

THE 2020 IQSK COUNCIL ELECTIONS

FINAL REPORT



We now have the honour to submit our report and to express our gratitude for the privilege to be
of service to the Institute.

.....
(Signed for and on behalf of the Elections Panel)

Dr. Qs. Isabella Njeri Wachira-Towey, FIQSK.

Qs. Rasugu Nyamboki, FIQSK.

Ernest Nyakundi (Graduate).

Executive Summary

The Institute of Quantity Surveyors of Kenya (IQSK) is an organization that brings together professionals trained and registered to work as quantity surveyors in Kenya. The management of the affairs and business of the Institute is vested in and conducted by the IQSK Council. The IQSK Council Members are elected at the Annual General Meeting in every election year. Elections of the Institute are held bi-annually and are administered by a panel of scrutineers appointed by the IQSK Council.

The 2020 IQSK Council Elections were administered by a panel of three scrutineers namely: Qs. Rasugu Nyamboki, FIQSK; Dr. Qs. Isabella Njeri Wachira-Towey, FIQSK; and Ernest Nyakundi (Graduate Quantity Surveyor). The 2020 IQSK Council Elections were also the first elections in which the Institute adopted an electronic electoral system of voting supplied by the Institute of Certified Public Accountants of Kenya (ICPAK).

In the management of the elections, the panel conducted, among others, voter sensitization, mock elections, candidate nominations and tallying of the election results. The elections were successfully conducted on the 19th of August 2020 and a full IQSK council 2020 installed at the SGM on the 20th of August 2020. So far the Elections panel has not received any petition or complaints regarding the conduct and outcome of the elections.

The Elections panel from its experience and observations recommends the review of some provisions of the IQSK electoral process outlined in its Constitution to expunge ambiguities and strengthen the process.

Upon the conclusion of the process, and in line with provisions of the Elections Procedure (Appendix II B.L. 17 of the IQSK Constitution and By-Laws) the panel retreated to prepare this report containing details of all activities conducted by the panel, an assessment of those activities and recommendations.

We take this opportunity to congratulate the incoming council and charge them to continue building an inclusive IQSK where all members are valued. We thank the Institute for appointing us to this noble duty and hope we lived up to their expectations. *Asanteni sana!*

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Terms and Abbreviations

Institute	-	The Institute of Quantity Surveyors of Kenya
Panel	-	The Elections Panel of Scrutineers
Council	-	The IQSK Council of 2018 – 2020
IQSK	-	The Institute of Quantity Surveyors of Kenya
SGM	-	The 2020 Special General Meeting of the Institute
AGM	-	The 2020 Annual General Meeting of the Institute
ICPAK	-	The Institute of Certified Public Accountants of Kenya

The Institute

The Institute of Quantity Surveyors of Kenya (IQSK) is an organization specifically charged with promoting and safeguarding the interests of the Kenyan Quantity Surveyor. The primary objective of IQSK is to promote the advancement of quantity surveying and its application in Kenya. IQSK brings together professionals trained and registered to work as quantity surveyors in Kenya. The institute exists to advance the profession of quantity surveying by providing members with opportunities for professional development and networking. It also serves other professionals in the building and construction industry and regulatory bodies by acting as the custodian of the interests of quantity surveyors in Kenya.

IQSK began operations in 1994. Since then, the institute has grown to become one of the most recognizable professional associations in Kenya. The institute registers interested persons to be full or associate members. The day to day operations of the institute are undertaken by the IQSK Council which is supported by the IQSK Secretariat.

IQSK has a vision of becoming '*A world class institute that promotes the advancement and practice of quantity surveying in Africa.*'

The main objectives of the institute are:

1. To promote an enabling environment that helps quantity surveyors achieve excellence in delivery of their services.
2. To promote, regulate and enforce best quality surveying standards and practices.
3. To promote cooperation with professional organizations representing quantity surveyors regionally.

The Institute has six core values which are:

1. Integrity
2. Discipline and commitment
3. Accountability
4. Objectivity and impartiality
5. Corporate social responsibilities
6. Environmental conservation

Electoral System and Legal Framework

The management of the affairs and business of the institute is vested in and conducted by the IQSK Council (Section 6.01 of the IQSK Constitution). The IQSK Council Members are all elected in the Annual General Meeting (B.L. 7.2) in accordance with the Election Guidelines and Procedures (B.L. 7.8). The Elections Guidelines and Procedures are expounded in Appendix II (B.L. 17) of the IQSK Constitution and By-Laws.

Election Administration

In every election year, which comes every two years, the incumbent IQSK Council invites or places a call for volunteers to serve as Scrutineer(s) for the elections of that year. This is done at the latest 14 days before the election date. The Council then selects the Scrutineer(s). The individual(s) to be appointed as scrutineer(s) must meet three minimum requirements as follows:

- A. they shall not be current members of the council,
- B. they must be in good standing with the Institute, and
- C. they must not be contesting in the upcoming elections. [B.L. 17(1) and 17(2)].

The Scrutineer(s) may write a wrap up report after the elections. This report may include suggestions, challenges, and areas of improvement. This report should be submitted to the new Council through the Honorary Secretary within Thirty (30) days after the elections day [B.L. 17(11)].

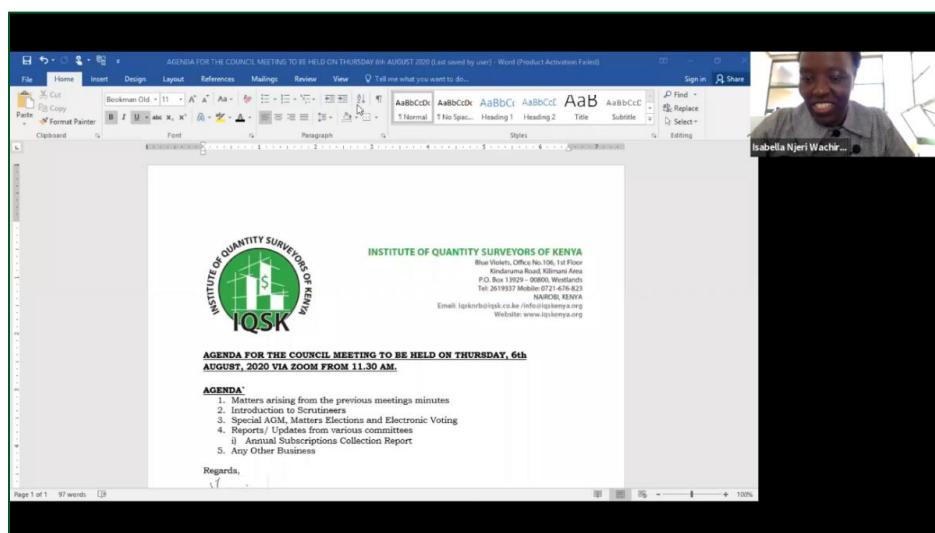


Figure 1: Dr. Qs. Isabella Njeri Wachira-Towey attending a Zoom meeting organized by the IQSK Council on 6th August 2020 to introduce and acquaint scrutineers with their functions.

For the election year 2020, the IQSK Council appointed three members to serve as scrutineers. These were:

1. Qs. Rasugu Nyamboki, FIQSK.
2. Qs. Isabella Njeri Wachira-Towey, FIQSK
3. Ernest Nyakundi (Graduate Quantity Surveyor)

Traditional Election Procedures

The following procedures were supposed to be followed during the bi-annual elections conducted by IQSK. During the election year, fourteen days before the date of elections, a call for nominees would be made through the official contact email, or postal addresses of the Institute to eligible members. A nomination form would be mailed no later than fourteen days. The nomination forms should be returned to the Secretariat seven (7) days before the elections day. Once a nomination form is submitted, a candidate receives a response confirming receipt. After receiving the nomination forms, the Honorary Secretary mails out a ballot to all members for information purposes. In the ballot, the contested offices are listed and then the nominees in alphabetical order.

Campaigning is done strictly in accordance with the Elections Guidelines and Rules specified in Appendix II of the IQSK Constitution. Elections are conducted on the floor of the AGM with no voting by proxy or voting in absentia. The scrutineer(s) makes available a suitable voting box at the elections venue and all the votes cast were to be tallied at the elections venue. No member can vote twice and the official announcement of the elections results is done at the floor of the elections venue. After votes were tallied, they were to be sealed and the sealed ballot boxes are destroyed after the elections meeting.

Amendments to Procedures and Titles of Office Bearers

2020 was an election year for IQSK. However, elections could not proceed as per the aforementioned procedures because of the COVID-19 pandemic restrictions i.e. restrictions from government and advisories from non-government health agencies among them physical/social distancing, limiting the number of people in a meeting to fifteen (15) to curb the spread of the disease. Consequently, during the AGM of 28th May 2020, the IQSK Council moved three motions that led to amendments to the election procedures. All the three motions were successfully adopted as follows:

- a) The election procedures were amended to allow for electronic voting, tallying and announcement of election results by the scrutineers.
- b) The elections of 2020 were postponed for three months to allow for proper planning and execution of the first motion.
- c) The tenure of the incumbent IQSK Council was extended for a further three months in line with the first two motions.

During the same AGM, it was resolved that the title ‘IQSK Chairman’ be amended to be ‘**IQSK President**’ and that of ‘IQSK Vice-Chairman’ be amended to be ‘**IQSK Vice President**’. All other election procedures and rules remained unchanged and were to be adopted in the first online elections of IQSK.

