies of time or by a written request made by 25% of the members thereof.
- 7.5.5 Any vacancy occurring in the National Executive Committee during the course of the term before the next National Delegates Convention may be filled through nomination by the National Executive Committee from amongst members of the National Delegates Convention until the vacancy is substantially filled at the next Delegates Convention.

**Article 7.6: The National Secretariat (NS)**

- 7.6.1 There is hereby established a National Secretariat which shall be headed by an Executive Director. The National Executive Committee shall determine the number and designation of the departments within the National Secretariat.
- 7.6.2 The Executive Director shall be appointed by the National Executive Committee. He/she shall be responsible for overall coordination of Party activities, budget and resource and programme management.
- 7.6.3 The main duties of the National Secretariat shall be:**
- a) Management of Party operations.
  - b) Implementation of Party decisions.
  - c) Processing the clearance of persons to be appointed by the National Executive Committee as Party's nominees to the County Assembly or Parliament.

- d) Voter outreach and membership recruitment.
  - e) Registration, mobilization and maintenance of voters or members register.
  - f) Coordination, facilitation and synchronization of Party activities and events.
  - g) Public relations, communication and media outreach.
  - h) Fundraising and resource mobilization.
  - i) Campaign strategies.
  - j) Operations and logistics.
  - k) Party policy and research.
  - l) Regional coordination.
  - m) Liaison with all Party structures.
  - n) Any other duties as may be assigned by National Executive Committee.
- 7.6.4 Members of Staff appointed to each department by the National Executive Committee shall be guided by the Party Service Code.
- 7.6.5 The Secretariat shall be responsible for implementing decisions and programmes of the Party under guidance of the Secretary General, National Executive Committee and in liaison with other National Office bearers.
- 7.6.6 The National Secretariat shall service the operations of subsidiary organizations of the Party.
- 7.6.7 The National Secretariat shall function directly under the office of the Secretary General.

**Article 7.7: Party Parliamentary Group (PPG)**

- 7.7.1 There shall be established the Party Parliamentary Group comprising the following officers:
- a) Party Leader.
  - b) The Secretary General
  - c) Party Parliamentary Whip.
  - d) Party Parliamentary Secretary.
  - e) All Green Congress of Kenya Members of Parliament (The Senate and National Assembly).

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

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

7.7.4 The National Executive Council shall prescribe the monthly subscription fees for the elected Green Congress of Kenya Members of Parliament (The Senate and National Assembly).

#### **7.8.0. Party Governors Forum (PGF)**

7.8.1 There shall be established the Party Governors Forum (PGF) comprising the following officers:

- a) The Party Leader
- b) The Secretary General
- c) The Party Governors Forum Secretary
- d) The Party Devolution Secretary
- e) All governors elected on the Green Congress of Kenya party's ticket

7.8.2 The Party Governors Forum shall be a platform for exchange of ideas on best practices on espousing, advancing and defending Party policies and programs in all forums including at the Council of Governors meetings. It shall be the duty of every governor to, at all times, exercise due diligence in the discharge of their executive duties.

7.8.3 The Party Governors Forum shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Committee for approval.

7.8.4 The National Executive Council shall prescribe the monthly subscription fees for the elected Green Congress of Kenya Governors.

#### **Article 7.9: Party County Assembly (PCAG)**

7.9.1 There shall be a Party County Assembly Group consisting of all the Green Congress of Kenya elected and nominated members of the County assembly to advocate the Party's agenda within their respective County



Assembly. The leader of the Party County assembly shall head the respective County Assembly Group in which they are members. Each Party County Assembly Group shall make its own rules and regulations to govern the conduct of its meetings and deliberations provided that such rules shall be laid before the National Executive Committee for approval.

- 7.9.2 The National Executive Council shall prescribe the monthly subscription fees for the Green Congress of Kenya elected and nominated members of the County Assembly.

