








ELECTION POLICY

REVISED 2023

CHAPTER 1

ELECTIONS POLICY

 <p>USHURU SACCO SOCIETY LIMITED Huduma Maradufu</p>	DOC NO: USS/EL/01/2018	
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DIVISION ADMINISTRATION	APPROVED BY: BOARD OF DIRECTORS	SIGNATURE:  SIGNATURE:  SIGNATURE: 
SUBJECT: ELECTIONS POLICY	ISSUED BY N.H.S	SIGNATURE: 

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. 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, 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 of this policy:

- a) The Co-operatives Society's Act and Rules
- b) The Sacco Society Act 2010
- c) Sacco regulations Deposit taking business
- d) The Sacco by-laws.
- e) Circulars by the Commissioner for Co-operative development and marketing.
- f) Any other law as may be applicable
- g) 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, 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 Bylaws 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) **Delegates Nomination Process**

- i) The nomination process shall commence not later than the third Monday of January every year.
- ii) The Board shall give a notice of 14 days to receive nomination documents from members and delegates as the case may be. For the election of Supervisory committee and Board of Directors, the notice period for receiving nomination documents shall be not less than 7days.
- iii) All applications received by office shall be forwarded to the committee within two days after end of the 14-days' notice or after the 7-days' notice for Board and Supervisory positions.
- 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 vetting committee shall present their report to the Board of Directors for publication. The Board shall receive and review the publication.
- vi) The committee shall issue a Nomination certificate to all qualifying candidates within 14 days of receipt of application.
- vii) A listing of all qualifying/successful candidates shall be published on the official Sacco notice boards or on the Sacco website for delegate position. Candidates who are not successful shall be communicated to in writing and reasons thereof given.
- viii) The nomination committee shall ensure that at every stage, the nomination process is done within and in compliance with the official Sacco election calendar.
- ix) 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 /provisional document
- iv) A valid Tax compliance certificate/provisional document
- v) Provisional/ Evidence of application i.e application of good conduct

7. Role of the Board of Directors

- a) To give notice of commencement of the vetting and nomination process to the general members and delegates.
- b) To communicate to members and delegates the existing vacancies for delegates, Supervisory Committee and the Board of Directors.

- c) To receive and review the nomination report from the nominating committee and publish the same to the General membership or Delegates as may be applicable.
- d) Receive and resolve disputes arising from the nomination process.
- e) Certificates issued as a result of the process in (d) above shall be signed by the National Chairman and/or the National Hon Secretary.

During elections

d) Identification of voters

- i) Members in the station shall be in charge of the identification exercise.
- ii) For elections at Regional Offices, 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 availed and checked against all voters.

e) Presiding officer

- i) Election of delegates at Regional Offices 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.

f) 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 or online
- 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 Head office as may be applicable.

8. Election disputes

- a) Delegates' election disputes shall be channeled to the Board of Directors before close of business of the next working day after the announcement of results in writing or by e-mail 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 or as may be guided by the Board of Directors 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, repeat elections shall be conducted within 7(Seven) days.
- f) The decision of the Board in the above cases shall be final.
- g) Supervisory Committee and Board of Directors 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 accumulated a minimum deposit of Kshs. 500,000/= (Five hundred thousand only) as at 31st December the preceding year.
- c) Must have been a member of the Sacco for at least One (1) year 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 in the year preceding Elections.
- d) Must be a member in good standing.
- e) That any member aspiring to be a delegate must have patronized FOSA services by way of salary processing latest by 31st October of the year preceding elections. Such patronization shall be maintained throughout the term of the delegate.

- f) That elected delegates shall serve a two-year term to foster business continuity effective year 2022. Where a delegate position becomes vacant in a station within the 2-year period, elections will be held after that calendar year to fill that vacancy and the successful delegate will serve for the remaining period until the next election cycle.

10. Cessation of office by a delegate

- a) A delegate may cease to hold office in the following circumstances:
 - i) Death
 - ii) Permanent incapacitation proven by a competent medical practitioner
 - iii) Insanity proven by a competent medical practitioner
 - 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) Failure to consistently fail to channel salary through FOSA for a period of three months.
 - xiii) Any other cause deemed reasonable by the Board of Directors 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 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 the conditions provided for in the Act, Regulations, Sacco by-laws and this policy.
- c) Not be a member of the Board of Directors.
- d) Not have served as a Board Member in the last One year.
- e) Have deposits of not less than Kshs. 1,000,000 (One Million) as at 31st December the preceding year.

12. 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: -

13. Election of the Board of Directors

For a member to serve in the Board of Directors, he or she must:

- a) Must have served as a delegate for at least one (1) year.
- b) Must meet the conditions provided for in the Act, Regulations Sacco by-laws and this policy.
- 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. 1,000,000 (One Million) as at 31st December the preceding year.

14. 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

15. Period in office

- a) For the Supervisory Committee and Board of Directors, retirement shall be on one-third rotational basis.
- b) The new officials elected to replace the retiring officials in 16(a) shall hold office for a period of three years.
- c) Where a 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, except for the office bearers whose terms ended but were re-elected, the other newly elected office bearers shall ballot to determine their period in office from the existing vacancies.
- e) Where an elected official is transferred outside his/her electoral station, but within the jurisdiction where officials are drawn he/she shall serve the remaining tenure of his/her term. The member shall where applicable be eligible for re-election at his/her new electoral station.

16. Application, Interpretation and Review.

The Board of Directors shall be responsible for the application, interpretation and review of this policy.

17. Amendment Sheet

Issue/Revision No	Subject of Amendment	Reviewed by	Authorized by	Date
5(b)	Policy Guideline added: The Society Act 2010 Sacco regulations for Deposit Taking business			
6d(ii) (iii)	Notice to be given by Board & not Committee Notice period for position in Supervisory Committee and Board revised to 7days			
6d(v)	Clause added under Nomination process: The Committee shall present the vetting and nomination report to the Board for publication.			
6d(vii)	Statement added on publication of prequalified candidates: A listing of all Successful candidates			

	shall be published on the official Sacco Notice Boards and on the SACCO website for the Delegate position.			
6e(iii) & 6e(iv)	Required documents to include provisional documents/evidence of application			
8c(ii)	Voting to include online			
10e	Patronization of FOSA services to be maintained throughout the delegates term			
11(i) & 11(iii)	Permanent incapacitation must be proven by a competent medical practitioner			
11(xii)	Added clause: Failure to consistently patronize FOSA for 3 months			
12(b) & 14(b)	Included Acts & regulations & this policy to complete clause statements			
16(e)	Where an elected official is transferred outside his/her electoral station but within the jurisdiction where officials are drawn , he/she shall the remaining tenure of his/her term. The member shall be eligible for re-election at his/her new electoral region .			

**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 of USHURU Sacco society board of directors (delete appropriately)

2. Member's Details

Member No.....
Date of joining.....
Year of birth.....
Shares/Deposits as at 31st 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 SignatureDate.....

Witness Date

5. Employer witness/Commissioner of oaths

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

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

*USHURU SACCO SOCIETY LIMITED
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/rejected your candidature for the position.*

Reasons for rejection

- | | |
|----|----|
| 1) | 4) |
| 2) | 5) |
| 3) | 6) |

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 thisday of..... the year.....been duly elected as
.....
after contesting and winning the election held on.....
at.....and successfully garneredvotes
emerging position.....out of*

Presiding Officer

Signature.....

Name

Date.....