


## ELECTIONS POLICY

|   |   |  |
|---|---|--|
| <b>SACCO LIMITED</b><br> | <b>DOC NO: USS/EL/01/2013</b>               |  |
|   | <b>ISSUE NO: 01</b>                         | <b>REV:</b>  |
|   | <b>ISSUE DATE</b><br>October 2015           | <b>REV DATE:</b><br>October 2016   |
| <b>DIVISION</b><br>ADMINISTRATION   | <b>APPROVED BY:</b><br><br>MANAGEMENT BOARD | <b>SIGNATURE:</b><br><b>(ORIGINAL SIGNED)</b><br><b>SIGNATURE:</b><br><b>(ORIGINAL SIGNED)</b> |
| <b>SUBJECT: ELECTIONS</b><br>POLICY   | <b>ISSUED BY</b>                            | <b>SIGNATURE:</b><br><b>(ORIGINAL SIGNED)</b>  |

### 1. Definition of terms

**“Act”** Means the Co-operative Societies act Cap 490 Laws of Kenya.

**“Board”** Means the Board of Directors of the Society.

**“By-Laws”** Means the rules and regulations governing the operations of the Society as approved by the members and registered by the commissioner.

**“Committee”** Means the nominations committee of the Society.

**“Commissioner”** Means Commissioner for the Co-operative development.

**“Member”** Means fully paid up and active contributor to the Society.

**“Society”** Means Ushuru Sacco Society Limited.

**“Rules”** are assigned the same meaning as Act

### 2. Introduction

Sections 55(iii) of the Society by-laws require the Board of Directors to formulate elections policy to guide the nomination and election process. (Elaborate-give highlights). The Board, in exercise of this mandate, and having carefully taken into consideration the provisions of the Act, rules By-laws and further having taken into consideration the inputs from the members and delegates has approved this policy. The policy contains all Rules and Procedures governing the Society election process.

### **3. Objective**

The aim of this policy is to maintain credibility in the elections of the Society by streamlining the processes and ensuring that transparency and fairness is achieved.

### **4. Scope**

This policy shall provide guidelines for election of delegates, Branch officials, Supervisory committee and Board of Directors. Vetting and nomination shall apply to all sitting and non-sitting candidates, sitting being candidates holding office prior to any elections.

### **5. Policy guidelines**

The following shall form the basis guidelines to the application and enforcement:

- a) The Co-operatives Society's Act and Rules
- b) The Sacco by-laws.
- c) Circulars by the Commissioner for Co-operative development and marketing.
- d) Any other law as may be applicable
- e) Prevailing circumstances

### **6. Vetting and nominations committee**

- a) There shall be a Vetting and nominations committee which shall comprise of three (3) members as follows:
  - i) The Commissioner for Co-operative Development or his/her representative who will be the Chairman of the committee
  - ii) The Society's lawyer.
  - iii) The Chief Executive officer or his representative who will be the Secretary to the committee.
- b) Mandate  
The vetting and nominations committee shall be responsible for verifying, vetting and clearing candidates for positions of Delegates, Branch officials, Supervisory Committee and Board of Directors for elections.
- c) The committees' powers and responsibilities shall include:

- i) To receive nomination applications from all prospective candidates together with all the required supporting documents in the prescribed format.
  - ii) To ensure that the candidates are in compliance with the requirements for the positions so vied for as stipulated in this policy, the Society By-laws and any other relevant laws.
  - iii) To cause to be produced any other information or document that may be required to facilitate the process.
  - iv) Compile a report on the nomination process to the Board.
  - v) Issue nomination certificates to candidates who meet the set qualification in the prescribed format.
- d) Nomination Process
- i) The nomination process shall commence not later than the third Monday of January every year.
  - ii) The committee shall give a notice of 14 days to receive nomination documents from members and delegates as the case may be.
  - iii) All applications received by office shall be forwarded to the committee within two days after end of the 14 day notice.
  - iv) The committee shall then carry out vetting to ensure that the candidates meet the requirements as per this policy, by-laws, any other applicable guidelines and laws.
  - v) The committee shall issue a Nomination certificate to all qualifying candidates within 14 days of receipt of application.
  - vi) A listing of all qualifying candidates shall be published on the official Sacco notice boards at the end of every stage of the Nomination exercise.
  - vii) The nomination committee shall ensure that at every stage, the nomination process is done within and in compliance with the official Sacco election calendar.
  - viii) Where a candidate is cleared to run for delegate position on the basis of a provisional document, the committee shall follow up and ensure that the authentic document is produced within 30 days from the

date the application is considered, else the nomination shall be cancelled.

e) Required documents

Prospective candidates shall submit the following documents addressed to the Chairman of the vetting committee:

- i) Duly filled nomination form.
- ii) Copy of National Identification card.
- iii) A valid Certificate of good conduct
- iv) A valid Tax compliance certificate.

