



ICPSK ELECTION GUIDELINES:

1.0 Preamble:

This ICPSK Elections Guidelines are meant to provide clear guidance to the Institute members on (i) How to nominate and/or elect a member into ICPSK Chairman or Council positions, and (ii) How to seek nomination or be elected. These guidelines shall regulate elections affairs of the Institute, as it deems fit so long as they are not inconsistent with the express or implied provisions of the Act and or regulations. The guidelines shall be effective for Council elections subsequent to the Annual General Meeting (AGM) approving them.

2.0 Eligibility for Election

2.1 Every ICPSK member shall be eligible for election to the position of Chairman or Council member as per The Certified Public Secretaries of Kenya Act, Cap 534, and as may be amended from time to time, unless s/he:

- a) Has not fully paid subscriptions or any other Institute's fees relating to any period of time.
- b) Has not accumulatively attained sixty (60) structured CPD points in the three (3) preceding years.
- c) Has a pending disciplinary case at the Institute.
- d) Is a member of the Elections Committee responsible for managing Council Elections in the particular year.
- e) Is an employee of the Institute.
- f) Is of unsound mind or an undischarged bankrupt.
- g) Has been involved in mismanagement of public funds, corrupt practices or has been convicted of any offence involving dishonesty or is sentenced to imprisonment for a term exceeding three months.
- h) Has been involved in an election malpractice.
- i) Is not validly nominated by the Elections Committee.
- j) In the Case of Chairman, has served in the position of Chairman for two terms of one (1) year each.
- k) In the Case of a Council Member, has served as a Council member for two (2) terms of three years each.

- 2.2 The Chairperson of the Institute shall be elected for one year and may offer himself/herself for re-election for a further term of one year. A nominee for the office of the Chairperson shall not be eligible for election unless he/she has at any time served as a member of the Council for at least one year. Once a Chairperson has served the maximum period, the person is not eligible to be elected to the Council.
- 2.3 Elected Council Members shall serve for a maximum of two terms of three years each. A Council member who has served two terms may be eligible for re-election after staying out of Council for one term.
- 2.4 In addition to those Members retiring as aforesaid, there shall be an additional vacancy in the Council if a person already serving as a Council member is validly nominated to be elected for the position of the Chairman. Members of the Council who offer themselves for election to the position the position of Chairperson shall be deemed to be retiring as Council members from the date of the Annual General Meeting at which the Chairperson shall be elected.

3.0 Nomination process

- a) The Council shall at least sixty days before the Annual General Meeting, declare the vacancies in the Council and seek for nominations from members.
- b) The Council shall at a suitable time prior to the Annual General Meeting appoint an Elections Committee comprised of a Returning Officer (as the chair), a Deputy Returning Officer and at least three other members. The Committee shall manage all matters relating to nomination and election of the Council and its tenure shall be determined by the Council.
- c) Any person who is a candidate in an election shall not be eligible to become a member of the Elections Committee. The Secretary shall be an ex-officio member of the scrutineers' panel. The Returning Officer or his/her deputy and any two members of the Elections Committee shall form a quorum.
- d) All Members of the Institute in good standing and who are interested in contesting any of the positions are required to fill in and submit their nominations on the approved '*ICPSK Nomination Form*' and '*Candidates Profile Form*.'
- e) Official nomination papers for election of the Chairman or member of the Council shall be obtained from the Institute, physically or electronically, and shall be signed by the nominee indicating his/her willingness to offer himself for election. The nominee also shall get a proposer a seconder and three (3) supporters, all of whom shall be members of the Institute in good standing, to sign the Nomination Form.
- f) Duly completed nomination papers shall be delivered to the Institute office, not later than the time stipulated, in a sealed envelope marked "NOMINATION" accompanied by brief details of the nominee in a format determined by the Council. The documents may also be submitted via an email address designated for that purpose.
- g) The Secretary shall maintain a register where all the hand delivered Nomination documents shall be recorded indicating the day and exact

time of receipt as well as the signature of the person delivering and officer receiving the documents.