Leadership of the Institute

Despite the amendments at the AGM, there existed some ambiguity in the IQSK Constitution and By-Laws with regards to the composition of the IQSK Council. Two contradictory structures had been laid out in the IQSK Constitution and By-Laws. These were as follows:

a) According to Section 6 (The Council and Office Bearers)

Section 6 of the IQSK Constitution specified that The IQSK Council comprised: The President, The Vice President, Officer Bearers, and not more than five Full Members elected in accordance with the By-Laws (Sub-section 6.02). The Office Bearers of the Institute were to be corporate or fellow members elected at the Annual General Meeting and comprised: The President, The Vice President, The Honorary Secretary, The Honorary Assistant Secretary, The Treasurer and The Registrar; elected in accordance with the By-Laws (Sub-section 6.04).

Interpretation

Reliance on this section to understand the composition of the IQSK Council would mean that there was an allowance for council members to be between seven and eleven because the actual number of ordinary members of the council was not defined. Only the upper limit was; which was five. Adding more confusion to that was the stipulation of sub-section 6.03 allowing the council to co-opt other persons to the council. The guidelines for such co-option of council members were not specified e.g. parameters such as reasons for co-

option, number of co-opted persons, rights of co-opted persons (do they have similar rights to other council members?) and so on.

b) According to By-Law 7 (The Council and Office Bearers)

By Law 7 of the IQSK Constitution stipulates that the Council consisted of: The President, The Vice-President, The Honorary Treasurer, The Honorary Secretary, The Assistant Honorary Secretary, The Honorary Registrar, The Immediate Past President, and three (3) Ordinary Members; all of whom are to be fellows, corporate or licentiate members of the Institute who were to be elected in the Annual General Meeting in accordance with relevant By-Laws (Sub-section 7.2).

Interpretation

This By-Law was more specific than the aforementioned Section 6. It added the Immediate Past President to the Council as formed in Section 6 and stipulated that there were to be three (3) ordinary members of the Council. The By-Law was silent on the co-option of members to the IQSK Council.

Ramifications to the 2020 Elections

The Elections Panel assumed office after the Notice for Elections had been issued by the IQSK Honorary Secretary. The Notice was silent on the vacant positions to be filled during the elections. The Elections Panel continued the process of administering elections for vacant positions guided by precedence and tradition. In the previous elections, and indeed in the outgoing council, four ordinary members had been elected to the IQSK Council. Additionally, no member of the Institute raised complaints with the Elections Panel in this regard. This is one of the issues tackled in the Conclusions and Recommendations chapter of this report.

Information and Communication Technologies

Before the appointment of the Elections Panel of Scrutineers, the IQSK Council contracted the Institute of Certified Public Accountants of Kenya (ICPAK) as a provider of Electronic Voting Services. ICPAK had an electronic voting system which it had used for its own elections and, on occasion, rented it out to other institutes and organizations e.g. the Chartered Institute of Arbitrators (Kenya Branch). The Electronic Voting System delivered was composed of three main modules as below described:

a) An Online Voting Module

This module was accessible to members on the IQSK voters' register during the voting period. Its purpose was to provide eligible voters with the ability to login to the system and cast electronic ballots. The main features provided were: "anytime anywhere" voting; the ability to allow only eligible members to vote; an online brochure of candidate profiles accessible to members; and, a fast and easy to follow procedure. The procedure was voter authentication, acceptance of instructions and terms and casting of online electronic ballots. Other abilities of the voting module were: ballot validation based on set rules, non-re-use of voter tokens and keeping an audit trail of voters, that is, logging in all information relating to access and usage of the system by any voter.

b) A Tallying (Vote Counting) Module

This module was only accessible during vote counting and had the following features: automatic counting of all submitted votes; support for consolidation of physical ballots; easy tracking of the vote counting by those present during the vote counting; and, instant provision of the voting results.

c) An Administration Module

This module was restricted to system administrators, in this case the scrutineers, and provided the following: an ability to resend or dispatch tokens to voters on email as well as SMS; and, general administration and monitoring of the system e.g. viewing of audit trail reports.

ICPAK was represented throughout the electioneering period by Mr. Dennis Bett Milgo. Mr. Milgo, besides having access to the administration module, was at hand to recommend and provide solutions to technical challenges that arose during the process.

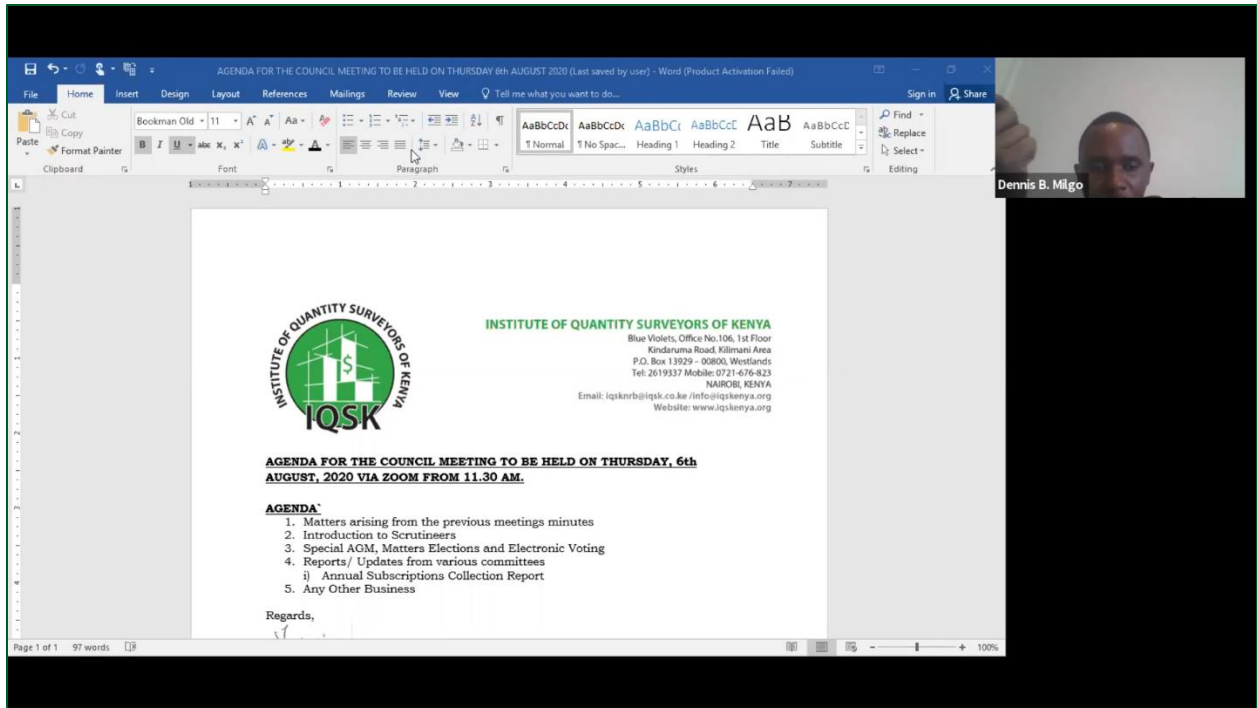


Figure 2: Mr. Dennis Milgo giving a brief overview of the ICPAK Electronic Voting System to the IQSK Scrutineers and Council Members during the introduction meeting held on 6th August 2020.

Voters' Register

The IQSK Constitution conferred voting rights to the eligible full members of the Institute. The full members were comprised as follows (Sub-section 5.02):

- i. Fellow Members;
- ii. Corporate Members; and,
- iii. Licentiate Members.

Based on a previous amendment to the IQSK Constitution, Corporate Members were referred to as Professional Members. The full members were elsewhere in the constitution referred to as voting members (Sub-section 5.04).

However, not all full members were allowed to participate in the elections. According to the Elections Guidelines and Rules (Appendix II, B.L. 17-2), only members who were in good standing were allowed to participate in the elections. A “member in good standing” was defined as any person who had fulfilled the requirements for membership in their respective categories and who at the time had not voluntarily withdrawn or been expelled or suspended from the Institute. A majority of members not in good standing in 2020 had subscriptions arrears to the institute. Informed by this, the notice to members by the IQSK Honorary Secretary had requested them to pay up their dues before 5:00pm Thursday, 6th of August 2020. This was later extended to 5:00pm Monday, 10th of August 2020 by the Elections Panel to accommodate as many members as possible.

On 11th of August 2020, the Elections Panel assisted by the IQSK Finance Officer, Ms. Lydiah Chege, began preparing the draft voters' register. The draft voters' register had three hundred and five (305) members and was published on Thursday, 13th of August 2020 for inspection by members of the institute. Full members who were in good standing by 5:00pm on Monday, 10th of August 2020 and had been erroneously omitted were requested to email or call the Elections Panel. The window period for addition of erroneous omissions and correction of erroneous details was scheduled to end at 5:00pm on Friday, 14th August 2020 but was later extended to 5:00pm on Monday, 17th of August 2020. During the window period, the Election Panel received three requests for addition to the register. The three claimed to have been erroneously omitted despite being full members and being in good standing by 5:00pm Monday, 10th of August. The Elections

Panel verified their claims against member records at the IQSK Secretariat, and proceeded to add them to register.

At the close of business on Monday, 17th of August 2020, the final voters' register was published. The total number of members on the final voters' register was three hundred and eight (308). A version with member contacts, email addresses and phone numbers, was shared to successfully nominated candidates for use during their campaigns.

