



ELECTORAL POLICY

Stima Investment Co-operative Society Limited
Stima Investment Plaza,
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NAIROBI

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INTRODUCTION

Stima Investment Co-operative Society Limited (Hereinafter 'the Society') was registered in 2005, as an Investment Company under the Co-operative Societies Act (CAP 490) Laws of Kenya.

The Society seeks to promote democracy in its corporate governance and has consequently laid emphasis on supporting efficient and sustainable electoral processes.

The Board of Directors recognize the pivotal role that it should play in providing oversight towards good corporate governance in the operations of the Society by striving to bring on board experienced Delegates, Members of the Board and the Supervisory Committee through a credible, fair and transparent election process.

Pursuant to clause 36 of the Society By-laws registered on 4th July, 2022 as read together with the applicable statutory provisions, the Society hereby provides these election rules and guidelines for the Society's election process in the appointment of qualifying candidates to the positions of Delegate, member of the Board of Director and member of the Supervisory Committee.

The purpose of the Stima Investment Co-operative Society Limited (SIC) Electoral Policy is to provide guidance in decision-making and taking actions within the Society during the election of Delegates, the Board of Directors and the Supervisory Committee.

The Electoral Policy shall be regularly updated depending on member and business requirements and any such amendments to the Electoral Policy may become effective only when adopted by a resolution of the Board of Directors.

CHAIRMAN

STIMA INVESTMENT CO-OPERATIVE SOCIETY LIMITED

DEFINITIONS AND INTERPRETATIONS

“Annual General Meeting” means an annual general meeting held every calendar year which shall be composed of Delegates from all electoral zones and whose conduct shall be held as per the provisions of Clause 30 – 35 of the Society By-Laws; ;

“Board of Directors” or **“the Board”** means the Management Committee;

“Chief Executive Officer” or **“CEO”** refers to the Chief Executive Officer of the Society;

“Co-operative Act” refers to the Co-operative Societies Act, Chapter 490 of the Laws of Kenya;

“Commissioner” means the Commissioner for Co-operative Development and Marketing appointed under Section 3 of the Co-operative Societies Act and includes any person on whom any of the powers of the Commissioner have been conferred in accordance with the Co-operative Societies Act;

“Delegate” means members’ representative elected in accordance with these By-laws;

“Diaspora” refers to the Kenyan population living abroad and includes the scattered population whose origin was initially Kenya;

“Dispute” means a dispute within the meaning of section 76 of the Co-operatives Societies Act;

“Electoral Zone” means a cluster of members in a certain location eligible for representation by a delegate in accordance with these By-laws;

“General Meeting” means Annual General Meeting or Special General Meeting of the Society;

“Governance Charter” refers to the Society document that sets out the authority, responsibilities, membership and operations of the various arms of governance of the Society;

“Head Office” means the registered office of the Society;

“Management Committee” also known as the **“Board of Directors”** or **“Board”** means the governing body of the Society to which the management of its affairs is entrusted and whose members are elected at the Annual General Meeting;

“Member” includes a person who, having met the qualifications of membership, has applied for membership and is duly admitted into the Society’s membership as prescribed under Clause 7, 8 and 9 of the Society By-Laws, 2022;

“Member in good standing” means a member who is current on of his monthly contributions to the Society and has not in any way acted in a manner which is potentially damaging to the Society and has fully complied with its policies and rules;

“Nairobi Region” means Nairobi County;

“Officer” includes the Chairman, Vice-chairman, Secretary, Treasurer, Committee member, employee or any other person empowered under the provisions of the Co-operative Societies Act and rules thereunder, and/or the Society’s By-Laws, 2022, to give directions in regard to the business of the society;

“Regulations” means the regulations made by the minister for the time being responsible for co-operative development;

“Rules” mean the rules made by the minister in charge of co-operative development and include the Co-operative Societies Rules, 2004;

“Share” means a member’s interest in the equity of the Society;

“Society” means Stima Investment Co-operative Society Limited;

“Special General Meeting” means a general meeting of the Society which is not an ordinary Annual General Meeting and is convened as per the provisions of Clause 30 (b) and (c) of the Society By-Laws, 2022;

“Supervisory Committee” means an oversight committee elected at the Annual General meeting;

“Youth” means a person of between 18 and 35 years of age.

