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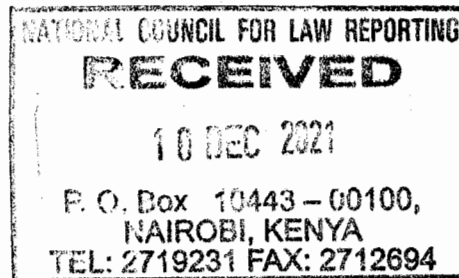
NAIROBI, 26th November, 2021

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**THE POLITICAL PARTIES (AMENDMENT) BILL,
2021**

A Bill for

**AN ACT of Parliament to amend the Political Parties
Act; and for connected purposes**

ENACTED by the Parliament of Kenya as follows—

1. This Act may be cited as the Political Parties (Amendment) Act, 2021.

Short title.

2. Section 2 of the Political Parties Act, 2011 (hereinafter referred to as “the principal Act”) is amended by—

Amendment of section 2 of No. 11 of 2011.

(a) deleting the definition of the term “political party” and substituting therefor the following new definition—

“political party”—

(a) means an association of citizens with an identifiable ideology or programme that is constituted for the purpose of influencing public policy or nominating candidates to contest elections; and

(b) includes a coalition political party;

(b) deleting the definition of the term “party primary”; and

(c) inserting the following new definitions in proper alphabetical sequence—

“coalition political party” means a coalition that is registered by the Registrar as a political party;

“direct party nomination” means the process by which a political party, through its registered members, elects its candidates for an election;

“indirect party nomination” means the process by which a political party, through the use of delegates selected from registered members of the political party and interviews, selects its candidates for an election; and

“statement of ideology” means a statement setting out the doctrine, ethical ideals, and principles of the party.

3. The principal Act is amended by inserting the following new sections immediately after section 4—

Insertion of new section 4A in No. 11 of 2011.

Roles and functions of a political party.

4A. A political party may—

- (a) recruit and enlist members;
- (b) nominate candidates for elections;
- (c) promote representation in Parliament and county assemblies of women, persons with disabilities, youth, ethnic and other minorities and marginalized communities;
- (d) sensitize the public on the functioning of the political and electoral system;
- (e) promote and enhance national unity;
- (f) mobilize citizens into participating in political decisions;
- (g) solicit and articulate public policy priorities as identified by its members; and
- (h) shape and influence public policy.

Reservation of name, symbol and slogan.

4B. (1) An association of persons or organization may apply in writing to the Registrar for the reservation of a name, symbol and slogan for a proposed political party.

(2) Where a name, symbol or slogan has not been reserved for a proposed or registered political party by any other association of persons or organization, the Registrar shall reserve the name, symbol or slogan in respect of the applicant under subsection (1) for ninety days.

(3) The Registrar shall notify the applicant in writing of the availability of the name, symbol or slogan within fourteen days of the application under subsection (1).

4. Section 5 of the principal Act is amended—

Amendment of section 5 of No. 11 of 2011.

- (a) by inserting the following new subsection immediately after subsection (1)—

(1A) An application for provisional registration under subsection (1) may be made after the notification by the Registrar under section 4A (3):

Provided that if the application is not made within the period specified in section 4A (2), the reservation of the name, symbol or slogan of the proposed political party shall lapse.

- (b) in subsection (5), by deleting the words “one hundred and eighty days” and substituting therefor the words “two hundred and seventy days”.

5. Section 6 of the principal Act is amended—

Amendment of section 6 of No. 11 of 2011.

- (a) in subsection (2), by inserting the following new paragraph immediately after paragraph (d)—

(da) be accompanied by a statement of the ideology of the proposed political party;

- (b) in subsection (3), by inserting the words “and slogan” immediately after the word “symbol”.

6. Section 7 of the principal Act is amended—

Amendment of section 8 of No. 7 of 2011.

- (a) in subsection (2) (f), by adding the following new item immediately after item (iv)—

(v) the address of the official website of the political party.

- (b) by adding the following new subsections immediately after subsection (5)—

(6) A coalition political party shall not be required to comply with the provisions of sections 5 and 6.

(7) The Registrar shall, upon the deposit of a coalition agreement for the formation of a coalition political party, issue the coalition political party with a certificate of full registration.

(8) The governance of a coalition political party shall be in accordance with the provisions of the Act relating to the governance of a coalition and the Regulations made in that regard.

(9) A member of a coalition shall not be a member of another coalition.

7. Section 8 of the principal Act is amended—

Amendment of section 8 of No. 11 of 2011.

- (a) in the opening statement, by inserting the words “the slogan” immediately after the word “name”;
- (b) in paragraph (c), by inserting the word “slogan” immediately after the word “name”;
- (c) by adding the following new paragraphs immediately after paragraph (c)—
 - (d) is similar to, or associated with, a group or association that has been proscribed under any written law; or
 - (e) is against the public interest.

8. Section 10 of the principal Act is amended—

Amendment of section 10 of No. 11 of 2011.

- (a) in subsection (1), by inserting the words “or a coalition political party” immediately after the words “form a coalition”; and
- (b) by adding the following proviso to subsection (2)—

Provided that in the case of a coalition political party, the coalition political party shall submit the coalition agreement at least six months before a general election.

9. Section 14 of the principal Act is amended by—

Amendment of section 14 of No. 11 of 2011.

- (a) deleting subsection (5);
- (b) deleting subsection (5A);
- (c) deleting subsection (6); and
- (d) deleting subsection (7).

10. The principal Act is amended by inserting the following new sections immediately after section 14—

Insertion of new section 14A in No. 11 of 2011.