#### **Article 7.10: Green Congress of Kenya Women Congress League**

- 7.10.1 There shall be a Women's League known as the Green Congress of Kenya Women Congress league membership of which shall be open to all women who are members of the Party. The Green Congress of Kenya Women Congress shall be an integral part of the Party and shall be subject to the general direction of the National Executive Committee and the Party's general control and discipline at all levels.
- 7.10.2 There shall be Green Congress of Kenya Women Congress Executive Committees at National, Branch, Sub Branch, Location/Ward and Sub-Location/Kijiji/Unit level consisting of Chair, Deputy Chair, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary and twelve Committee Members.
- 7.10.3 The Office bearers of the Green Congress of Kenya Women Congress Executive Committees at National, Branch, Sub-Branch, Location and Sub-Location/Kijiji/Unit shall be elected simultaneously and in the same manner as their counterpart Party Office bearers. The Office bearers shall hold office for a term of five years, and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
- 7.10.4 Application for membership shall be made verbally or in writing to the Sub-Location/Kijiji/Unit Green Congress of Kenya Women Congress Committee or the nearest Party office.
- 7.10.5 The main purpose of the League shall be: To handle all issues that are particular to women, to enhance and strengthen the position of the Women in the mainstream Party management and to deal with and address themselves to all matters that will enhance the cause of Women.

#### **Article 7.11: Green Congress of Kenya Young Congress League**

- 7.11.1 There shall be a Youth League known as the Green Congress of Kenya Young Congress league, membership of which shall be open to all Party members aged between eighteen and thirty-five years. The Green Congress of Kenya Young Congress shall be an integral part of the Party and shall be subject to the general direction of the National Executive Committee and the party's general control and discipline at all levels.
- 7.11.2 There shall be Green Congress of Kenya Young Congress Executive Committees at National, Branch, Sub-Branch, Location and Sub-Location/Kijiji/Unit level consisting of Chair, Deputy-Chair, Secretary, Deputy Secretary, Treasurer, Deputy Treasurer, Organizing Secretary, Deputy Organizing Secretary and twelve committee members.
- 7.11.3 The Office bearers of the Green Congress of Kenya Young Congress Executive Committees at National, Branch, Sub-Branch, and Sub-Location/Kijiji/Unit shall be elected simultaneously and in the same manner as their counterpart Party Office bearers. The Office bearers shall hold office for a term of 5 years, and are eligible for re-election upon expiry of their term, subject to a maximum of two consecutive terms.
- 7.11.4 Application for membership shall be made verbally or in writing to the Sub-Location Green Congress of Kenya Young Congress Committee or the nearest Party office.
- 7.11.5 The organization, functions, rules and regulations of Green Congress of Kenya Women Congress and Green Congress of Kenya Young Congress shall be determined, established and set out by each group respectively provided that they are in conformity with the Party's overall objectives and are laid for approval by the National Executive Committee.
- 7.12 The main purpose of the Youth League shall be:- to handle all youth issues, enhance and strengthen the position of the youth in the mainstream Party management and to deal with and address themselves to all matters that will enhance the cause of the youth.

### **Article 7.13: National Elections Board**

- 7.13.1 There is hereby established the Green Congress of Kenya National Elections Board whose mandate is to plan, organize, direct and coordinate the all Party elections.

- 7.13.2 The National Elections Board shall be appointed by the National Executive Committee upon a resolution made by two-thirds of members and shall comprise Seven (7) respected and knowledgeable persons of high integrity who do not hold any elective Party position and at least one-third shall be either of gender.
- 7.13.3 The National Elections Board shall appoint an Election Supervisory Panel in each County, comprising of three persons of high integrity to supervise the Party elections in the counties.
- 7.13.4 The National Elections Board shall make its own rules of procedure for its meetings.
- 7.13.5 The National Secretariat shall provide secretarial support services to the Board.
- 7.13.6 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.
- 7.13.7 The Party shall ensure that the term of office of the National Elections Board shall not expire less than 2 months to the Party elections.

