



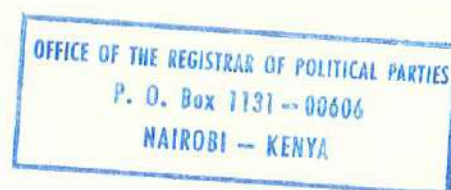
POLITICAL PARTIES MERGER CHECKLIST

I. INTRODUCTION

1. A political party by virtue of Section 11 of the Political Parties Act, 2011 can enter into a merger with another political party.
2. There are two types of mergers;
 - a) merging into an already registered political party where one political party is dissolved and joins an existing political party;
 - b) merging to form a new political party which entails the dissolution of the merging political parties to form a new entity.
3. Political parties that merge are required to deposit their merger agreement with the Registrar of Political Parties within twenty-one days of signing the agreement.

II. DOCUMENTS TO BE DEPOSITED WITH THE REGISTRAR

No	DOCUMENTS TO BE DEPOSITED WITH THE REGISTRAR	REMARKS
1.	Merger agreement duly executed by the political party authorized officials.	
2.	Duly signed and commissioned Statutory Form PP20 / PP21.	
3.	Documentation showing that the rules and procedures of each of the political parties entering into the merger relating to the formation of the merger have been followed including: <ul style="list-style-type: none"> - A notice convening the meeting where the resolution is made. - A signed list of participants 	
4.	Minutes duly signed by authorized officials of the meeting of the party organ of each of the political parties sanctioning the merger. <ul style="list-style-type: none"> - Minutes shall specifically provide the resolution to merge. 	
5.	Constitution, rules and regulations of the new political party.	
6.	Name, symbol, and colours of the new political party.	



7.	Particulars of members of the governing body of the new political party; both at the national and county levels.	
8.	List of physical location, addresses, contacts and names of contact persons of new party head office and county offices.	
9.	Certificates of full registration for the merging parties (upon meeting the other requirements).	

III. CONTENTS OF THE MERGER AGREEMENT

S/N	CONTENTS OF THE MERGER AGREEMENT	REMARKS
1.	Name, abbreviation, symbol, colours and slogan of ALL the merging political parties.	
2.	The interim structure responsible for overseeing the merger; shall include representation from all merging parties <ul style="list-style-type: none"> - Appointment procedure - Timelines for appointment - Functions - Transitional procedure to the governing body 	
3.	Name, abbreviation, symbol, slogan and colours of the new political party/ existing party that parties are merging into.	
4.	Ideology of the new political party.	
5.	Procedure for the formulation of the governing body for the merged political parties; division of seats among the merging parties.	
6.	Procedure for the formulation of party constitution, rules and regulations.	
7.	Asset management policies and procedures, the custody and investment of the funds and property of the coalition, and the designation of the persons responsible for them. Noting that the records, assets and liabilities, rights and obligations of all the dissolved political parties shall be the records, assets and liabilities, rights and obligations of the new political party including their entitlement to the Political Parties Fund under Section 25 of the Act.	

8.	<p>Procedure of membership</p> <ul style="list-style-type: none"> - Transition period of members to the new political party/ existing political party including the timelines for members to opt out before the party mergers - Allocation of membership numbers for transitioning members in the new party <p>a. Where a political party proposes to merge with another political party, the political party shall through the prescribed form, request the Registrar to transfer the names of the members of the party to the register of the merged political party</p> <p>b. the Registrar shall, upon verification of details in the request, transfer the names of the members of the political party to the register of the merged political party as requested.</p> <p>c. Where the Registrar is unable to verify the details contained in the request, the Registrar shall notify the affected political party within seven days of the request and require that political party to provide such additional details as may be necessary to give effect to the request.</p> <p>d. A member of a political party entering into a merger who does not wish to be a member of the merged political party shall notify to the Registrar the intention not to join the merged political party within thirty days after the date of the proposed merger. The Registrar shall remove that member's name from the register of the merged political party.</p>	
9.	<p>Dispute resolution procedures for conflicts arising before the new political party constitution takes effect including;</p> <ul style="list-style-type: none"> - Composition of the organ in charge of dispute resolution - The term of Office - Eligibility criteria to the organ - Appointment to the organ - Rules and procedure of the organ - Appeal procedures 	
10.	Procedure of withdrawal from the merger	

	<p>Before the cancellation of certificates of full registration by the Registrar, a political party, may, withdraw from a merger agreement.</p> <p>A political party withdrawing from a merger shall be required to submit:</p> <ol style="list-style-type: none"> i. The minutes of the meeting of the interim structure responsible for overseeing the merger ii. The minutes of a meeting of the party delegates meeting where the resolution to withdraw from merger was made by members iii. A notice published in at least two newspapers with nationwide circulation. <p>The minutes shall:</p> <ul style="list-style-type: none"> - Be signed by authorised officials of the interim structure responsible for overseeing the merger - Specifically capturing the resolution to withdraw the merger and the reasons thereof. <p>The minutes shall be accompanied by:</p> <ul style="list-style-type: none"> - A notice convening the meetings - Duly signed list of attendees of the meetings <p>The party shall adhere to the rules and procedure of meetings as per its party constitution.</p>	
11.	<p>Grounds for termination of the merger agreement (prior to cancellation of certificates of full registration of merging parties).</p>	
12.	<p>Procedure for termination of the merger agreement (prior to cancellation of certificates of full registration of merging parties)</p> <p>The decision for termination of the merger shall be in writing and shall be accompanied by:</p> <ol style="list-style-type: none"> iv. The minutes of the meeting of the interim structure responsible for overseeing the merger v. The minutes shall: <ul style="list-style-type: none"> - Be signed by authorised officials of the interim structure responsible for overseeing the merger - Specifically capturing the resolution to terminate the merger and the grounds for termination 	

	<p>The minutes shall be accompanied by:</p> <ul style="list-style-type: none">- A notice convening the meeting- Duly signed list of attendees of the meeting <p>The party shall adhere to the rules and procedure of meetings as per its party constitution.</p>	
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