As used in this policy, the terms listed in these provisions shall have the meanings assigned in this Policy unless the context otherwise requires.

Words expressing the singular number extend to and may be applied to the plural number; words expressing the plural number extend to and may be applied to the singular number. Words expressing one gender extend to and may be applied to either gender.

GUIDING PRINCIPLES

Stima Investment Co-operative Society is committed to high standards and applies strict rules of conduct, based on the best corporate practices. As part of this commitment, the Society adheres to good corporate governance by embracing the following principles:

- i. High standards of ethical and moral behavior;
- ii. The best interests of the Society;

- iii. The legitimate interests of all stakeholders; and
- iv. Ensuring that the organization operates as a good corporate citizen.

In formulating this electoral Policy, the Society is further guided by the following provisions in law;

- i. The national values and principles provided for under **Article 10 of the Constitution**;
- ii. The rights and fundamental freedoms provided for under **Chapter Four of the Constitution**;
- iii. Principles of public service as provided in **Chapter Thirteen of the Constitution of Kenya**
- iv. The responsibilities of leadership provided for under **Article 73 (2) of the Constitution**;
- v. The principles governing the conduct of State Officers provided for under **Article 75 of Constitution**;
- vi. The educational, ethical and moral requirements in accordance with **Article 99(1)(b) and 193(1)(b) of the Constitution**;
- vii. The nature of society By-laws to bind members of co-operative societies as espoused under **Section 13 of the Co-operatives act**
- viii. Membership of the Co-operative Society **Section 17 of the Co-operatives Act**
- ix. Voting Rights of Members as highlighted under **Section 19 of the Co-operatives Act**
- x. Member's rights as provided under **Section 21 (a) and (b) of the Co-operatives Act**
- xi. Member's rights vis-a-vis the co-operative society as provided under **Section 22 (a) and (b) of the Co-operatives Act**;
- xii. The Society By-Laws registered on 4th July, 2022 particularly;
 - a) **Clause 31 (d), (e)**
 - b) **Clause 36 - Elections**
 - c) **Clause 37 – The Management Committee**
 - d) **Clause 38 – Eligibility for Membership to the Management Committee**
 - e) **Clause 39 – Vetting Committee**
 - f) **Clause 46 – Declaration of Wealth**
 - g) **Clause 56 (a) – Supervisory Committee**
- xiii. The principles espoused under the **Leadership and Integrity Act No.19 of 2012 laws of Kenya**.
- xiv. The rule of law as stipulated in the Constitution and other laws applicable in Kenya.

OBJECTIVES OF THE ELECTORAL POLICY

The purpose of this policy is to ensure and maintain credible elections in the Society by offering an electoral process that ensures transparency and fairness is achieved.

The specific objectives of this policy are-

- i. To ensure competent leaders are elected.

- ii. To ensure orderliness before, during and after the elections.
- iii. To elaborate the various elective positions.
- iv. To determine the number of office bearers and composition.
- v. To pre-determine the election calendar.
- vi. To put in place the vetting guidelines.
- vii. To determine the composition of the Vetting Committee.
- viii. To establish the Electoral Zones of the Society's Membership.
- ix. To prescribe the eligibility & qualification of voters.
- x. To prescribe the qualifications for membership into the various elective positions for those intending to vie for office.
- xi. To guide in the voting and appeal process.

ELECTORAL MANAGEMENT

1.1. Electoral Zones

The Society adopted electoral zones to enable representation from varied sections of membership.

The Society shall have as many electoral zones as may be approved by the Management Committee from time to time in accordance with the Society Electoral Policy.

Each Delegate shall represent at least 15 members in their respective zones.

Every member shall belong to one electoral zone based on his place of employment or business from where he will participate in elections and it shall be the member's responsibility to inform the Management Committee of any change of electoral zone.

The electoral zones may be reviewed from time to time as may be recommended by the Management Committee and approved in the Annual Delegates Meeting, taking into account the geographical location of members and number of members in a zone.