## **ARTICLE 8: BRANCH ORGANIZATION**

**Article 8.1** There shall be established in every Branch the following Committees:

- The Branch/County Executive Committee,
- The Sub-Branch/Constituency Steering Committees,
- The Ward Steering Committees,
- The Location Steering Committees,
- The Sub-Location/Kijiji/Unit (Polling Station) Management Committees;
- Green Congress Women League Branch Steering Committee
- Green Congress Women League Sub-branch/Constituency Steering Committee
- Green Congress Women League Ward Steering Committee
- Green Congress Women League Location Steering Committee
- Green Congress Women League Sub-Location/Kijiji/Unit(Polling Station) Steering Committee
- Young Green Congress League Branch/County Steering Committee
- Young Green Congress League Sub-branch/Constituency Steering Committee
- Young Green Congress League Ward Steering Committee
- Young Green Congress League Location Steering Committee

- Young Green Congress League Sub-Location/Kijiji/Unit (Polling Station) Steering Committee

## 8.2 Branch Executive Committees

**8.2.1** The Party shall strive to establish Branches in each County in Kenya. In the event that this is not met due to financial or other constraints then the branches shall be in at least more than half of all the counties.

**8.2.2** A Branch shall be responsible to the National Executive Committee.

**8.2.3** Each Branch shall be managed by a Branch Executive Committee consisting of the Branch Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Deputy Treasurer, Secretary for Women Affairs (Green Congress of Kenya Women Congress Leader), Secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader), and a special interest representative, persons with disability representative and eight Committee Members, all of whom shall be elected at the Branch Delegates Convention and the Branch Executive Coordinator, appointed by the Branch Executive Committee in consultation with the National Secretariat, who shall be in an *ex-officio* member.

**8.2.4** The duties of the office bearers of the Branch, Sub-Branch/Location/Ward, Sub-Location/Kijiji/Unit Executive Committee shall be as follows:

a) **The Chairperson**

He/she shall convene and preside over all meetings.

b) **The Deputy Chairperson**

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

c) **The Secretary**

The Secretary shall keep proper records of all proceeding and minutes of the meetings of the Branch. He/she shall issue notices convening all meetings of the Branch under the direction of the Chairperson and

perform all such duties as may from time to time be assigned by the Committee including handling of correspondence.

d) **The Deputy Secretary**

He/she shall perform such duties as shall be assigned to him 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 Branch Finances and accounting. He/she shall prepare and submit to the Committee the Financial Statement of Accounts.

f) **Deputy Treasurer**

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

g) **The Organizing Secretary**

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

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 Coordinator**

The Branch Executive Coordinator shall be appointed by the National Secretariat in consultation with the Branch Executive Committee.

The Branch Executive Coordinator shall be an employee of the National Secretariat and shall be under the direction of the Branch Executive Committee and 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.

- j) The duties of the **Branch Executive Committee** shall be to:
- i) Promote party policies and activities among the people in the Constituency in order to realize the Party's objectives, policies and programs.
  - ii) Recruit members to the Party.
  - iii) Represent views and interests of the Branch members at the National Governing Council and the National Delegates Convention.
  - iv) To ensure strict discipline and adherence to Party policies and programs amongst individual Party members and officials at their Branch and the BEC shall have powers to suspend and/or recommend to the National Executive Committee dismissal of an errant official who is within its jurisdiction, after such official has been given reasonable opportunity to defend him/herself and provided that the action taken does not contradict any other provision of this Constitution.
  - v) To engage in income generating activities in the district and to manage the financial affairs of the Party at the Branch; and
  - vi) To nominate Party representatives to various bodies within the Branch where appropriate
  - vii) To promote political and general civic and voter education amongst the people for the benefit of the Party.

**8.2.5** The Branch Executive Committee shall meet at least once every three months.

### **Article 8.3: The Sub-Branch/Location/Ward Steering Committee**

**8.3.1** There is here by established a Party Sub Branch in each Constituency in Kenya The Sub Branch shall, in the interest of efficient organization be subdivided into ward case may be and Sub location/Kijiji being the basic unit. The Sub-Branch shall be under the general direction of the Branch as the case may be.

**8.3.2.** The Sub-Branch shall be governed by a Sub 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, Secretary for Women Affairs (Green Congress of Kenya Women Congress Leader), secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader), special interest/or

marginalized representative, persons with disability representative and eight Committee Members .

- a) Duties of the Sub-Branch Executive Committee shall be similar to those of the Branch.
- b) The Chairman of a Sub-Branch may invite one or more of the Local Opinion Leaders to attend a Sub-Branch Executive Committee meeting if it is in the best interest of the Party. Such invited leaders shall have the right to speak but not to vote thereat.
- c) The Sub-Branch Executive Committee shall meet at least once a month.