## **7. During elections**

a) Identification of voters

- i) Members in the station shall be in charge of the identification exercise.
- ii) For elections at branch headquarters, the Society staff shall carry out the identification exercise.
- iii) All voters shall carry with themselves acceptable identification document
- iv) A register of members shall be available and checked against all voters.

b) Presiding officer

- i) Election of delegates at branch headquarters, Branch officials and Board Members shall be presided over by the respective county cooperative officers.
- ii) Except as stipulated in (i) above, members shall elect among themselves the presiding officer.
- iii) The person so elected in (ii) above shall not lose his/her voting rights but shall be last to cast his/her vote.

c) Elections and declaration of results.

- i) All candidates shall be proposed and seconded by members other than fellow candidates.
- ii) Voting shall be by secret ballot or show of hands.
- iii) Election results shall be announced immediately after voting.

- iv) The presiding officer shall sign and present the election certificate to the winner(s).
- v) The Presiding officer shall, within one (1) day submit the election results to the branch Chairmen or the Head office as may be applicable.

## **8. Election disputes**

- a) Delegates' election disputes shall be channeled to the Board of Directors within 24 hours after the announcement of results in writing failure to which such disputes will lapse.
- b) The appellant shall provide evidence in support of such an appeal.
- c) All such appeals shall be resolved within 72 hours of receipt and resolutions communicated in writing to all parties.
- d) Appeals shall be rejected on the following grounds;
  - i) Late submission
  - ii) Insufficient/unsatisfactory evidence
  - iii) Any other reason as may be determined by the board.
- e) Where the appeal is successful, elections shall be conducted within 7(Seven) days.
- f) The decision of the Board in the above cases shall be final.
- g) Branch officials Supervisory Committee and Management Board elections disputes shall be resolved at the Annual Delegates meeting.

## **9. Election of Delegates**

For a member to qualify as a delegate, he/she shall meet the following requirements: -

- a) Meets all the membership qualifications as set out in the by-laws
- b) Must have a minimum deposit of Kshs. 200,000/= (Two hundred thousand only) as at 31<sup>st</sup> December the preceding year.
- c) Must have been a member of the Sacco for at least Six (6) months and has participated in at least one of the Sacco activities, including members' education, Ushirika day functions and any other event organized by the Sacco.
- d) Must be a member in good standing.

## **10. Cessation of office by a delegate**

- a) A delegate may cease to hold office in the following circumstances:-
- i) Death
  - ii) Permanent incapacitation
  - iii) Insanity proven by a competent medical doctor/Board
  - iv) Imprisonment for a period more than six months.
  - v) Withdrawal of membership
  - vi) Resignation from being delegate.
  - vii) Dismissal by the employer
  - viii) Relocation from station of representation for a period of more than 6 months.
  - ix) Bankruptcy declared by a court of law
  - x) Being an employee of the Sacco
  - xi) Has been disqualified under the Act and By-laws of the Society.
  - xii) Any other cause deemed reasonable by the Management Board subject to approval of the delegates at the Annual/Special delegates meeting.
- b) Where a delegate ceases to hold office under (a) above, members in the affected stations shall nominate one amongst themselves who shall hold office till the next elections; and the nomination communicated to the head office in writing.
- c) Members nominated in (b) above shall enjoy all the privileges of a delegate.

## **11. Election of Branch Official**

For a member to qualify as a branch official, he or she must meet the following conditions: -

- a) Must be a delegate.
- b) Must not be a member of the Management Board.
- c) Must comply with indemnity and wealth declaration guidelines as set forth in the by-laws

## **12. Cessation of office by Branch Official**

A branch official shall cease to hold office upon: -

- a) Losing delegate status as provided in section 6 of this policy.
- b) Resignation
- c) Suspension by the Board under the Sacco laws
- d) Any other reasonable cause

## **13. Election of Supervisory Committee**

For a member to serve in the Supervisory Committee, he or she must:-

- a) Must have served as a delegate for at least one (1) year.
- b) Meet all the conditions provided for in the Sacco by-laws.
- c) Not be a member of the Management Board.
- d) Not have served as a Board Member in the last One year.
- e) Have deposits of not less than Kshs. 500,000 (five hundred thousands) as at 31<sup>st</sup> December the preceding year.

## **14. Cessation of office by a Supervisory Committee Member**

A Supervisory Committee Member shall cease to hold office upon:-

- a) Losing delegate status as provided in section 6 of this policy.
- b) Resignation
- c) Expulsion by the Delegates under the provisions of the Act and the By-Laws
- d) Any other reasonable cause

## **15. Election of the Board of Directors**

For a member to serve in the Management Board, he or she must:-

- a) Must have served as a delegate for at least one (1) year.
- b) Meet all the conditions provided for in the Sacco by-laws.
- c) Not have been expelled as a member of the Board under the provisions of the Act and the By-Laws, unless cleared by the Annual Delegates meeting and approved by the Commissioner for Co-operative development.
- d) Have deposits of not less than Kshs. 500,000 (five hundred thousands) as at 31<sup>st</sup> December the preceding year.