1.2. Vetting and Nominating Committee

a) Mandate

The mandate of the Vetting and Nominating Committee includes vetting individual members eligible to join the Society's Board and Supervisory Committee.

b) Composition of the Vetting and Nominating Committee

The Vetting and Nominating Committee shall comprise of the five (5) members nominated as follows:

- a) An official from the Ministry of Co-operatives;
- b) The Chief Executive Officer of the Society or his/her nominee;
- c) A member from the Institute of Certified Public Accountants of Kenya (ICPAK).
- d) The Legal Officer of the Society or her/his nominee;
- e) A Member of either the Law Society of Kenya (LSK) or Institute of Human Resource Management (IHRM) or Institute of Certified Secretaries (ICS) bodies

c) Obligations of the Vetting and Nominating Committee

- i. Confirm the Chairman of the Committee who shall be an officer of the County Co-operative Office or a representative;
- ii. Elect its Secretary and other office bearers;
- iii. Oversee the vetting and electoral process;
- iv. Fill Board and Supervisory Committee vacancies as and when they arise;
- v. Issue a call for nominations for the available Board and Supervisory Committee positions;
- vi. Receive duly filled nomination forms from eligible candidates;
- vii. Examine the duly filled and signed nomination forms;
- viii. Accept/reject the nomination request based on the provisions of the Co-operatives Act, Rules, Society By-Laws and any other relevant act and procedure manuals and fit and proper test criteria;
- ix. Vet and clear eligible candidates seeking representation as Board and Supervisory Committee members;
- x. Issue the nomination clearance certificate which shall be for a specific post (either, Management or Supervisory Committee) within a given electoral area; and
- xi. Keep a record of its deliberations;
- xii. To compile a report on the vetting and election process and present it to the Annual General Meeting.

d) Quorum of the Vetting and Nominating Committee

The Quorum for the Vetting and Nomination Committee will be at least three (3) members.

e) Term of Office

Retirement by rotation shall apply subject to serving a maximum of 6 years - (two terms).

f) Remuneration

The Vetting and Nomination Committee members are entitled to normal sitting allowance enjoyed by the ordinary members of the Management Committee.

VETTING AND NOMINATION CRITERIA

1.3. Eligibility for Delegates – Clause 36.4 of the Society By-Laws, 2022

A member of the Society shall be eligible or qualified to be elected as a Delegate if he or she complies with the provisions of Clause 36.4 of the Society By-Laws, the Board and Governance Charter and Electoral policy and without prejudice to the generalities of this sub-section, a member shall be eligible for election as a Delegate if that member;

- i. Is a member of the Society in good standing;
- ii. Has been a member for at least one year prior to elections date;
- iii. Has attained a minimum of post-secondary level education or its recognized equivalent;
- iv. Has subscribed shares amounting to at least KShs. 250,000/=, or any other amount approved by a General Meeting from time to time;
- v. Works or conducts business within the respective electoral zone;
- vi. Has not been convicted of a criminal offence previously involving dishonesty; and
- vii. Has not been adversely mentioned in any inquiry report.

1.4. Eligibility for Management Committee Members - Clause 38 of the Society By-Laws

No Delegate shall be eligible for membership in a Management Committee of the Society, or remain a member of such a Management Committee if he or she does not comply with the provisions of Clause 38 of the Society By-Laws, the Board and Governance Charter and Electoral policy and without prejudice to the generalities of this sub-section, a member shall not be eligible for election as a Management Committee Member or remain a member of such Management Committee if he if he or she:

- i. Is not a member of the Society.
- ii. Is under eighteen years of age.
- iii. Has not attained a minimum of post-secondary level education or its recognized equivalent.
- iv. Has not been vetted in accordance with the provisions of the Society By-Laws and approved Society Electoral Policy.
- v. Has not subscribed shares amounting to at least KShs. 300,000/=, or any other amount approved by a General Meeting from time to time;
- vi. Does not work or conducts business within the respective electoral zone;
- vii. Receives any remuneration, salary or other payments from the Society save as in accordance with these By-Laws.
- viii. Is a committee member for two other Societies.
- ix. Has not, within 30 days of being appointed, declared his wealth to the Commissioner in the prescribed manner.