#### **Article 8.4: Ward Steering Committee**

**8.4.1** There shall be established a Ward Steering Committee in the interest of efficient organization of the Sub Branch. The Ward Steering Committee shall be under the general direction of the Sub Branch.

**8.4.2** The Ward Steering Committee shall be managed by the following Office bearers:

Ward Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, Deputy Organizing Secretary, Treasurer, Ward Deputy Treasurer, Secretary for Women Affairs (Women Congress Leader), Secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader), Special interest/or Marginalized representative, Persons with Disability representative and eight Committee Members.

**8.4.3** The Duties of the Ward Steering Committee shall be similar to those of the Sub Branch.

- a) The Chairman of a Ward may invite one or more of the Local Opinion Leaders to attend a Ward Steering 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.
- b) The Ward Steering Committee shall meet at least once a month.

#### **Article 8.5 Sub-Location/ Kijiji/Unit Management Committee**

**8.5.1** Each Ward shall be further divided into party units on the basis of Sub-Locations/ Kijiji in the interest of effective Party organization in such areas.

**8.5.2** The Sub- locations/ Kijiji shall be governed by a Sub- location Management Committee which shall consist of:

Sub-location/Kijiji Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Organizing Secretary, deputy Organizing Secretary, Treasurer, Deputy Treasurer, Secretary for Women Affairs (Green Congress of Kenya Women Congress Leader), Secretary for Youth Affairs (Green Congress of Kenya Young Congress Leader), special interest/or marginalized representative , persons with disability representative and eight Sub-location/Kijiji Committee Members.

**8.5.3** Duties of the Sub-Location/Kijiji Management Committee shall be similar to those of the Ward Steering Committee.

a) The Chairman of a Sub-Location/Kijiji Management Committee may invite one or more of the Local Opinion Leaders to attend a Sub-Location/Kijiji Management 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.

b) The Sub-Location/Kijiji Management Committee shall meet at least once a month.

#### **Article 8.6: Branch Offices**

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

#### **Article 8.7: Procedure at Branch Meetings**

**8.7.1** Notices for all meetings including the agenda shall be sent out by the Branch Secretary or Sub-Branch Secretary as the case may be.

**8.7.2** **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.
- 8.7.3 Quorums for all meetings shall be one-third of the membership thereof. Any official who fails to attend three consecutive meetings without reasonable apology shall be liable to suspension.
- 8.7.4 At all meetings the Chairpersons or in their absence the Vice-Chairpersons shall preside, else the members shall elect one among themselves to preside.
- 8.7.5 Resolutions, unless otherwise stated in the constitution shall be decided by a 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.
- 8.7.6 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.

#### **Article 8.8: Overseas Branches**

- 8.8.1 Branches provided that there shall not be more than one branch in any given country except the United States of America which shall have three branches. An overseas branch shall consist of at least 50 members, provided that there shall not be more than one branch in any given city. A branch so formed shall apply to the Party Headquarters for registration and upon approval, be furnished with a Certificate to that effect. Other provisions applying to branches in this Constitution shall apply *with necessary adjustments (mutatis mutandis)*.

#### **Article 8.9: Resignation**

- 8.9.1 Any Party Member holding a Branch Party office and elects to seek election at Parliamentary or County Assembly General Elections shall be required to resign from office by a written notification to the National Executive Committee at least one month before the scheduled date of party nominations provided that this provision shall not apply in the

event of an abrupt dissolution of Parliament or the County Assembly or by-elections.

8.9.2. This provision shall not apply to persons holding national offices.

## **CHAPTER 9: COMMITTEES**

### **Article 9.0: Strategic Planning Committee**

9.0.1 The National Executive Committee shall appoint a Strategic Planning Committee as a Standing Committee consisting of seven Members, provided one third shall be of either gender.

9.0.2 Members of this Committee shall serve for a term of 5 years and are eligible for reappointment.

9.0.3 The Strategic Planning Committee shall be responsible for proposing Party Policy, conducting research and overall Organization, Planning and Strategy.