While the Elections Panel took sufficient measures to ensure that all eligible members were in the final voters' register, they still received complaints of non-inclusion in the register; some of which were received on the Elections date. A possible solution to avert similar scenarios in the future has been captured in the recommendations. The draft voters' register and final voters' register are as per Appendix E and H respectively.

Voter Sensitization

The 2020 elections were the first elections in which voting for IQSK Council Members was done electronically. The Elections Panel therefore had a task of sensitizing voters on how to use the recently adopted electronic system. The Elections Panel contrived an elaborate voter sensitization programme which included communication with members on the voters' register and a mock election.

Voter Sensitization

The Elections Panel was alive to the fact that the electronic system of voting was new to a majority of members of the institute. Additionally, the panel considered it best practice to have members informed of the activities related to the electoral process. The Panel therefore prepared and published a timeline of activities that was shared to all members of the Institute. Also shared alongside the timeline was a flier containing Election Guidelines and Rules as postulated in Appendix II (B.L. 17).

After the mock elections, the Elections Panel realized that only a few members (73) had participated. This was 23.9% of the total number of members in the voters register prompting the panel to intensify its voter sensitization campaigns to increase voter turnout on the Election Day. Before the election date, on Tuesday, the Elections Panel published a flier describing the steps for successful casting of votes as in Figure 5 below. This was shared to members through email, social media and SMS. The sensitization continued all the way to the election date.

Mock Elections

The electronic system being a new voting system for IQSK, the Elections Panel decided to conduct mock elections with two main objectives:

- a) To test the robustness and performance of the system prior to the elections;
- b) To acquaint members with the electronic system that would be used during the elections.

There being no objective to rank the popularity of candidates, the Elections Panel decided to use arbitrary colours to represent vying candidates. Only members in the draft voters' register were allowed to participate in the mock elections. The mock elections were successfully conducted between 2:30pm on Friday, 14th August 2020 and 11:00am on Saturday, 15th August 2020. The

tallying of the mock elections was done on Monday at 12:00 noon during an online meeting attended by the Elections Panel, the candidates and members of the incumbent IQSK Council.

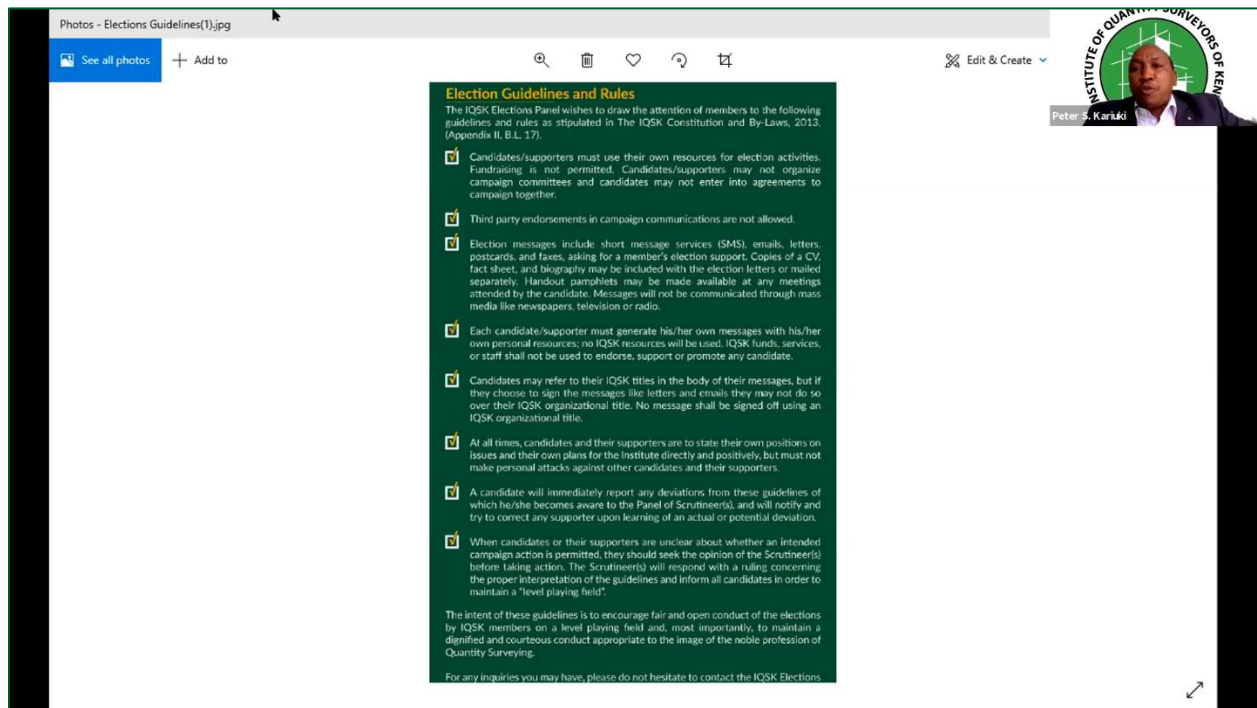


Figure 3: The IQSK President attending a meeting convened by the Elections Panel to tally and review the mock elections.

The process was reviewed and several observations and decisions were reached. These are outlined as follows:

- a) The turnout for the mock elections was poor with a voter turnout of 24%. The Elections Panel, informed by this, proceeded to ramp up voter sensitization campaigns in a bid to get more voters to turn up and exercise their rights on the election date.
- b) There were significant abstentions in the position of IQSK Council Members. There were five contestants for the four positions of IQSK Council Members. 19 out of the 73 voters only voted for one instead of four. The Elections Panel, informed by this, decided to have clear guidelines during the actual voting process held on Wednesday, 19th August 2020. As a cure for involuntary abstentions, a decision was made to have an abstentions checkbox alongside contesting candidate names and a validation before submission of the electronic ballot. The validation was to inform the voter about the choices they had made before casting the vote.
- c) Another concern raised was the order and layout of the candidates on the ballot. Some candidates were of the opinion that the candidates be ordered using their member numbers

with the institute. On this the Elections Panel stood guided by the Election Procedures (Appendix II B.L. 17) and adopted the alphabetical ordering of candidates on the ballot. On layout, concerns were raised in the follow up to mock elections that there were inconsistencies in the manner in which the ballot was laid out. The claim was that in the first contested position, candidates were laid out horizontally while in the other positions, they were laid out vertically. The Elections Panel resolved to have the final layout of candidates vertically for all contested positions so as to foster consistency and to avert notions of disenfranchisement on any candidate.

- d) A few members reported being unable to access the voting portal. This was a technical issue and the Elections Panel issued a technical advisory to members to use updated browsers; with a preference for Google Chrome and Mozilla Firefox.

All in all, the objectives of the mock elections were fully realized. Members that participated in the mock elections were comfortable with the system. Equally, the Elections Panel was impressed with the robustness and performance of the system.

Candidate Nomination

As per the election procedure, a call for nominees was to be made through the official contact email, or postal addresses of the Institute. A nomination form was mailed out together with the nomination call no later than fourteen days. The nomination forms were supposed to be returned to the IQSK Secretariat seven (7) days before the Election Day. Once a nomination form was submitted, the candidates received responses confirming receipt. The election procedure required the Honorary Secretary to mail out a ballot to all members for information purposes. In the ballot, the nominees were listed in alphabetical order.

On Monday, 27th of July 2020, the IQSK Honorary Secretary, Qs. Mutinda Mutuku, placed a call for nominations. The nomination's call was accompanied by the nomination form. The nominations period was to run for a week ending on Monday, 3rd of August 2020. However, after appeals by members, the last date of the nominations call was changed to Friday, 7th of August 2020. The Elections Panel assumed office on Thursday, 6th of August 2020; and thereafter took over the subsequent functions of mailing out responses confirming receipt of nominations and mailing out the list of successfully nominated candidates to members. The adoption of the aforementioned functions was justified by the argument that the Honorary Secretary, besides being a member of the current council, was seeking election to the office of IQSK Vice President. It was deemed to be against best electoral practice to vet oneself and publish oneself as a successfully nominated. This is one of the items that was found to require review and will be handled in the conclusions and recommendations chapter of this report and appendix A.

The Elections Panel received nomination forms from the IQSK Secretariat on Monday, 10th of August 2020. Assisted by the secretariat, the panel vetted all the nominees and published a list of successfully nominated candidates on Thursday, 13th of August 2020. The panel received a total of 14 applications for nomination; all of whom were successfully nominated. Table 1 below shows the successful nominees and the positions they had applied for.

Vacant Positions and Successful Nominees		
	Successful Nominee	Position sought in the Council
1.	Qs. James Munene	President
2.	Qs. Jennifer Musyimi	Vice President

3.	Qs. Mutinda Josphat Mutuku	Vice President
4.	Qs. Joel Gichimu	Honorary Secretary
5.	Qs. Janet Chirchir	Honorary Registrar
6.	Qs. Andrew Mbuku	Honorary Treasurer
7.	Qs. Gachagua Ngunjiri	Assistant Honorary Secretary
8.	Qs. Jason Njoroge	Assistant Honorary Secretary
9.	Qs. Wilson Kipkoech	Assistant Honorary Secretary
10.	Qs. Barrack Omondi Ongondo	Council Member
11.	Qs. Jordan Rabach Opiyo	Council Member
12.	Qs. Kennedy Mwendwa	Council Member
13.	Qs. Leah J. Kanda	Council Member
14.	Qs. Rose Jematya Kotut	Council member

Table 1: Applications for nomination received by the Elections Panel

At the end of the nominations, four (4) nominees had their positions uncontested and were therefore considered elected unopposed to the IQSK Council that was to serve members of the institute for a term of two years between 2020 and 2022. These were:

Vacant Positions and Successful Nominees		
	Successful Nominee	Uncontested Position
1.	Qs. James Munene	President
2.	Qs. Joel Gichimu	Honorary Secretary
3.	Qs. Janet Chirchir	Honorary Registrar
4.	Qs. Andrew Mbuku	Honorary Treasurer

Table 2: Candidates who had their positions uncontested and were therefore elected unopposed.

