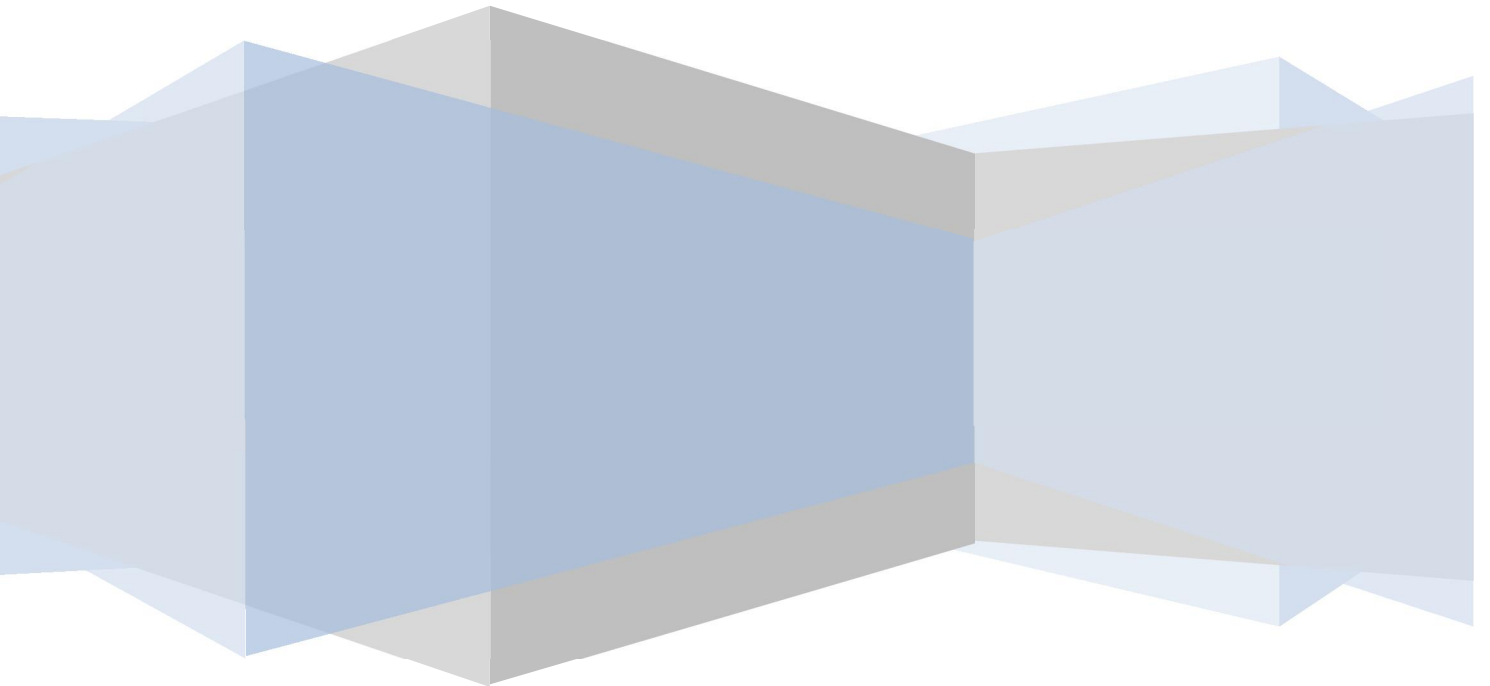




RETIREMENT BENEFITS SCHEMES

**Election Procedures Manual
2016**



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1. INTRODUCTION

This Manual is a guide for conducting free and fair elections of the KPC Pension Schemes. The Rules and Regulations set out in this document are not intended to substitute the existing pension scheme laws and regulations that govern the Kenya Pipeline Company Retirement Benefits Schemes.

2. ELECTION COMMITTEE

There shall be an Election Committee Board which shall comprise of the following:

- a) Pension Scheme Administrator/Trust Secretary
- b) A pensioner
- c) Three appointees from the Sponsor

2.1. Term

A member of the Election Committee shall serve a term of three years which can be renewed for a maximum of one extra term.

2.2. Responsibilities

The responsibilities of the Election Committee include:

- 2.2.1. To set dates for the elections;
- 2.2.2. To conduct the actual elections;
- 2.2.3. To organize and administer all Trustee elections;
- 2.2.4. To avail a copy of the election rules, procedures, and election dates to all candidates;
- 2.2.5. To vet and approve the eligibility of candidates;
- 2.2.6. To appoint Returning Officers, Presiding Officers and other election support staff;
- 2.2.7. To administer all aspects of election voting;
- 2.2.8. To determine the legitimacy of charges and adjudicate election violation complaints; and
- 2.2.9. To certify the election results.

2.3. Meetings

The Elections committee shall meet on a need basis.

2.4. Remuneration of Election Committee

The Board of Trustees shall approve the remuneration of the Election Committee.

N. B. A serving Trustee or a candidate for any election shall not be a member of the Election Committee.

3. ELIGIBILITY FOR CANDIDATE VYING FOR ELECTIONS

A Candidate must be a person of good standing who is either an employee of KPC; a pensioner or any other person who must:

- 3.1. Be a person of integrity;
- 3.2. Possess an O' Level Certificate or equivalent; and
- 3.3. Must pass a proper and fit test.