9.0.4 The Strategic Planning Committee shall meet at least once in three months.

### **Article 9.1: Finance and Resource Mobilization Committee**

9.1.1 The National Executive Committee shall appoint the Finance and Resource Mobilization Committee as a Standing Committee consisting of nine members including the National Treasurer and the Deputy National Treasurers. The appointed members shall elect the Chairperson and Secretary among themselves. Provided that one third shall be of either gender

**9.1.2 The Finance and Resource Mobilization Committee shall be responsible for:**

- a) Developing strategies for and realizing financial resource mobilization and any other support to the Party.
- b) Ensuring that the books of the Party are audited by the appointed auditor.
- c) Developing principles of stewardship, financial discipline, ethics and best practices to guide the Party in matters of fiscal planning and management.

- 9.1.3 The members shall be in office for five years and shall be eligible for re-appointment at the expiry of their term, subject to a maximum of two consecutive terms.
- 9.1.4 The Committee shall work closely with the National Executive Committee and will report at least twice a year on the finances and budget of the party.

#### **Article 9.2: Legal Committee**

- 9.2.1 There is hereby established a Legal Committee as a Standing Committee of the Party consisting of the Secretary for Legal Affairs and nine other legal experts who are Party members. The Committee shall be appointed by the National Executive Committee and shall advise the Party on all legal matters. The appointed members shall elect the Chairperson who shall be an Advocate of the High Court of Kenya of not less than ten years standing and a Secretary among them provided one third of their membership shall be of either gender.
- 9.2.2 The members shall be in office for five years and are eligible for re-appointment at the expiry of their term.

#### **Article 9.3: Disciplinary Committee**

- 9.3.1 There is hereby established a Disciplinary Committee comprising five Party members of good standing, honour and integrity and appointed by the National Executive Committee. The Chairperson, who shall be an Advocate of the High Court of Kenya of not less than ten years standing, shall be appointed by the National Executive Committee.
- 9.3.2 The Disciplinary Committee shall make its own rules of procedure which shall be approved by the National Executive Committee. The Rules shall comply with written laws of Kenya, the Rule of Law and Rules of Natural Justice.
- 9.3.3 The members shall be in office for five years and are eligible for re-appointment at the expiry of their term.

#### **Article 9.4: Discipline**

- 9.4.1 The Disciplinary Committee as established under this Constitution shall have the power to receive, hear and determine all cases of discipline concerning Party members. Any Party member may, by a written and signed complaint, refer to the Committee an issue of discipline. A Disciplinary issue shall arise on the ground of gross misconduct and a

- member shall be liable to the Party's disciplinary measures if he/she engages in any conduct proscribed as shall be provided by the rules in the Schedule of this Constitution.
- 9.4.2 The 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 Rules of Natural Justice.
- 9.4.3 The Disciplinary Committee shall, after a determination of facts on a complaint, make recommendation to the National Executive Committee which shall have the power to pass a penalty including, but not limited to Reprimand, Censure, Sanction, and Suspension for a period definite, or Expulsion. A Decision to suspend or expel shall be ratified by two thirds of the National Governing Council. Vacancies thus or otherwise created shall be filled in the same manner as they were originally filled.
- 9.4.4 The Party Branch, Sub-Branch/Ward or Sub-Location/Kijiji shall have no power to suspend or expel a member of the Party. Where an issue of discipline is referred to the Party Branch, Sub- Branch/Ward/Sub-Location/Kijiji it shall constitute a Special Branch Disciplinary Committee to deliberate on the issue. Where the Committee is on the view that the misconduct is so serious as to invite suspension or expulsion, the Committee shall refer the matter to the Standing Disciplinary Committee at the Party Headquarters which shall summarily review the facts and make an appropriate recommendation to the National Executive Committee. Provided however the Branch/Sub- Branch/Ward or Sub-Location/Kijiji shall have the power to censure or reprimand.
- 9.4.5 Any member suspended or expelled shall have a right of appeal to a Special Session of the National Governing Council which shall be convened by the National Chairperson not later than six months from the date of the decision appealed from. The National Governing Council shall have the power to review the facts and its decision on appeal shall be final.
- 9.4.6 Any Party member under a disciplinary process shall be entitled to represent him/herself in person or by an authorized representative or next friend.