The remaining positions of Vice President, Assistant Honorary Secretary and Council Members were contested and required balloting to decide who their office bearers would be. The nominees for these three positions, therefore, had to convince members to support their bids to become office bearers.




IQSK COUNCIL ELECTIONS 2020

Successfully Nominated Candidates

The following candidates have been successfully nominated to participate in the upcoming IQSK Council Elections on 19th of August 2020.

Candidate (s) for the One (1) Position of President



Qs. James Munene

Candidate (s) for the One (1) Position of Vice President




Qs. Jennifer Musyimi Qs. Mutinda Mutuku

Candidate (s) for the Positions of:

One (1) Hon. Secretary

One (1) Hon. Registrar

One (1) Hon. Treasurer





Qs. Joel Gichimu Qs. Janet Chirchir Qs. Andrew Mbuku

Candidate (s) for the One (1) Position of Assistant Hon. Secretary





Qs. Gachagua Ngunjiri Qs. Jasan Njoroge Qs. Wilson Kipkoach

Candidate (s) for the Four (4) Positions of Council Members







Qs. Barrack Omondi Qs. Jordan Rabach Qs. Kennedy Mwendwa Qs. Leah Kanda Qs. Rose Kotut

For any inquiries you may have, please do not hesitate to contact the IQSK Elections Panel on elections@iqskkenya.org or +254 721 676 823.

 @IQSKKenya
  @IQSK_Official
  @IQSKNRB

Figure 4: A copy of the flier containing vacant positions and successful nominees.

Campaign Environment

The campaign process was guided by the election guidelines and rules (Appendix II B.L. 17). The election guidelines and rules, among others, gave the following stipulations:

1. Candidates/supporters were to use their own resources for election activities. Fundraising was not permitted. Candidates/supporters were also barred from organizing campaign committees and entering into agreements to campaign together.
2. Third party endorsements in campaign communications were not allowed.
3. Campaign messages were not to be communicated through mass media like newspapers, television and/or radio.
4. Candidates were barred from using IQSK resources and staff in their campaigns.
5. Candidates were also barred from signing off their election messages using IQSK organizational titles.
6. Candidates were also to refrain from personal attacks against other candidates and their supporters and were to state their own positions on issues and plans they had for the Institute directly and positively.
7. If any ambiguities arose on an intended campaign action, the candidates or their supporters were to seek the opinion of the elections panel before taking the action.

The intent of these guidelines and rules was to encourage fair and open conduct of the elections by IQSK members on a level playing field and most importantly, to maintain a dignified and courteous conduct appropriate to the image of the noble profession of quantity surveying. The Elections Panel published these guidelines to all nominees and all members of the Institute. Throughout the elections period, the panel neither received complaints nor witnessed any behavior contrary to these election guidelines and rules.

The panel strove to make the campaign environment equitable for all aspirants. In line with this, a list of updated contacts (mobile numbers and emails) for members on the voters' register was shared to all successfully nominated candidates. The panel presumes that the candidates heavily relied on these contacts to drum up support for their bids to become office bearers. This is because no physical meetings were allowed during the electioneering period courtesy of the ongoing COVID19 pandemic.

Elections Day and Results Tallying

The Process

The elections for the contested positions were held on Wednesday, 19th August 2020 between 8:00am and 5:00pm. This was in line with the elections notice and communication from the IQSK Elections Panel. Additionally, this date complied with the resolution of the Annual General Meeting of Thursday, 28th May 2020 that required the elections to be held within three months.

The day before the elections, as part of the voter sensitization process, the Elections Panel published a flier outlining the steps eligible voters were to follow in order to successfully cast their votes. These were as follows:

- a) **Step 1:** Receipt of Voter's Token from ICPAK via email and SMS. The token referred to a link that enabled the eligible voter to log into the system and participate in the IQSK Council Elections 2020. Voters were advised to open the link using updated Internet Browsers; with a preference for Google Chrome and Firefox.
- b) **Step 2:** Once logged into the system, eligible voters were to first view the Terms and Conditions of using the system. These were general guidelines such as: 'a voting token can only be used once'. To continue to the vote casting screen, voters were to tap/click on the "Agree" button.
- c) **Step 3:** The voting screen would appear once the agree button had been clicked. All contested positions were listed and alongside, all the candidates aspiring for those positions. The voter had the option of ticking against their preferred candidate(s). Afterwards, at the bottom of the screen, the voter had to confirm their choices and thereafter, cast his/her vote by tapping the "Cast My Vote Now" button.
- d) **Step 4:** Once the voter had cast their vote, they were to receive a confirmation that their vote had been successfully cast. At this point, they could safely exit the system and close the browser.

In addition to the steps, the voters were also given the contacts they were to use were they to experience any difficulties during the process of casting their votes electronically. These were:

Email address: elections@iqskkenya.org | Mobile: +254 721 676 823





19TH AUG 2020
IQSK COUNCIL ELECTIONS
2020

Casting your Online Vote in 4 Simple Steps

Step 1



All eligible voters will receive a **voter's token** from **ICPAK** via email and SMS. The token is a link that enables the eligible voter to log into the system and participate in the IQSK Council Elections 2020. Voter's are advised to **open the link** using updated Internet Browsers; preferably Chrome or Firefox.

Step 2



Once logged into the system, the eligible voters will be able to see the Terms and Conditions of using the system. These are general guidelines such as: *"a voting token can only be used once"*. To continue to the vote casting screen, voters will have to tap/click on the **"Agree"** button.

Step 3




Thereafter, the voting screen will open. All contested positions will be listed and alongside, the candidates aspiring for those positions. The voter will have the option of ticking against their preferred candidate(s). Afterwards, at the bottom of the screen, the voter will confirm their choices and cast their vote by tapping the **"Cast My Vote Now"** button.

Step 4



Once the voter has cast his/her vote, he/she will receive a confirmation that his/her vote has been successfully cast. At this point, they can exit the browser. In case voters experience any difficulties, they are advised to get in touch with the IQSK Elections Panel using: elections@iqskkenya.org or +254 721 676 823. May the best candidates win!

 @IQSKKenya

 @IQSK_Official

 @IQSKNRB

Figure 5: A copy of the flier used during voter sensitization.

The provided contacts were the same ones used for communication by the Elections Panel throughout the electioneering period.

Tokens were first dispatched to all members in the final voters' register at 12:12am on the elections day. The same tokens were resent at 8:34 am on the elections day. Concurrent with the sharing of tokens, the Panel sent out communication to members in the register informing them that voting was ongoing and those that had not received their tokens were to contact the panel using the provided contacts. The panel received a total of six (6) complaints in this regard. These were from the following members:

	Member Name	IQSK Member Number
1	Qs. Julius Kiogora Ringera	135
2	Qs. Nyagah Boore Kithinji	139
3	Qs. Charles Kinyanjui Maingi	173
4	Qs. Pius M. Muoka	278
5	Qs. Antony Wambua	335
6	Qs. Brian Simiyu Barasa	523

Table 3: Members who had challenges with voting tokens.

For all these cases, the Elections Panel confirmed and/or updated their contact details on the final voters' register and resent their voting tokens.

Another unique complaint was received via email from Ms. Charity Maingi. The email was received at 3:57pm and her complaint was that she tried to vote but she was unable to and the voting screen informed her that she had already cast her vote in the morning. The panel immediately searched the email from which the message emanated and discovered that the email had been assigned to a man, Qs. Charles Kinyanjui Maingi, member number 173. The panel then contacted him using the mobile contact in the register and he confirmed to us that while the name, member number and mobile number were his, the email address did not belong to him. Further, he confirmed to us that he had indeed cast his vote early in the morning as had been shown to Ms. Charity on the voting screen. The elections panel, in response to Charity's email, informed her that she might have received an email meant for Qs. Charles Maingi erroneously. She indeed confirmed this and had no issue with the panel afterwards.

Additionally, the Elections Panel received a complaint through email from Qs. Erick Ogola (Member Number – 840) who expressed his disappointment with not being able to vote despite being in good standing. He attached screenshots of the IQSK Website showing his member number and status as being in good standing. He also lodged a similar complaint on behalf of his colleague Qs. Simon Kimemia (Member Number – 1780). Upon receipt the Elections Panel went through the final voters' register and discovered that neither Qs. Erick Ogola nor Qs. Simon Kimemia were included in it. It is considered best electoral practice not to amend the voters' register with elections ongoing. The Elections Panel stood guided by this and the two members were unable to exercise their voting rights during the August 19th elections. It is important to note that the IQSK Elections Panel obtained the list of members in good standing from the IQSK Secretariat; proceeded to assess the list for completeness and consistency; thereafter, shared a draft register for inspection by members; and finally published the final register. Neither of these members had raised complaints through the process. They only contacted the commission at 2:37pm on the elections date.