- x. Is an un-discharged bankrupt.
- xi. Is of unsound mind.
- xii. Has been convicted of any offence involving dishonesty or is sentenced to imprisonment for a term exceeding three months.
- xiii. Has been convicted of any offence under this Act or Rules made there under.
- xiv. Is a person against whom any amount of money is due under a decree, decision or order or is pending recovery under these By-Laws.
- xv. Is not a delegate from within Nairobi County and no mileage payments shall be applicable to travel to the Society's registered office in Parklands.

1.5. Eligibility for Supervisory Committee Members – Clause 56 of the Society By-Laws

No Delegate shall be eligible for membership in a Supervisory Committee of the Society, or remain a member of such a Supervisory Committee if he or she does not comply with the provisions of Clause 56 of the Society By-Laws and Electoral policy and without prejudice to the generalities of this sub-section, a Delegate shall not be eligible for election as a Supervisory Committee Member or remain a member of such Supervisory Committee if he or she:

- i. Is not a member of the Society.
- ii. Is under eighteen years of age.
- iii. Has not attained a minimum of post-secondary level education or its recognized equivalent.
- iv. Has not been vetted in accordance with the provisions of these By-Laws and approved Society Electoral Policy.
- v. Has not subscribed shares amounting to at least KShs. 300,000/=, or any other amount approved by a General Meeting from time to time;
- vi. Does not work or conduct business within the respective electoral zone;
- vii. Receives any remuneration, salary or other payments from the Society save as in accordance with these By-Laws.
- viii. Is a committee member for two other Societies.
- ix. Has not, within 30 days of being appointed, declared his wealth to the Commissioner in the prescribed manner.
- x. Is an un-discharged bankrupt.
- xi. Is of unsound mind.
- xii. Has been convicted of any offence involving dishonesty or is sentenced to imprisonment for a term exceeding three months.
- xiii. Has been convicted of any offence under this Act or Rules made there under.
- xiv. Is a person against whom any amount of money is due under a decree, decision or order or is pending recovery under the Society By-Laws.

- xv. Is not a delegate from within Nairobi County and no mileage payments shall be applicable to travel to the Society's registered office in Parklands.
- xvi. Has been a member in the Management Committee within two (2) years preceding the date of the anticipated election.
- xvii. Does not have proven knowledge of accounting, financial management, corporate finance or auditing (at least one member of the Supervisory Committee)

1.6. Nomination Process for Delegates vying for positions in the Management and Supervisory Committees

All delegates seeking nomination for election to the Management and Supervisory Committees shall duly complete the Stima Investment Co-operative Society Nomination Form (Annexure A – for the position of Board Member and Annexure B for the position of Supervisory Committee Member) and Electoral Code of Conduct (Annexure C) with a proposer and seconder both of whom are active members.

Applicants who are eligible to contest as a, Board Member or Supervisory Committee member and meet the set criteria shall forward the following (*in triplicate*) to the Vetting and Nominating Committee through the office of the CEO within five (5) days of the Society's call for nominations:

- i. Duly filled and executed Nomination Forms
- ii. Certified copy of ID;(Certified by Commissioner for oaths).
- iii. Certified copy of KRA PIN;(Certified by Commissioner for oaths).
- iv. Two passport photos.
- v. Stamped copy of recently updated Member Statement;(Stamped by the Society)
- vi. Certified copy of post-secondary level education academic certificates;(Certified by Commissioner for oaths).
- vii. A duly signed Stima Investment Co-operative Society Limited electoral code of conduct.

The items (i-vii) shall be received in the Society's offices on 5th Floor, Stima Investment Plaza I, Mushembi Road, Parklands as per the stipulated guidelines issued upon call for nomination.

The above documents to be attached to forms cited in (Appendix A & B). Any missing document/information will lead to automatic disqualification.

The Vetting and Nominating committee will review the nominations received within a further five (5) days and the Chief Executive Officer shall provide the Vetting and Nominating Committee with the respective member statements for the preceding twelve months for the vying candidates.

Unsuccessful applicants shall be notified immediately but not later than five (5) days of the date of closure of receiving of nominations, giving reasons why they did not qualify.