## **CHAPTER 10: STEWARDSHIP**

### **Article 10: Funds**

10.0.1 The National Executive Committee 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 Committee.

10.0.2 The source of funds for the Party shall include the following:

- a) Funding by the Exchequer.
- b) Membership Fees.
- c) Fundraising and Contributions.
- d) Voluntary Contributions.
  - e) Donations, contracts, bequests, and grants from any other source not being a foreign government, inter-governmental or non-governmental organization.
- 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 Party Members of Parliament, Governors and County Assembly Representatives.

10.0.3 The Party shall operate Account(s) with local Bank(s) according to modalities laid down by the National Executive Committee.

10.0.4 The signatories to the Bank Account(s) shall include the Secretary General and any other person(s) as may be approved by a resolution of the National Executive Committee.

### **Article 10.1: Auditor**

10.1.1 The Party shall appoint or re-appoint a qualified, registered Auditor to audit the books of the Party at the National Delegates Congress. The Auditor shall not be an office bearer or a member of any committee of the Party.

10.1.2 All Party accounts, records and documents shall be open to inspection by the auditor at any time.

10.1.3 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 the date of the National Delegates Congress.

10.1.4 The Auditor shall be paid such honorarium for his duties as shall be approved by the National Delegates Congress.

#### **Article 10.2: Inspection of Accounts and Membership Registers**

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

#### **Article 10.3: Liability**

10.3.1 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 10.4: Contractual liability**

10.4.1 No instrument shall bind the Party or create legal relationship with the party unless the person executing it has written authorization from the National Executive Committee (NEC) and such authorization shall indicate the extent of that authority.

#### **Article 10.5: Party Seal**

10.5.1 The Party shall have a seal which shall be kept in the custody of the Secretary-General. Other than documents which by law must be sealed, the National Executive Committee may, by a resolution in writing, determine what class of contracts or documents which must be sealed.

10.5.2 The Party Seal shall be authenticated by appending to the document under seal the signature of the National Chairperson and the Secretary

General or, in his absence, any other member of the National Executive Committee specifically mandated to do so by the National Executive Committee by a resolution in writing.

#### **Article 10.6: The Press and Publication**

10.6.1 The Party may own and/or operate a Printing Press, Radio and/or Television Station as well as have an interest or shares in any existing entities.

10.6.2 The Party may publish its own Literature, Newspaper, Periodical Magazine, Pamphlets, and Books among others.

### **CHAPTER 11:**

#### **COALITIONS, DISPUTE SETTLEMENT AND AMENDMENT**

##### **Article 11.0. Coalitions, Alliances, Affiliations and Mergers**

**11.1.1 Coalitions and alliances:** The Party may form coalitions and alliances with other like-minded political parties. The decision to form such alliances and coalitions shall be determined by two-thirds of the National Executive Committee.

**11.1.2** Instruments of such coalition, affiliations and alliances shall be executed and deposited with the Registrar of Political Parties. The Secretary General shall keep custody of all such Instruments.

**11.2. Mergers:** The Party may merge with other like-minded party (ies) for the purpose of winning national power/leadership. Any proposal for merger shall be deliberated, adjudicated and decided by a two third of the National Delegates Convention, National Governing Committee and National Executive Committee. If any of the organs reject the proposal for merger, it shall be declined.

**11.3. Affiliations:** The party may affiliate with similar parties or other lawful organisations both within the country and elsewhere having similar objective of pursuing green ecology through peaceful means.

#### **Article 12. Dispute Resolution**

12.1.1 Any dispute that cannot be resolved by Party organs shall be adjudicated through arbitration. The aggrieved party (ies) shall agree on three persons to serve as the arbitrators. The recommendations of the arbitrators shall be communicated to the National Governing Council in writing. The National Governing Council will make its decision and communicate in writing to the National Delegates Convention for ratification. For the avoidance of doubt the Provisions of the Arbitration Act shall not apply to disputes of political nature.

### **Article 13.0: Amendment of the Constitution**

13.1.1 National Executive Committee may propose or receive proposals from any member of the Party for amendments or review of the entire constitution, which proposals shall be presented for approval by at least two-thirds of members present at the National Delegates Convention.

13.2.2 The quorum for any meeting at which the amendment of the Constitution is proposed shall be not less than two-thirds of the delegates eligible to attend and vote.