Other complaints were from graduate members who expressed their disappointment with not being able to vote. The Elections Panel explained to them that they were not yet full members of the institute and had therefore not earned the voting rights as per the IQSK constitution. Similar to this was a concern-later-turned-compliment by Qs. Mary Gichuki. She was wondering why the last 12 members on the final voters' register did not have the prefix Qs. before their names and were allowed to vote. The Elections Panel explained to her that those were licentiate members of the institute who like other full members had voting rights. Satisfied with this explanation, she proceeded to laud the process explaining how she had been a member of the Institute for a long time and had been unable to participate in previous elections due to the requirement of physical presence on the floor of the elections.

The panel received numerous compliments from several members. The members praised the newly adopted online elections system for its efficiency, user-friendliness and inclusivity. Some of those that were received via email and mobile were from Qs. Bramwell Kimokoti, Qs. David Maina Nguyo, Qs. Mary Gichuki and Qs. Paul Cheruiyot.

Aside from the aforementioned correspondence, the rest of the elections exercise proceeded smoothly with no hitches.

Tallying

In a meeting held a day before the elections, the Elections Panel resolved to tally the results in the presence of all the candidates, the outgoing council and the IQSK Secretariat. This decision was reached to ensure/increase transparency of the process. The election results were tallied online as from 5:30pm. An email was sent to all the candidates, members of the outgoing council and the IQSK secretariat with Zoom login details for the tallying meeting. The meeting was chaired by Qs. Rasugu Nyamboki on behalf of the Elections Panel.



Figure 6: Qs. Rasugu Nyamboki, one of the IQSK Scrutineers, chairing a meeting to tally the 2020 IQSK Council Election results on the Elections Day.

In the presence of all candidates, outgoing council members and the IQSK Secretariat, Qs. Rasugu proceeded to electronically tally the results of the election.

The outcomes were tabulated as follows:

Vice President		
Candidates	Votes	%
1. Qs. Jennifer Musyimi	112	56.57%
2. Qs. Mutinda Josphat Mutuku	86	43.43%

Table 4: Tallied results for the position of IQSK Vice President.

Assistant Honorary Secretary		
Candidates	Votes	%
1. Qs. Gachagua Ngunjiri	57	28.79%
2. Qs. Jasan Njoroge	69	34.85%
3. Qs. Wilson Kipkoech	70	35.35%

Table 5: Talled results for the position of IQSK Assistant Honorary Secretary.

Council Members		
Candidates	Votes	%
1. Qs. Barrack Omondi Ongondo	109	55.05%
2. Qs. Jordan Rabach Opiyo	162	81.82%
3. Qs. Kennedy Mwendwa	134	67.68%
4. Qs. Leah J. Kanda	172	86.87%
5. Qs. Rose Jematya Kotut	166	83.84%

Table 6: Talled results for the Position of IQSK Ordinary Council Members.

CANDIDATE SELECTIONS 1	
	No. of Ballots
Abstained Ballots – Vice President (1 Vacancy)	
Abstained Voting for Vice President	0
Did not Abstain	198

Table 7: Abstention statistics for the position of IQSK Vice President.

CANDIDATE SELECTIONS 2	
	No. of Ballots
Abstained Ballots – Assistant Honorary Secretary (1 Vacancy)	
Abstained Voting for Assistant Honorary Secretary	2
Did not Abstain	196

Table 8: Abstention statistics for the position of IQSK Assistant Honorary Secretary.

CANDIDATE SELECTIONS 3	
	No. of Ballots
Abstained Ballots – Council Members (4 Vacancies)	
Abstained Voting for Council Members	0

Abstained Voting for 3 Vacancies	14
Abstained Voting for 2 Vacancies	1
Abstained Voting for 1 Vacancy	5
Did not Abstain	178

Table 9: Abstention statistics for the position of IQSK Ordinary Council Members.

GENERAL SUMMARY	
Total No. of Eligible Members	308
Total No. of Ballots Cast	198
Total No. of Ballots Tallied	198
Total No. of Ballots not Cast	110

Table 10: General Summary of the Elections.

NB: The Scrutineers/Elections panel, though full members in good standing, opted not to vote in order to enhance transparency.

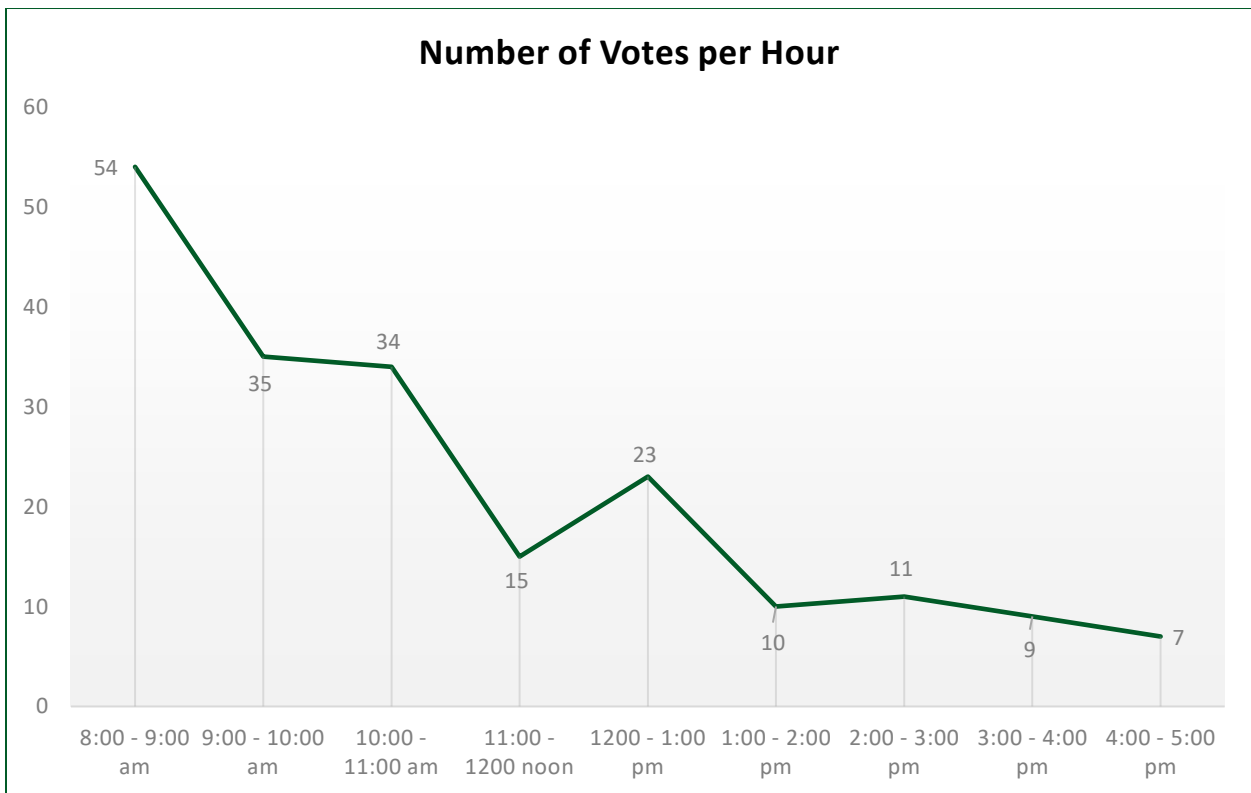


Figure 7: Votes cast per hour

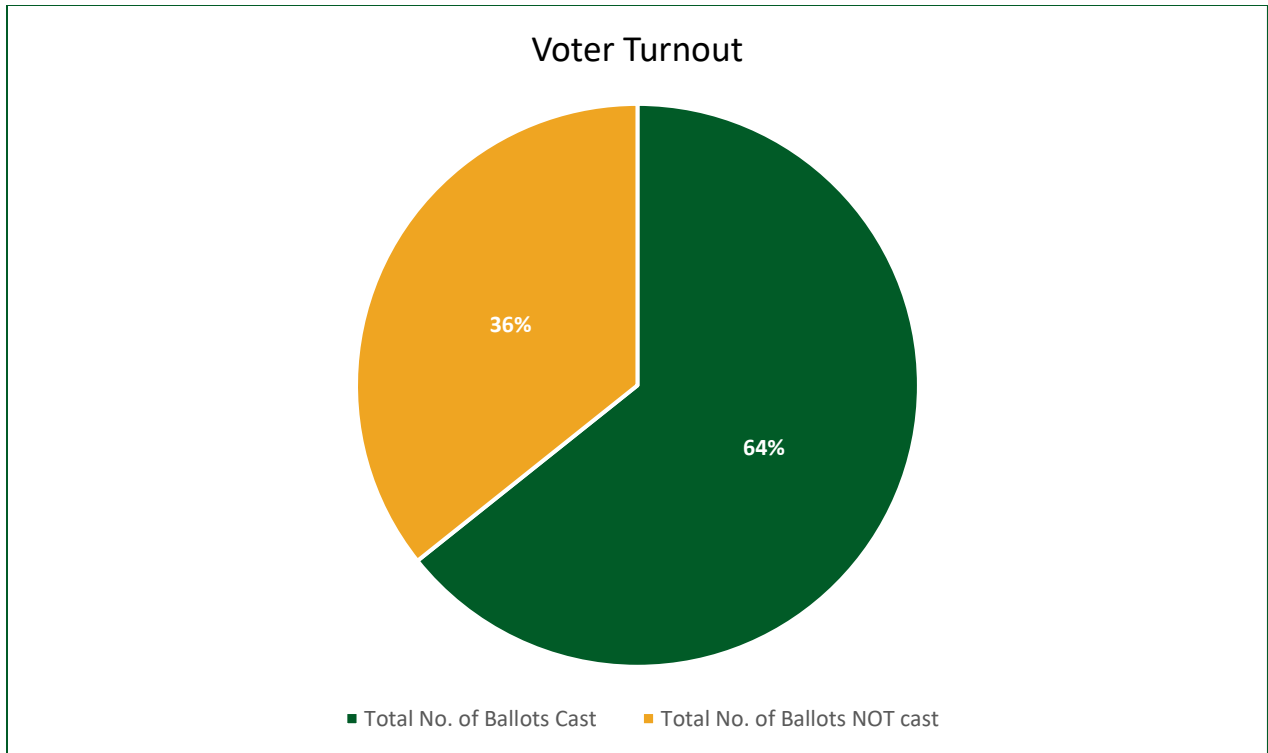


Figure 8: Voter Turnout

Election Results



Figure 9: Qs. Rasugu Nyamboki and Dr. Qs. Isabella Njeri Wachira - Towey delivering a presentation of the Elections Panel during the Special General Meeting held on 20th August 2020.