The final successful candidates shall be issued with a Nomination Certificate, duly signed by the Chairperson of the Nominating Committee and the Chief Executive Officer of the Society and the names of the ultimate successful nominees will be circulated to the Delegates.

ELECTORAL CONDUCT

1.7. Voting Procedures

The following are the voting methods that can be used:

a) Secret ballot

This is where each member will be issued with a serialized ballot paper, which will be used to cast the votes into a transparent ballot box.

The following are the election materials that will be used during the Secret Ballot Election Process;

- i. Verified Member Statements (for nomination of members during the election of Delegates during the Annual Electoral Zones Meetings)
- ii. Register of members per constituency;
- iii. National ID's for all participants;
- iv. Transparent ballot box;
- v. Nomination application form (for those vying for the Management and Supervisory Committee positions);
- vi. Nomination clearance certificate (for those vying for the Management and Supervisory Committee positions);
- vii. Serialized ballot papers or individual online voting links;
- viii. Tally sheet;
- ix. Election certificate for each position.

b) Electronic Voting

For electronic process to be used there must be a software and hardware to support the voting process. Individual online voting links will be generated electronically and allotted to respective voters.

Every member eligible to vote will be provided with an individual online voting link, which will be used to cast his or her votes.

The following are the election materials that will be used during the Secret Ballot Election Process;

- i. Scanned copies of verified Member Statements (for nomination of members during the election of Delegates during the virtual Annual Electoral Zones Meetings)
- ii. E - Register of members per constituency;
- iii. E- National ID's for all participants;
- iv. Voting Software;
- v. E- Nomination application form (for those vying for the Management and Supervisory Committee positions);
- vi. E - Nomination clearance certificate (for those vying for the Management and Supervisory Committee positions);
- vii. Individual online voting links;
- viii. E-Tally sheet;
- ix. Election certificates for each position.

c) Electoral Zone Meetings

There shall be electoral zone meetings of members held once every year at a venue within the electoral zones. The presence of one-quarter (1/4) or 30 of the members in the area, whichever is less shall form a quorum. At the meeting, members shall–

- i. Receive and consider Reports from the Board of the Society,
- ii. Elect or replace delegates, and
- iii. Make recommendations to the delegates and the Board of Directors.

d) Constitution of Delegates

The operations of the Society require the members in each designated electoral zone shall elect their representatives (delegates) at the Electoral Zone Meetings of the Society.

The members of each electoral zone shall be represented by such number of delegates as may be provided for in the By-laws and elected in accordance with the Electoral Policy.

e) Electoral zones for Delegates

- i. The electoral zones shall be published and circulated on an annual basis.
- ii. In addition to the above criteria of elections, the Business entrepreneurs, groups and institutions who are members of the Society may be allowed to separately elect up to a maximum number of delegates in an electoral zone as may be prescribed by the Board of Directors.
- iii. All electoral zones shall have a minimum of one (1) delegate and a maximum number of ten (based on membership, share capital and deposits) or as may be determined by the Board of Directors from time to time.

- iv. Election of delegates may as much as is practicable, take into account such considerations as the economic activity, gender, youth, persons with disability, membership and the shares and deposits of an electoral zone.
- v. The Board of Directors may determine the electoral zones and shall review the Electoral policy from time to time and as may be appropriate. This shall however, be presented to the General Meeting for information.

f) Elections of Delegates

- i. Delegates shall be elected from among members of the Society once after every two years at the electoral zone meetings of members.
- ii. The appointed Returning Officer during the Annual Electoral Zones Meeting shall read out the names of the members who qualify to be elected as Delegates to the members, who shall then proceed to cast their votes for the qualifying candidates.
- iii. Only active Society members present at the Members' Education Meeting shall be eligible to vote.
- iv. Irrespective of the number of shares held or deposits made by a member, no member shall have more than one vote.
- v. Members shall cast their votes by way of Secret Ballot either in the physical Electoral Zones Meetings or by way of electronic voting during the virtual Electoral Zones Meetings.
- vi. The Returning Officer shall announce the candidates who garner the highest number of votes in the elections as duly elected Delegates.

g) By-election for Delegates shall be occasioned by-

- i. cessation of membership;
- ii. death;
- iii. retirement;
- iv. insanity certified by a qualified psychiatrist;
- v. transfer outside the electoral zone;
- vi. conviction of criminal offence punishable by imprisonment for more than 6 months;
- vii. being adversely mentioned in an inquiry report;
- viii. a petition from majority members of his or her base for a just cause;
- ix. failure to meet the eligibility requirements for being a delegate.