13.2.3 A resolution to amend the Constitution shall be supported by at least two-thirds of the delegates eligible to attend and vote.

## **CHAPTER 12 - DISSOLUTION**

### **Article 14.01: Dissolution**

14.1 The Party may be dissolved by a resolution passed by two-thirds majority of registered members of the Party at a Special National Delegates Convention called expressly for the purpose of dissolution.

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

14.3 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.



- 14.4.1 A resolution to dissolve the Party shall be supported by at least two-thirds of the delegates eligible to attend and vote
- 14.5 Voting shall be by consensus or acclaim but shall be by secret ballot if any three members demand it regarding any particular resolution.

## **CHAPTER 13: GENERAL**

### **Article 15: Gender and Affirmative Action**

- 15.0.1 In the Endeavour to reach the objective of full representation of women in all decision -making structures, the Party shall implement a programme of affirmative action, including the provision of a quota of not less than one-third (1/3) in all organs, appointments, committees, nominations to enable such effective participation.
- 15.0.2 All Party Office bearers shall not hold more than one office in the Party.
- 15.0.3 Any vacancy occurring in the Party organs during the course of the term before the next National Delegates Convention or Party Election as the case may be, shall be filled in acting capacity ,through nomination by the National Executive Committee upon recommendations of the relevant Party organ until the vacancy is substantially filled.

### **Article 16.1: Miscellaneous**

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

## SCHEDULES

### Schedule I: Party Symbol (Emblem)

THE Green Congress of Kenya's Symbol name is 'GREEN PARTNERS' represented by Five green trees and the words 'GREEN CONGRESS OF KENYA' in bold capital and '*mbele iko sawa*' in italicised small letters, all in a white background as more illustrated graphically below:



### Schedule II: The Green Congress of Kenya' Party Flag

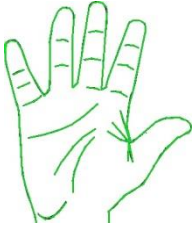
The Green Congress of Kenya's flag shall be the same as the party's symbol:



### Schedules III: Party Salute and Party slogan

The Green Congress of Kenya's party slogan is "*Mbele iko sawa.*"

The Green Congress of Kenya's party salute is an open palm of the right hand as graphically illustrated below:



#### **Schedule IV: Counties**

- |                          |                        |                         |                            |
|--------------------------|------------------------|-------------------------|----------------------------|
| <b>1. Mombasa</b>        | <b>2. Kwale</b>        | <b>3. Kilifi</b>        | <b>4. Tana River</b>       |
| <b>5. Lamu</b>           | <b>6. Taita/Taveta</b> | <b>7. Garissa</b>       | <b>8. Wajir</b>            |
| <b>9. Mandera</b>        | <b>10. Marsabit</b>    | <b>11. Isiolo</b>       | <b>12. Meru</b>            |
| <b>13. Tharaka-Nithi</b> | <b>14. Embu</b>        | <b>15. Kitui</b>        | <b>16. Machakos</b>        |
| <b>17. Makueni</b>       | <b>18. Nyandarua</b>   | <b>19. Nyeri</b>        | <b>20. Kirinyaga</b>       |
| <b>21. Murang'a</b>      | <b>22. Kiambu</b>      | <b>23. Turkana</b>      | <b>24. West Pokot</b>      |
| <b>25. Samburu</b>       | <b>26. Trans Nzoia</b> | <b>27. Uasin Gishu</b>  | <b>28. Elgeyo/Marakwet</b> |
| <b>29. Nandi</b>         | <b>30. Baringo</b>     | <b>31. Laikipia</b>     | <b>32. Nakuru</b>          |
| <b>33. Narok</b>         | <b>34. Kajiado</b>     | <b>35. Kericho</b>      | <b>36. Bomet</b>           |
| <b>37. Kakamega</b>      | <b>38. Vihiga</b>      | <b>39. Bungoma</b>      | <b>40. Busia</b>           |
| <b>41. Siaya</b>         | <b>42. Kisumu</b>      | <b>43. Homa Bay</b>     | <b>44. Migori</b>          |
| <b>45. Kisii</b>         | <b>46. Nyamira</b>     | <b>47. Nairobi City</b> |                            |