After the tallying process, whose outcomes are tabulated above, the following candidates were successfully elected after the casting of ballots.

Contested Positions and Successful Candidates		
	Successful Candidate(s)	Contested Position
1.	Qs. Jennifer Musyimi	Vice President
2.	Qs. Wilson Kipkoech	Assistant Honorary Secretary
3.	Qs. Leah J. Kanda	Council Member
4.	Qs. Rose Jematya Kotut	Council Member
5.	Qs. Jordan Rabach Opiyo	Council Member
6.	Qs. Kennedy Mwendwa	Council Member

Table 11: Candidates that emerged clear winners after voting.

At the end of the elections process, the IQSK Council of 2020 – 2022 was to be composed as follows:

Contested Positions and Successful Candidates		
	Elect Members	Position
1.	Qs. James Munene	President
2.	Qs. Jennifer Musyimi	Vice President
3.	Qs. Joel Gichimu	Honorary Secretary
4.	Qs. Janet Chirchir	Honorary Registrar
5.	Qs. Andrew Mbuku	Honorary Treasurer
6.	Qs. Wilson Kipkoech	Assistant Honorary Secretary
7.	Qs. Leah J. Kanda	Council Member
8.	Qs. Rose Jematya Kotut	Council Member
9.	Qs. Jordan Rabach Opiyo	Council Member
10.	Qs. Kennedy Mwendwa	Council Member
11.	Qs. Peter S. Kariuki	Immediate Past Chairman

Table 12: Composition of the IQSK Council 2020 - 2022.



The flier features the IQSK logo at the top left, which includes a green circle with a white building and a dollar sign, surrounded by the text 'INSTITUTE OF QUANTITY SURVEYORS OF KENYA' and 'IQSK'. To the right of the logo, the text 'IQSK COUNCIL MEMBERS 2020 - 2022' is displayed in large green and black fonts, with the website 'www.iqskkenya.org' below it in orange. The central area contains ten oval portraits of council members, each with their name and title in white and orange text. At the bottom, there are three social media icons (Facebook, Twitter, Instagram) with their respective handles: @IQSKKenya, @IQSK_Official, and @IQSKNRB.

INSTITUTE OF QUANTITY SURVEYORS OF KENYA
IQSK

IQSK COUNCIL MEMBERS
2020 - 2022
www.iqskkenya.org

Qs. James Munene
PRESIDENT

Qs. Jennifer Musyimi
VICE PRESIDENT

Qs. Janet Chirchir
HONORARY REGISTRAR

Qs. Joel Gichimu
HONORARY SECRETARY

Qs. Andrew Mbuku
HONORARY TREASURER

Qs. Leah Kanda
COUNCIL MEMBER

Qs. Wilson Kipkoech
ASST HON. SECRETARY

Qs. Rose Kotut
COUNCIL MEMBER

Qs. Jordan Rabach
COUNCIL MEMBER

Qs. Kennedy Mwendwa
COUNCIL MEMBER

 @IQSKKenya  @IQSK_Official  @IQSKNRB

Figure 10: A flier of successfully elected candidates who constitute the IQSK Council 2020 – 2022.

Conclusions and Recommendations

To the IQSK Council

The IQSK Elections Panel offers the following recommendations to the IQSK Council through the Honorary Secretary in the hopes that they will help improve the electoral process of the Institute and make future elections much better than the one held in 2020.

Recommended Amendments to By-Law 17

These recommendations build up on each other and culminate with a recommendation to overhaul By-Law 17 to a structure similar to the one attached in Appendix A.

1. Amend By-Law 17 to confer the electoral functions on the scrutineers

By-Law 17 (Appendix II) of the IQSK Constitution and By-Laws confer some electoral functions on the incumbent IQSK Honorary Secretary. This was found by the panel to be inconsistent with best electoral practice. In cases where the IQSK Honorary Secretary is a contestant for an office in the subsequent council, having some electoral functions performed by them, is *prima facie* conflict of interest, inspires feelings of unfair dealings or undue advantage among his or her opponents and IQSK members are likely to perceive the IQSK Council elections as biased in favour of the incumbent. The elections panel therefore recommends that the IQSK Council initiates a motion to amend this By-Law so as to have all electoral functions performed by the persons appointed to administer such functions i.e. the scrutineers/election panel.

2. Amend By-Law 17 to change the title ‘scrutineers’ to ‘election commissioners’.

The IQSK Council should consider initiating a motion to amend the Appendix II B.L. 17 to identify the individuals who are appointed to oversee the IQSK elections as election commissioners instead of scrutineers. The word ‘scrutineer’ has been defined by the Cambridge Dictionary as a person who counts votes in an election or who makes certain that the counting has been done correctly. This does not adequately capture the wide array of activities that this panel had to perform while administering the IQSK Council elections of 2020. The panel recommends that the Institute adopts the phrase ‘Election Commission’ and ‘Election Commissioners’ in line with the established global practices. An Election

Commission has been defined as a body charged with overseeing the implementation of the electioneering process of any jurisdiction or organization.

3. Amend By-Law 17 to specify the number of election commissioners

The IQSK Council should consider initiating a motion to amend Appendix II B.L. 17 to specify the number of election commissioners. The election procedures in force at the election period of 2020 were silent on the number of scrutineers the IQSK council had to appoint. This number could vary from one person, to as many as was deemed necessary. The Elections Panel, therefore, recommends that the Council should have the number of those Scrutineers or Election Commissioners specified. We recommend that future elections be administered by a Commission consisting of a Chairperson, a Vice Chairperson and three other Commissioners. More details on this are in Appendix A.

4. Amend By-Law 17 to specify the roles of the election commissioners

At the time of appointment of this elections panel, the roles to be played by the panel were not very clear. The panel had to rely mostly on good judgement and previous experience to administer the elections. The Elections Panel therefore recommends that By-Law 17 be amended to specify the functions of the Elections Commission. A format to guide such amendment has been suggested in Appendix A.

5. Amend By-Law 17 to specify timelines for the Elections Process

The elections procedure that was relied on by the elections panel did not have clear timelines for most of the activities that were listed. Again, the panel was guided by good judgement to determine its own timelines which were shared with members of the Institute. The elections panel, therefore, recommends that By-Law 17 be amended to stipulate clear election timelines. A format to guide such amendment has been suggested in Appendix A.

6. Amend By-Law 17 to expound on the Election Offences and their Penalties

The elections panel would have found itself in a difficult situation should there have been breach of the election guidelines and rules. By-Law 17 and the IQSK Constitution is silent on what happens after a candidate or their supporters has infringed on any of the election guidelines and rules. The elections panel therefore recommends that the By-Law be amended to expound more on the election offences, to have the penalties of such offences stipulated and to confer authority on the elections commission to administer those penalties. A format for this has been suggested in Appendix A.

7. Amend By-Law 17 to provide for fresh elections in cases of a tie

The elections panel would, again, have found itself in a difficult situation should there have emerged a tie after the tallying of results. This issue was raised in a meeting between the panel, the candidates and the council during the tallying of mock election results. To cater for such possible eventualities in future elections, the elections panel recommends that By-Law 17 be amended to provide for fresh elections in cases where there is no clear win. A format has been suggested in Appendix A.

8. Amend By-Law 17 to establish an Elections Tribunal

What would have happened in a case where a candidate for an election was dissatisfied with the outcome of the elections? The IQSK Constitution and By-Laws in force at the election period did not specify the subsequent events. There is a fair chance that an elections dispute would have wound up in a Kenyan court. The elections panel is convinced that the Institute can draw from its membership's experience in alternative dispute resolution to establish a tribunal that handles disputes arising out of elections. The established tribunal can then be given quasi-judicial powers and its procedures defined in the same amendment. A format for this has been suggested in Appendix A.

Based on the number and extent of amendments to By-Law 17 proposed by the elections panel, the panel found it necessary to suggest a format that would either be considered by the IQSK Council in the amendment process or be used to shape the dialogue and discussions leading up to such amendments. This suggested format has been annexed to this report in Appendix A.

Other Recommendations

These are additional recommendations that the panel believes will improve the efficiency and transparency of the future electoral process and make the Institute more robust and compliant with established trends around the world.