## **16. Cessation of office by a Board Member**

A Board Member shall cease to hold office upon:-

- a) Losing delegate status as provided in section 6.1 of this policy.
- b) Resignation
- c) Expulsion by the Delegates under the provisions of the Act and the By-Laws
- d) Any other reasonable cause

## **17. Period in office**

- a) For the Branch Officials, Supervisory Committee and Management Board, retirement shall be on one-third rotational basis.
- b) The new officials elected to replace the retiring officials in 17(a) shall hold office for a period of three years.
- c) Where a Branch Official, Supervisory and Board Member ceases to hold office before expiry of his/her term in office, the subsequently elected office bearer shall only complete the remaining term of the outgoing office bearer.
- d) Where more than one third of the positions fall vacant, notwithstanding 17(b) and 17(c) the newly elected office bearers shall ballot to determine their period in office from the existing vacancies.
- e) In the event the Chairman and the Vice Chairman of the Management Board retire having completed their three year term, upon reconstitution of the Board:-
  - 1. The newly elected Board Chairman and Vice- Chairman shall automatically go for three years as provided for in the Sacco by-laws.
  - 2. The newly elected members to the board shall ballot for the remaining vacancies
  - 3. Continuing Board members who are not successful as either the Chairman or the Vice Chairman shall continue to serve the remainder of their term.
- f) Where an elected official is transferred outside his/her electoral station, he/she shall forfeit his/her office tenure at the subsequent election. The member shall be eligible for re-election at his/her new electoral station.

## **18. Application, Interpretation and Review.**

The Management Board shall be responsible for the application, Interpretation and review of this policy.



**19. Amendment Sheet**

| Issue /Revision<br>no: | Subject of<br>Amendment | Reviewed By | Authorized By | Date |
|------------------------|-------------------------|-------------|---------------|------|
|                        |                         |             |               |      |
|                        |                         |             |               |      |
|                        |                         |             |               |      |
|                        |                         |             |               |      |
|                        |                         |             |               |      |
|                        |                         |             |               |      |

USHURU SACCO SOCIETY LIMITED  
NOMINATION APPLICATION FORM

1. I, ..... holder of ID No.....  
M/No.....Personal No.....  
Do hereby present myself for nomination to contest the position of: - Member of  
Board of Directors/Supervisory Committee/Delegate/Branch Official of  
USHURU Sacco society. (Delete appropriately)

**2. Member's Details**

Member No.....  
Date of joining.....  
Year of birth.....  
Shares/Deposits as at 31<sup>st</sup> December 20...  
.....  
Contact address.....  
Telephone number House.....  
Office.....  
Mobile number.....  
Employer Name.....  
Terms of employment.....  
Expiry date if contract.....  
Current position at place of employment.....  
Highest Academic qualifications.....  
Highest Professional qualifications.....  
Any other qualifications.....

**3. Leadership positions held**

| Name of Organization | Position Held | From | To | Achievements |
|----------------------|---------------|------|----|--------------|
|                      |               |      |    |              |
|                      |               |      |    |              |
|                      |               |      |    |              |
|                      |               |      |    |              |
|                      |               |      |    |              |
|                      |               |      |    |              |

**4. Declaration**

I,..... accept and authorize publication of my personal profile by the society for the knowledge of the membership when elected on the board. I also understand that my obligations with and related party dealings in the Sacco shall be disclosed to the members annually without the society seeking my approval. I also confirm that I have read, understood and agree to be bound by the Society’s Act, Rules, Bylaws, Sacco policy and rules governing the nominations and election procedures in USHURU Sacco

Applicant’s Signature .....Date.....

Witness ..... Date .....

**5. Employer/Commissioner of Oath**

I ,..... Title ..... do hereby confirm that..... is an employee of ..... in the ..... Department

Signature.....Stamp.....Date.....

# USHURU SACCO LIMITED

No: 25



## ELECTION NOMINATION CERTIFICATE

Name of candidate.....

Following your application for nomination for candidature for the position of ..... your application has been duly scrutinized by the vetting committee sitting on..... at

..... and in accordance with the set rules and regulations of nomination, the Vetting Committee has duly approved your candidature.

Vetting Committee Chairman

Vetting Committee Secretary

Sign.....

Sign.....

Date.....

Date.....

**Official Sacco Stamp**

*USHURU SACCO SOCIETY LIMITED  
ELECTION CERTIFICATE*

*This is to Certify that .....*

*Has on this .....day of.....the year.....been duly elected  
as .....*

*After contesting and winning the election held on.....*

*at.....and successfully garnered .....votes*

*Emerging position.....out of .....*

*Presiding Officer*

*Signature.....*

*Name .....*

*Date.....*