The Board shall ensure that the elections are conducted in the affected electoral zone as soon as is practicable.

h) Elections of the Management Committee and Supervisory Committee Members.

- i. Elections will be held during the Annual General Meeting.

- ii. Nominated candidates or their representative shall present their Nomination Certificates to the Returning Officer during the AGM.
- iii. All duly elected Society Delegates present at the Annual General Meeting shall be eligible to vote.
- iv. Irrespective of the number of shares held or deposits made by a Delegate, no Delegate shall have more than one vote.
- v. Delegates shall cast their votes by way of Secret Ballot either in the physical Annual General Meeting or by way of electronic voting during the virtual Annual General Meeting.
- vi. The Returning Officer shall guide the mode elected of conducting elections in accordance with the By-Laws.
- vii. The Returning Officer shall announce the candidates who garner the highest number of votes in the elections as duly elected members of the Board and the Supervisory Committee as the case may be.

Members of the Management Committee shall hold office for a period of three years provided that, one-third of the Management Committee members shall retire every year but will be eligible for re-election, except the Chairman and the Vice Chairman who shall retire after three years.

One member of the Supervisory Committee shall retire annually. Provided, that no person who has been in the Management Committee within two (2) years preceding the date of the anticipated election shall be eligible for membership of the Supervisory Committee.

1.8. Vote counting and tallying

Once the voting has ended the returning officer shall close and seal the ballot box and /or online voting portal. The counting shall be conducted in the presence of all observers and agents.

Tallying of the votes will be done immediately after the voting has been closed. The returning officer shall then announce the results to those present.

The Presiding Officer shall sign and present the election certificate to the winner(s) and shall within one (1) day submit the election results to the Head Office.

1.9. Appeals

All the appeals arising from the nomination process shall be made by the affected candidate within five (5) days from the date of the communication of the Results.

Appeals on results pertaining elections to the Management Committee and Supervisory Committee and Delegates shall be handled by the County Co-operative Office.

The decision of the Director of Co-operatives will be final.

1.10. Election Disputes

The appellant shall provide evidence in support of such an appeal to be lodged.

All appeals shall be resolved within five (5) days from the date of filing and a resolution communicated to all aggrieved parties.

Appeals shall be rejected on the following grounds:

- i. Late Submission;
- ii. Insufficient/Unsatisfactory evidence.

1.11. Election Offences

Election offences are acts against the conduct of free, fair and impartial elections. The offences may be committed by an individual or group of persons in an electoral process.

It is illegal for a co-operative member to—

- i. Develop or be in possession of a parallel members' register, unofficial membership card or supply a ballot paper without authority;
- ii. Destroy, damage or alter anything in a ballot paper or any other election material;
- iii. Confiscate a ballot paper from a co-operative member/voter;
- iv. Vote more than once in a single voting process;
- v. Assist a person to vote more than once in a single election session;
- vi. Put into any ballot box anything other than official voting papers issued by Presiding Officer;
- vii. Be in possession of voting papers or other election material outside a designated voting place, and without lawful excuse;
- viii. Mark on another member's ballot paper without authority;
- ix. Interfere with another member's rights to secrecy of the ballot;
- x. Pretend to be unable to read or write, or being visually impaired in order to be assisted;

- xi. Shout the candidates name or wearing campaign gear identifiable to a particular contestant at a voting venue;
- xii. Obtain information from a voter on their preferred choice of candidate;
- xiii. Communicate with another member once given a ballot paper;
- xiv. Accept any foodstuffs, money or any other rewards from candidates or their agents,
- xv. Compel, intimidate or force a person to vote or support a particular candidate;
- xvi. Impersonate anybody in an electoral process;
- xvii. Treat, unduly influence or bribe in an electoral process,
- xviii. Interfere in campaigns by using abusive language, inciting people to violence, use of force or preventing the peaceful conduct of the co-operative meeting working on an elections process; and
- xix. Conducting campaigns that are detrimental to the Society's operations. This includes but is not limited to bribery, coercion of members or use of undue influence from any other quarters to influence the electorate;