1. Clear up ambiguities in the number of ordinary members of the Council

Section 6 of the IQSK Constitution stipulates that the number of ordinary members of the council can be anywhere between one and five. The same section allows the council to co-opt other persons to the council. The guidelines for such co-option of council members were not specified i.e. parameters such as reasons for co-option, number of co-opted persons, rights of co-opted persons and so on. By-Law 7 annexed to the IQSK Constitution

provides that there shall be three (3) ordinary members of the Council. This By-Law is silent on the co-option of members.

The established tradition/precedence of the Institute is to have four (4) ordinary members of the Council elected alongside the other members of the Council. The elections panel relied on precedence in the administration of IQSK Council elections.

To avoid such ambiguities in the future, the elections panel recommends that the IQSK Council amends all relevant sections of the Constitution to clearly reflect the established tradition/precedence or any other preference.

2. Provide for the co-option of members so as to achieve gender balance

The trend around the world is to have a fair balance in terms of gender in the representation of members or citizenry in their leadership. The elections panel is cognizant of the fact that it is unacceptable to coerce members of a disenfranchised gender group to seek elections or impose persons of such disenfranchised gender group as leaders of the Institute. This challenge is not unique to the Institute. Our country, Kenya, at the time of preparation of this report, is struggling to find a way of meeting the constitutional specification of not having more than two-thirds of the members elected or appointed to public bodies being of the same gender; otherwise known as the ‘two-thirds gender rule.’

While Section 6 of the IQSK Constitution allows council members to co-opt persons into the council but does not provide guidelines for such co-option, the elections panel recommends that one of the guidelines could be to meet the ‘two-thirds gender rule’. The elections panel is convinced that this will assist the Institute to be more accommodating to all members of the Institute on the basis of gender representation.

3. Clean up the roll of members

The elections panel noted that the roll of members of the Institute was not easily available and had contact information that was not up-to-date. In one case, the contact information of one member, Qs. Charles Maingi, actually belonged to another stakeholder of the Institute, Charity Maingi. This led the Elections Panel to share a voting token belonging to the former to the email address of the latter. In another case, some full members who were in good standing with the Institute (Qs. Erick Ogola and Qs. Simon Kimemia) were not in the final voters’ register. While the members are partly to blame for not honoring the call by the panel to inspect the register and ensure that their names appeared in it, it is hard to

ignore the fact that their details were not in the roll of members obtained from the Institute. To avoid such eventualities in the future, the elections panel recommends that the Institute cleans up, and maintains an up-to-date, roll of members of the Institute. Such roll should be continually available for inspection by members.

4. Annex all constitutional and by-law amendments to the copy of the IQSK Constitution published on the Website

The elections panel was guided by the copy of the IQSK Constitution published on the Institute's website. The panel noted that some amendments such as change of 'corporate membership' to 'professional membership' of 2018 had not been annexed to the copy. The panel therefore recommends that the Honorary Secretary maintains an up-to-date copy of the IQSK Constitution and By-Laws complete with all previous amendments on the IQSK website.

5. Consider using electronic voting for all future IQSK elections

The elections panel guided by the compliments from the membership and the efficiency of the 2020 elections recommend that the Council adopt this format of election for all future elections of the Institute even post COVID 19.

Appendix A: Recommended Structure of By-Law 17

B.L. 17: RULES AND REGULATIONS GOVERNING THE IQSK COUNCIL ELECTIONS

ARTICLE 1: DEFINITIONS AND INTERPRETATION

1. Short Title

This By-Law shall be known as The Rules and Regulations Governing the IQSK Elections.

2. Interpretation

“**AGM**” shall mean the Annual General Meeting of the Institute;

“**Campaign period**” means the period specified as such in the notice issued by the Commission in relation to an election;

“**Candidate**” means a nominee who, having his position contested after nominations, has been published for balloting;

“**Commission**” means the IQSK Independent Elections Commission;

“**Contested Position**” means a position at the Institute that has more than one successfully nominated candidate.

“**Council**” means the Council of the Institute of Quantity Surveyors of Kenya;

“**Elections**” means the IQSK Council elections and includes fresh elections;

“**Elections day**” means the date that has been specified as such in the notice issued by the Commission in relation to an election;

“**Elections year**” means the second year after election of the IQSK Council;

“**Election material**” means ballot boxes, ballot papers, counterfoils, envelopes, packet statements and other documents used in connection with voting in an election and includes information technology equipment for voting, the voting compartments, instruments, seals and other materials and things required for the purpose of conducting an election;

“**Election offence**” means a violation or infringement of any of these regulations;

“**Elections officer**” means a person appointed by the Commission for the purposes of conducting an election under this constitution and these regulations;

“**Election period**” means the period between the publication of a notice by the Commission for an IQSK election and the declaration of the election results;

“Election results” means the declared outcome of the casting of votes by voters at an election;

“Electronic electoral system” means a system that enables electronic voter identification, electronic casting of votes, electronic tallying of results and electronic administration of the elections process;

“Illegal practice” has the same meaning as an election offence under these regulations;

“Institute” means the Institute of Quantity Surveyors of Kenya;

“Member in Good Standing” means any person who has fulfilled the requirements for membership in their respective member category and who had not voluntarily withdrawn or been expelled or suspended by the Institute;

“Nomination” means the submission to the commission of the name of an aspiring candidate in accordance with the IQSK Constitution and these regulations;

“Nominee” means a person who has been successfully nominated as a candidate in the IQSK elections;

“Observer” means a person or an organization accredited by the Commission to observe an IQSK election;

“Petition” means an application to the Electoral Tribunal under this constitution or under these regulations;

“Returning officer” means the Chairperson of the Commission or a Commissioner who has been seconded by other commissioners for the purpose of tallying the results of an IQSK election;

“SGM” shall mean a Special General Meeting of the Institute.

“Tribunal” means the body mandated under this By-Law to handle election disputes;

“Vote” means a ballot that has been successfully cast on the elections day;

“Voter” means a full member of the Institute who is in good standing and has been included in the final voters’ register published by the Independent Electoral Commission;

“Voters’ register” means a list published by the Commission containing current register of all full members of the Institute who are in good standing with the Institute, and includes a register compiled electronically;

“Voting period” means the period specified as such in the notice issued by the Commission in relation to an election.

ARTICLE 2: ELECTORAL SYSTEM AND PROCESS

3. General Principles for the Electoral System

The IQSK electoral system shall comply with the following principles -

- (a) Freedom of full members of the Institute to exercise their voting rights;
- (b) Independence of the Independent Electoral Commission;
- (c) Objectivity and impartiality in decisions making and in ensuring that decisions are not influenced by nepotism, favoritism and other improper motives or corrupt practices;
- (d) Universal suffrage;
- (e) Free, fair and credible elections which are:
 - i. By secret ballot;
 - ii. Free from violence, intimidation, improper influence and corruption;
 - iii. Transparent; and,
 - iv. Administered in an impartial, neutral, efficient, accurate and accountable manner.

4. Holding of elections

- (a) The bi-annual IQSK Council Elections shall be held on Election Day.
- (b) The Elections Day shall –
 - i. be a day before the Annual General Meeting of the Institute in the Elections Year;
 - ii. not be a Weekend; and,
 - iii. not be a designated Public Holiday.
- (c) A notice for elections shall be issued by the Commission at least 28 days before the elections day.
- (d) After issuance of the notice, all incumbent council members shall continue serving on an interim basis.
- (e) Fresh elections shall be held in line with Section 12 of this By-Law.

5. Postponing Elections

- (a) The bi-annual IQSK Council Elections may be postponed by –
 - i. A resolution of more than two thirds of the full members at a Special General Meeting convened at least 90 days before the Annual General Meeting of the Elections' Year;

- ii. The Independent Electoral Commission in exercise of the Powers specified in Section 17 of this By-Law;
- (b) If an election is to be postponed by the procedure specified in Section 5 (a) (i), then such postponement shall –
- i. Affect all elective positions of the Institute;
 - ii. Be at least three months but not more than six months;
 - iii. Extend the tenure of the incumbent IQSK Council by the period specified in Section 5 (b) (i);
- (c) If an election is to be postponed by the procedure specified in Section 5 (a) (ii), then such postponement shall –
- i. Specify the reasons for such postponement;
 - ii. Specify the affected elective position(s);
 - iii. Be at least thirty days but not more than sixty days;
 - iv. Maintain the vacancy of the seat for a similar period; and,
 - v. Be communicated to members of the Institute within 24 hours of the decision.