- h) Nomination Forms sent via email shall be acknowledged via the same email within 24 hours of receipt. Such forms shall only be deemed to have been received at the Institute upon acknowledgement of receipt.
- i) All nomination papers received as stipulated shall be opened at an Elections Committee Meeting and verified for validity.
- j) Upon receipt and review of the Nomination Forms, the Elections Committee will circulate the list of nominated candidates to the general Institute membership. Within forty-eight (48) hours of such circulation, any member of the Institute with a reasonable objection to a potential candidate from being validly nominated for election shall write to the Elections Committee citing such reasons and providing evidence for such objections. The Elections Committee shall carry out its due diligence and if the reasons cited are found genuine and/or against these guidelines, the Nominee shall be dropped from the final list to be presented to the Council for approval.
- k) The Elections Committee shall ensure that all Candidates meet the requirements of Chapter six of the Constitution.
- l) Names and profiles of the Candidates validly nominated by the Elections Committee and approved by the Council will be circulated to members of the Institute via email and will be displayed on the Institute's website at least fourteen (14) days before the Annual General Meeting.
- m) Unsuccessful applicants will be notified within seven (7) days of the date of closure of receiving of nominations.

4.0 Elections

- a) The Secretary shall, ensure online tokens for voting reach members at least seven (7) days before the Annual General Meeting and in case of Manual Voting, ballots are availed on the day of the AGM.
- b) The elections will be done Electronically or as the Council may determine from time to time.
- c) Guidelines on Electronic Voting will be issued as per the guidance of the Elections Committee.
- d) The Elections Committee shall not disclose results of the electronic process to any person before the date of the Annual General Meeting (AGM) and before completion of the manual voting.
- e) Manual Voting, if recommended by Council, will be conducted at the AGM.
- f) A member who has voted through the Electronic Voting shall not vote in the Manual Voting.
- g) Only members present, either in person or by proxy, at the AGM shall participate in manual voting.
- h) Voting shall be one member one vote.
- i) A candidate who is duly nominated can be voted even when absent at the AGM.
- j) The manual voting at the AGM shall be by Secret ballot. A member shall cast his vote by placing a tick or a cross in ink in the space provided for the candidate of their choice.

- k) Any ballot paper not completed in accordance with the rules stipulated herein shall be declared a spoilt vote.
- l) The counting of votes shall be done by the Returning Officer in the presence of the Elections Committee Members, candidates and/or their appointed agents.
- m) As soon as the voting papers have been examined and the results of election ascertained, the decision of the Returning Officer shall be final and the ballot papers shall be closed under the seal of the Returning Officer and shall be retained by the Secretary for at least six months after the AGM, after which they may be destroyed.
- n) The Returning Officer shall announce to the AGM the elections results and declare candidates who get the highest number of votes in the elections as duly elected Chairman and Council members, as the case may be.
- o) In case of an equality of votes, the ties shall be resolved by lot during the AGM, and any candidate or member who is not satisfied with the counting may appeal for a recounting of the votes within 14 days.
- p) The elected members shall commence their terms of office after the adoption of the report of the Returning Officer by the AGM.

5.0 Proxies

Any member entitled to attend and vote in the AGM may appoint one proxy to vote on their behalf at the AGM provided that:

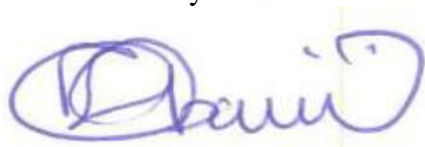
- a) Appointment of the proxy is on the prescribed form.
- b) The Proxy form is properly signed by the appointing member.
- c) Person appointed as proxy is a member of the Institute in good standing.
- d) The Proxy is received and stamped at the Institute's offices not later than forty-eight (48) hours of AGM or scanned and emailed to an email address designated for that and the email receipt acknowledged not later than forty-eight (48) hours of the AGM.
- e) The member appointing the proxy has not voted electronically.

6.0 Campaigns

Campaigns are allowed as a means of soliciting votes but subject to the following:

- a) Candidates and/or their agents should NOT solicit for votes at the AGM venue except if offered the opportunity to do so by the returning officer during the election agenda.
- b) Each Candidate shall present their profiles of not more than 500 words and a coloured passport-size photograph to the nominations committee for circulation to members via email and/or for display on the Institute's website.

Yours sincerely



CS. Obare Nyaega
Chief Executive Officer.