1.12. Elections Code of Conduct for the Society employees

The Society employees are obliged to abide by the following:

- i. Not be involved in personal activities that might generate a sympathetic or antagonistic attitude towards particular candidates, or contestants, or others with particular candidate affinities;
- ii. Avoiding acts of omission and/or commission that would have a negative effect on the conduct of the election activities;
- iii. Not wearing, carrying nor displaying symbols, signs or attributes which clearly identify partisan attitudes to contestants, or voters
- iv. Not making open public statements that are personal attacks on candidates or contestants Not getting involved in any official or unofficial activity, including use of Society's database, unsolicited SMSs, or social media which has the potential to raise a conflict of interest.
- v. Behaving and acting in a non-partisan and impartial manner
- vi. Acting in a transparent and accountable manner ensuring quality of service to voters and contestants in accordance with the professional standards of the Society
- vii. Serving voters in exercising their rights.
- viii. Not getting engaged in conflict of interest that is not to cause or facilitate the sending of emails, unsolicited SMS and other forms of communication which is not formally presented and sent through the Society laid down structure.
- ix. Not influencing or communicating with voters unless through a formal channel from the Society.

Where, on sufficient presentation of evidence, a member of staff contravenes or infringes on any of the provisions of this clause, he/she will have committed an electoral offence. Such proven electoral offence shall be a subject of disciplinary action for breach of the election code.

1.13. General Guidelines

- i. The Delegates meeting of the Society shall be convened by giving at least fifteen (15) days written notice to the delegates by the Honorary Secretary or the Board Chairman for the time being in the Honorary Secretary's absence.
- ii. The Society may use modern information and communication technology and send notices to members electronically in such form as emails and short text messages. Such form of invitation shall not invalidate a meeting.
- iii. When a quorum is not attained, the Chairman shall adjourn the meeting, which shall be advertised as prescribed in these By-laws and Policies. If at such a Meeting, a quorum is again not attained, the Chairman shall declare the meeting open with those present, one-half hours after the advertised time of the meeting.
- iv. The motion to revoke a specific decision taken by the Board of Directors or to remove a Board member from office must be seconded by a minimum of five delegates attending the meeting.
- v. The Chairman or in his absence, the Vice-Chairman shall preside at every Delegates meeting. In their absence, any Board Member elected by a majority of the delegates present shall preside failing which any person elected by a majority of those present shall preside.
- vi. The Annual General Meeting shall have the powers and duties set out in section 27(5) of the Co-operative Societies Act. At the general Meeting, Delegates shall among other matters elect the Society's office bearers for the ensuing year. The newly elected Board Members shall only take office after other agenda has been deliberated.
- vii. Every Board member and other officers of the Society shall within thirty (30) days of being appointed, declare their wealth to the Commissioner or relevant organization.

ADOPTION AS A LEGAL DOCUMENT

This Policy may be amended in accordance with the Co-operatives Act, the Rules and the Society by-laws from time to time.

The Policy will remain in force in accordance with the current applicable laws or as and when the general meeting resolves otherwise.

We the undersigned officials of Stima Investment Co-operative Society Limited named herein do hereby accept and adopt these by laws for and on behalf of the society and hereby declare that this Election Policy is effective from the:

..... 22nd day of February 2023

Signed:
Chairperson

Signed:
Secretary

Signed:
Treasurer



ANNEXURE A

Stima Investment Co-operative Society Nomination Form for Positions in the Management Committees

1. Name:
2. Member Number:
3. Organization:
4. Position Held: (Attach CV)
5. Duration of Active Membership as at the Application date: (In months)
6. Secondary School Qualifications: (Attach Certificate)
7. Post-Secondary School Qualifications: (Attach Certificate)
8. Board Member in other Co-operatives: (Yes/No) Specify:
9. Are you a Delegate from within Nairobi County?
10. Have you subscribed to shares amounting to at least Kshs. 300,000/=?
11. Other Directorships (Yes/No) Specify:
12. Have you ever been convicted of any prescribed law in Kenya? (Yes/No)
13. Have you ever been declared bankrupt? (Yes/No)
14. Involvement in national party politics? (Yes/No) If Yes, please specify
15. Do you have sufficient time to attend to Stima Investment Co-operative Society Limited business (Yes/No)
16. Are you related to any current Delegate/ Management Committee Member/ Supervisory Committee / staff? (Yes/No)

Nominee Declaration

I declare that the above information is correct, and I do understand that I can be charged for giving false information.