4. ELIGIBILITY FOR VOTING IN ELECTIONS

In order for one to be eligible to vote, one must be a:

- 4.1. Member of the Scheme; or
- 4.2. Beneficiary.

5. NOTICE OF NOMINATIONS

The Election Committee shall invite eligible candidates to submit their applications for consideration as election candidates for trustee whenever a trustee position falls vacant. The Committee will circulate a notice inviting qualified members and beneficiaries to submit their applications:

- 5.1. In all KPC Stations;

5.2. On the Schemes' website (www.kpcrbs.com); and/or

5.3. Through regular mail.

6. ELECTION CAMPAIGNS

After nominations, the Election Committee will announce the duration of the campaign period which must be adhered to by all candidates. Campaigns shall end the day preceding the election date. The following shall be the campaigns guidelines:

6.1. Scheme funds should not be used for campaigning;

6.2. The campaigns should not interfere with the normal running of KPC operations;

6.3. None of the publications issued by the Pension Schemes Administration or Trustees shall endorse a particular candidate; and

6.4. No sitting Trustees shall endorse a particular candidate.

7. ELECTION DAY

The Election Committee shall ensure sufficient ballots and election stationery are available to all the voting centres before the designated election day. Candidate's names shall be placed on the ballot in alphabetical order according to last names. A sample of the final ballot may be posted closer to the election day in order to help members prepare to vote. This sample ballot needs to reflect the same names that are in the posted slate of nominees. The Election Committee will indicate the duration for voting.

8. ELECTION OBSERVERS

Any candidate whose name appears on the ballot shall have the right to present an official observer of their own choosing, in all places where ballots bearing the candidate's name are to be cast or counted.

The candidate shall forward the observers, name two days prior to the elections. Observers shall be issued with an identity badge.

8.1. Responsibilities of the Observers

The following are the responsibilities of the Observers:

8.1.1. To observe the polling, sorting and counting of the votes;

- 8.1.2. To ascertain the freedom and fairness of the elections and the secrecy of the voting; and
- 8.1.3. To visit all polling, sorting and counting centres at any time without prior notice.

8.2. Rights of Observers

Observers have the following rights:

- 8.2.1. The right to inspect the ballot box at any time up to the moment the election is to start;
- 8.2.2. The right to be present in the room where the election is taking place throughout the hours set for the voting;
- 8.2.3. The right to take such notes as they choose to, including making their own list of who has voted;
- 8.2.4. The right to call to the attention of the Election Committee members present any violation of proper procedure, which they may observe;
- 8.2.5. The right to remain after the polls have closed and to keep the ballot box under observation until it is opened;
- 8.2.6. The right to observe the actual counting of the ballots, including the right to examine any suspect ballot; and
- 8.2.7. The right to maintain their own tabulation as the election committee counts the ballots.

8.3. Limitations of the Observers

The observers are however not allowed to:

- 8.3.1. Assist in the actual conduct of the election;
- 8.3.2. Engage in any kind of campaigning;
- 8.3.3. Wear buttons or badges in support of a candidate; and/or
- 8.3.4. Pass out leaflets, or attempt to discuss the election with voters.

9. COUNTING BALLOTS

The Presiding Officer in conjunction with the Election Committee shall on the same day of voting ensure that the vote counting will be done in a transparent manner. In counting the votes the Presiding/Returning Officer shall appoint three persons to examine the ballots. One of them may call out the names of those who receive votes on the particular ballot, while two others will keep a record of the votes by making a mark after each name that is called on the “tally sheet.”

10. ELECTION RESULTS

The candidate/s with the highest number of votes shall be declared winner/s and issued with an election certificate signed by the Chairman of the Election Committee and the Trust Secretary.

11. RUN-OFF ELECTIONS

If at any time some candidates tie making it impossible to know the winner, a run-off election shall be held. The run off shall take place within one month.

12. ELECTION MISDEMEANORS

Election misdemeanours include:

- 12.1. Paying a person to vote;
- 12.2. Allowing a person to vote who is not entitled to vote, or by use of an unauthorized procedure;
- 12.3. Showing a marked ballot to another person in such a manner as to reveal the contents of the ballot, except when a voter is receiving assistance in marking the ballot;
- 12.4. Examining a ballot that a voter has prepared for marking or soliciting the voter to show the ballot, except when a voter is receiving assistance in marking the ballot;
- 12.5. Destroying or defacing a ballot;
- 12.6. Fraudulently causing a vote total to be taken down incorrectly or making a false statement or return of the votes;

- 12.7. Knowingly causing disturbance and interfering with good working of the election official;
- 12.8. Interfering with the secrecy of voting;
- 12.9. Inducing or persuading a voter to vote for a candidate, while acting as an election official; and/or
- 12.10. Intimidating, threatening, or coercing an individual for voting or attempting to vote.

13. DISPUTES AND IRREGULARITIES

- 13.1. The Election Committee shall hear and resolve disputes arising from the elections and make a ruling within 14 days of the complaint being lodged; and
- 13.2. The decision of the Election Committee shall be final.