

What is PPDT?

The Political Parties Disputes Tribunal (PPDT) is a judicial body established under the Political Parties Act. The Tribunal has the mandate of hearing:

- Disputes among members of a political party;
- Disputes between a member of a political party and a political party;
- Disputes among political parties;
- Disputes between an independent candidate and a political party;
- Disputes among coalition partners; and
- Appeals from decisions of the Registrar.

What is PPLC?

The Political Parties Act (PPA), 2011, Section 38 establishes the Political Parties Liaison Committee (PPLC) at the national and county level. It is made up of the Office of the Registrar of Political Parties, the Independent Electoral and Boundaries Commission and all fully registered political parties. Its role is to provide a platform for dialogue between ORPP, IEBC and political parties.

How do Political Parties Fund their activities?

Political parties that meet the threshold provided under Sec 25(2) of the PPA 2011 are eligible for funding for the political parties fund. They also get their funding from donations, membership contributions and other lawful sources.

Who are party officials and what criteria are followed in electing them?

Party officials are the governing officials of political parties. The criteria for electing officials is set out in the party constitution and/or rules in accordance with the second schedule of the PPA, 2011.

Do political parties have county offices?

The Political Parties Act provides that a party must maintain a head office as the administrative center and branch offices in at least 24 counties.

Is ORPP well positioned in terms of capacity to monitoring compliance?

The core function of the office of the registrar of political parties as provided under Section 34 of the Act includes to register, regulate, monitor, investigate and supervise political parties to ensure compliance with the law. The Office has performed its functions with the available highly skilled and experienced staff. Further, in undertaking its functions, the office works with other state and non-state stakeholders.



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FREQUENTLY ASKED QUESTIONS (FAQs)

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How do I register a political party?

The Political Parties Act, 2011 (PPA 2011) provides for the registration, regulation and funding of political parties. There are two steps of registering a political party

a. Provisional registration.

Applicants are required to:

- Name Search: Name, symbol and color, in accordance with Article 91 of the Constitution of Kenya and section 8 of the PPA 2011
- Provide Party Constitution.
- Submit Minutes of the founding members.
- Sign Code of Conduct.
- Submit written application filed in the prescribed form.
- Pay prescribed fee (Ksh. 100,000.00) in bankers cheque.

b. Full registration Requirements

- Recruit 1000 members in at least 24 counties: regional diversity, gender, minorities and marginalized
- Governing body: 2/3 gender principle; Chapter 6 of the Constitution; Integrity test in accordance with the Leadership and Integrity Act, 2012.
- List of names address and ID numbers of members
- Location and address of Head Office and at least 24 county offices
- Duly signed Code of conduct
- Prescribed fee (Ksh. 500,000.00) in bankers cheque

How much does it cost to register a political party?

The fees payable to the Office of the Registrar:

- Search fee – Kshs. 500.00
- Provisional registration – Kshs. 100,000.00
- Full registration – Kshs. 500,000.00

How many political parties are currently registered?

Sixty-eight (68) fully registered political Parties as at July 2019

What do I do when a party fraudulently enlists me?

Send a complaint e-mail or letter with a copy of National Identification/Passport attached to info@orpp.or.ke or deliver it to Office of the Registrar of Political Parties at Lion Place Waiyaki Way, 1st floor. The Registrar will delete your details from the register.

How do I resign from being a member of a political party?

Submit a written notice, resignation email or letter to the party with which you are registered, and submit a copy of the letter, attached

with a copy of National ID/ Passport to the Office of Registrar of Political Parties or scan and e-mail to info@orpp.or.ke. Your name will be deleted from the party records

Under what circumstances can a name for registration be declined?

When the proposed name is:

- Obscene or offensive;
- Excessively long;
- Name, or an abbreviation of another political party that is already registered;
- Nearly resembles the name, or an abbreviation of the name of another political party already registered or any other legal entity registered under other law.

How do I get cleared as an independent candidate?

An applicant must submit:

- An application letter of request for clearance.
- A copy of ID, and
- A fee of Kshs500 (Five Hundred Shillings).

For efficiency, a candidate is encouraged to submit a symbol (printed, and in a CD - softcopy) they intend to use for verification purpose before submission to IEBC.

What is the duration required after registration for a party to participate in an election?

Once a political party has received a certificate of full registration it can participate in any subsequent election. A party should however, note the election timelines as set out by the Independent Electoral and Boundaries Commission.

Can provisionally registered party field candidates in an election?

No. A provisionally registered political party is prohibited from participating in any election activity, including fielding candidates, campaigning for or against any candidate or holding any public meetings.

Can a person be a member of more than one party?

No. A person can only be a member of one political party. Once a person's name has been entered into the membership register of a political party, the person becomes a member of that party until such a time when the name is removed and entered into the register of another political party.

What is the procedure of ceasing to be a member of a political party?

- **Voluntary resignation** – by giving a resignation letter to the party and/or Registrar.

- **Expulsion** – through the established party mechanisms.
- **Deeming** – where a member acts in a manner that suggests he is in or supporting another political party, apart from a party that is in the same coalition.
- **Natural attrition** – when a person dies they automatically cease to be a member of a party.

Can one become an independent candidate when they are currently a member of a political party?

No. The Constitution provides that a person can contest as an independent candidate if he/she is not a member of any political party three months before the election day. A member of a political party can vie for election as an independent candidate after submitting a resignation letter to the party and/or Registrar.

What is political parties merger?

In general, a merger means where two or more political parties consolidate their operations and become one political party. The Political Parties Act, 2011 provides for the merging of political parties where the parties dissolve and a new party is formed.

What is the procedure of entering into a merger and what happens to the political parties which have merged?

The Act provides that where political parties intend to merge they deposit with the Registrar of Political Parties the following documents:

- duly authenticated merger agreement
- documentation showing that the rules and procedure of the merging political parties have been followed
- minutes of the meeting of the governing bodies of the merging political parties sanctioning the merger.

The political party then receives a letter of confirmation from the Registrar and a certificate of full registration is issued.

The merged parties are then deregistered and their registers, assets and liabilities are transferred to the new party.

How do political parties resolve emerging disputes?

Political parties must have established internal dispute resolution mechanisms within their own structures. This is often found in their party constitutions and/or nomination rules. The political parties therefore, begin the process of dispute resolution within these established mechanisms.

Where a dispute has not been resolved internally, the political party or their members have various options available to them. These are:

- The Political Parties Disputes Tribunal (PPDT)
- The Nomination Dispute Resolution Committee (IEBC)
- The High Court