Applicant's Signature: Date:

Proposer's (Active Member)
Name: M/No: Signature:

Secunder's (Active Member)
Name: M/No: Signature:

FOR OFFICIAL USE:

Applicant's A/C Status:

Proposer/Secunder A/C Status:

ANNEXURE B

Stima Investment Co-operative Society Nomination Form for Positions in the Supervisory Committees

1. Name:
2. Member Number:
3. Organization:
4. Position Held: (Attach CV)
5. Duration of Active Membership as at the Application date: (In months)
6. Secondary School Qualifications: (Attach Certificate)
7. Post-Secondary School Qualifications: (Attach Certificate)
8. Board Member in other Co-operatives: (Yes/No) Specify:
9. Are you a Delegate from within Nairobi County?
10. Have you subscribed to shares amounting to at least Kshs. 300,000/=?
11. Other Directorships (Yes/No) Specify:
12. Have you ever been convicted of any prescribed law in Kenya? (Yes/No)
13. Have you ever been declared bankrupt? (Yes/No)
14. Involvement in national party politics? (Yes/No) If Yes, please specify
15. Do you have sufficient time to attend to Stima Investment Co-operative Society Limited business (Yes/No)
16. Are you related to any current Delegate/ Management Committee Member/ Supervisory Committee / staff? (Yes/No)

Nominee Declaration

I declare that the above information is correct, and I do understand that I can be charged for giving false information.

Applicant's Signature: Date:

Proposer's (Active Member)

Name: M/No: Signature:

Secunder's (Active Member)

Name: M/No: Signature:

FOR OFFICIAL USE:

Applicant's A/C Status:

Proposer/Secunder A/C Status:

ANNEXURE C:

Stima Investment Co-operative Society Limited Electoral Code of Conduct

This code is intended to establish standards of ethical conduct and behavior. It is a collection of ethical principles and practices that govern the conduct of election for candidates of Stima Investment Co-operative Society Limited when vying for vacant positions in the Delegate, Board and Supervisory Committee.

The checks and balances built into this code are designed to strike a proper balance between ensuring full compliance with the laid down regulatory framework and protection of all candidates against groundless accusations.

General Conduct

1. All candidates shall:
 - a) Take individual responsibility, act ethically with honesty and integrity when seeking support from Stima Investment Co-operative Society Limited members to be elected.
 - b) Refrain from intimidating, harassing, coercing or discriminating against other candidates and/or members of the Society.
 - c) Contribute to a harmonious and safe environment for all candidates, the electorate and the public in general by observing professionalism and decorum at all times.
 - d) Refrain from making improper use of their position at their work place to gain advantage over others in the electoral process.
 - e) Refrain from using derogatory language during the process and address issues objectively and respectfully.
 - f) Refrain from giving any confidential information regarding the Society.
 - g) Not solicit for support at the AGM venue except when offered the opportunity to do so by the returning officer during the election agenda.
 - h) Respect the confidentiality of Stima Investment Co-operative Society Limited members' contacts and other information in the Society.

2. All successful nominees shall present their profiles of not more than 500 words to the Nominations Committee to be circulated to all Delegates.

Candidate's Declaration:

I do hereby agree to abide by the above Stima Investment Co-operative Society Limited Electoral Code of Conduct and acknowledge that breach of this code may lead to my disqualification for election.

Name: _____

Member no.: _____ Signature: _____ Date: _____

SWORN/DECLARED BEFORE ME)
)
 This day of, 20.....)
)
 at)
)
)
 COMMISSIONER FOR OATH)