6. Qualifications of Voters

- (a) All full members of the Institute shall have a right to exercise their votes as stipulated in Section 5.04 of the IQSK Constitution provided that –
- i. They are in good standing with the Institute;
 - ii. They have not violated the electoral code of conduct specified in Article 4 of this By-Law.
- (b) There shall be a register to be known as the Voters' Register which shall comprise a list of full members who satisfy the requirements of Section 6 (a).
- (c) The Independent Electoral Commission shall –
- i. Prescribe the information to be contained in the Voters' Register;
 - ii. Compile and maintain the Voters' Register;
 - iii. Invite members of the Institute to inspect the Voters' Register at least 14 days before an election;
 - iv. Assess complaints arising from the inspection process referred to in Section 6 (c) iii;

- v. Correct any anomalies identified from the inspection process referred to in Section 6 (c) iii;
 - vi. Publish a final Voters' Register at least seven days before an election;
- (d) The Voters' Register shall not be amended within seven days of an election;
- (e) A full member whose details appear in the Voters' Register and has been validly identified at the floor of the elections or on the electronic electoral system shall be eligible to vote in that election.
7. Nomination of Candidates
- (a) A member of the Institute may be nominated as a candidate for an election under these regulations only if the nominations procedure is carried out in accordance with B. L. 7.7 of the IQSK Constitution and By-Laws and only if the member –
- i. Satisfies the requirements of By-Laws 7.1, 7.2, 7.3, 7.4 ad 7.5 of the IQSK Constitution and By-Laws 2013;
 - ii. Satisfies the requirements of Chapter Six of the Constitution of Kenya, 2010;
 - iii. Is in good standing with the Institute; and,
 - iv. Has not violated the electoral code of conduct specified in Article 4 of this By-Law.
- (b) The Independent Electoral Commission shall –
- i. Place a call for nomination of candidates at least 28 days before the elections day;
 - ii. Receive nomination forms at least 21 days before the elections day;
 - iii. Assess the nominated forms for compliance with the requirements of Section 7 (a) of this By-Law within 48 hours after receipt;
 - iv. Mail out to all nominees, their proposers and their seconders the results of the nominations process;
 - v. Provide a window period for receipt of appeals emerging from the nomination process;
 - vi. Consider appeals arising from Section 7 (b) v. within 48 hours;
 - vii. Publish a list of successfully nominated candidates to all members of the Institute at least 14 days before the elections day;
 - viii. The list published in Section 7 (b) vii. will list the office and the successfully nominated candidates in alphabetical order;

8. Withdrawal of nominations

- (a) A successfully nominated candidate may withdraw their nomination by writing to the commission at least 7 days before the Elections Day;

9. Voting

- (a) Elections shall be held according to the terms and notification issued by the Electoral Commission, and in accordance with these regulations;
- (b) The Elections shall be by secret ballot, simple majority system and on the principle of one member one vote;
- (c) Voting shall be conducted between 8:00am and 5:00pm on the elections day, however the Commission may extend the period for not more than two hours for a good cause;
- (d) Persons with disabilities shall be accorded reasonable accommodation to enable them to vote;
- (e) The Independent Electoral Commission may decide whether to hold elections by physical balloting or by use of an electronic electoral system;
- (f) If the elections are to be held by casting of physical ballots, the ballot boxes shall be transparent, of a fixed number, counted, certified and recorded;
- (g) If the elections are to be held using the electronic electoral system, then they should be done according to Section 10 of this By-Laws;

10. Use of an electronic electoral system

- (a) Subject to Section 9 of this By-Law and the IQSK Constitution and By-Laws, the Commission may adopt an electronic electoral system that enables electronic voter identification, electronic casting of votes, electronic tallying of results and electronic administration of the elections process;
- (b) The Commission may for purposes of Section 10 (a) develop a policy on the progressive use of technology in the electoral process.
- (c) The Commission shall ensure that the technology in use under Section 10 (a) is simple, accurate, verifiable, secure, accountable and transparent;
- (d) The Commission shall for purposes of this Section and in consultation with the IQSK Council, relevant agencies, institutions and stakeholders ensure –
 - i. The transparent acquisition and disposal of information and communication technology assets and systems;

- ii. Testing and certification of the system;
 - iii. Mechanisms for the conduct of a system audit;
 - iv. Data storage and information security;
 - v. Data retention and disposal;
 - vi. Access to electoral system software source codes;
 - vii. Capacity building of staff of the Commission and relevant stakeholders on the use of the technology in the electoral process;
 - viii. Telecommunication network for voter validation and results transmission;
 - ix. Development, publication and implementation of an emergency recovery and operations continuity plan; and,
 - x. The operations of a technical committee established under Section 10 (e)
- (e) For the purpose of giving effect to this section, the Commission may establish a technical committee of the Commission consisting of such members and officers of the Commission and such other relevant agencies, institutions or stakeholders as the Commission may consider necessary to oversee the adoption of technology in the electoral process and implement the use of such technology.

11. Determination and declaration of results

- (a) If only one aspiring candidate is nominated, that aspiring candidate shall be declared elected.
- (b) The voting results at the floor of an AGM or on the electronic electoral system shall be final;
- (c) Immediately after close of voting the Commission shall –
 - i. Verify the final results for each contested position;
 - ii. Declare in the prescribed form the final results for each contested position;
 - iii. Provide each candidate, or their proposer, with a copy of the declaration of the final results;
 - iv. Publish the voting results on the IQSK website;
- (d) An aspiring candidate shall be entitled to a maximum of two vote recounts, after which the winning candidate shall be declared.

- (e) Whenever there is a tie of the top two or more candidates in an election, such candidates shall participate in a fresh election until one or the prescribed number obtains a clear win.

12. Fresh Elections

- (a) Fresh elections may be held where –
 - i. There is no clear winner after determination and declaration of the voting results by the Independent Election Commission;
 - ii. The Electoral Tribunal orders for fresh elections after the determination of an elections dispute;
- (b) Subject to Section 12 (a) of these By-Laws, fresh elections should be held after a period of at least 30 days but not more than sixty days.
- (c) The position for which fresh elections are to be held shall remain vacant until a clear winner emerges.

ARTICLE 3: THE IQSK INDEPENDENT ELECTIONS COMMISSION

13. Establishment of the IQSK Independent Elections Commission

- (a) There shall be an Independent Elections Commission consisting of five persons who shall serve on a part time basis.

14. Composition of the IQSK Independent Elections Commission

- (a) The Commission shall consist of a Chairperson, a Vice Chairperson and three other Commissioners appointed by the IQSK Council from among members of the Institute.
- (b) The IQSK Council shall stagger the appointment of Commissioners to ensure continuity;
- (c) The Chairperson and the Vice Chairperson shall be Fellow Members of the Institute and shall be of opposite gender.
- (d) The IQSK Council shall invite or place a call for volunteers to serve as Election Commissioners for the election year. This call shall be done by the latest forty five (45) days before the Election Day and shall run for at least seven (7) days.
- (e) The IQSK Council shall appoint the Chairperson, Vice Chairperson and the three other Commissioners within seven (7) days after the end of call and inform successful applicants or invitees of such appointment at least 30 days before the elections date;

- (f) The tenure of the Commissioners shall be three months and shall thereafter be extended on a monthly basis with good cause;
- (g) Not more than two-thirds of the members of the Commission shall be of the same gender;
- (h) The individuals to be appointed to the Commission must meet the following minimum requirements –
 - i. They must satisfy the requirements of Chapter Six of the Constitution of Kenya 2010;
 - ii. They shall not be current members of the Council;
 - iii. They must be in good standing with the Institute; and,
 - iv. They must not be seeking election as office bearers of the Institute.
- (i) The Commission shall in the performance of its functions not be subject to the direction or control of any person or authority, but shall observe the principle of public participation and the requirement of consultation with stakeholders.
- (j) The Commission shall be assisted by staff drawn from the IQSK Secretariat.
- (k) The Chairperson of the Commission shall be the Returning Officer of the IQSK Elections.
- (l) The Vice Chairperson of the Commission shall be the Deputy Returning Officer of the IQSK Elections.
- (m) The Commission may appoint election observers from the Commission on Administrative Justice, the National Gender and Equality Commission and from any other organization provided such appointees are not members of the Institute and fulfil requirements of Chapter Six of the Kenyan Constitution and any other requirements specified by the Commission.
- (n) The IQSK Council shall have the powers to replace a Commissioner who may not be in a position to carry out his duty.

15. Guiding Principles of the IQSK Independent Elections Commission

The Commission shall be guided by the following principles:

- (a) Independence of the electoral process;
- (b) Objectivity and impartiality in decisions making and in ensuring that decisions are not influenced by nepotism, favoritism and other improper motives or corrupt practices;

- (c) Ensure free, fair and credible elections which are:
 - i. By secret ballot;
 - ii. Free from violence, intimidation, improper influence or corruption;
 - iii. Transparent; and,
 - iv. Administered in an impartial, neutral, efficient, accurate and accountable manner.

16. Functions of the IQSK Independent Elections Commission

- (a) The Independent Elections Commission shall;
 - i. Conduct and supervise elections of the Institute in accordance with the Rules and Regulations governing the IQSK Council Elections;
 - ii. Facilitate the observation, monitoring and evaluation of elections;
 - iii. Enforce the Electoral Code of Conduct specified in Article 4 of these By-Laws;
 - iv. Use appropriate technology and approaches in the performance of its functions;
 - v. Prepare an elections timetable in consultation with the IQSK Council;
 - vi. Supervise the preparation of the voters' register, ballot papers, ballot boxes and/or the electronic electoral system;
 - vii. Prepare the budget for elections in consultation with the IQSK Honorary Treasurer;
 - viii. Verify all nominations for candidates;
 - ix. Prepare and publish a list of all eligible candidates for all positions;
 - x. Conduct civic and voter education for members of the Institute;
 - xi. Form its committees to enable it to carry out its functions; and,
 - xii. Take any other functions it deems necessary to ensure that the elections are transparent, fair, peaceful and credible.

17. General Powers of the IQSK Independent Elections Commission

- (a) Nothing in these regulations shall preclude the Commission from taking any administrative measures to ensure effective conduct of the IQSK Council elections.
- (b) Subject to Section 5 of these By-Laws, the Commission may postpone the election of any office for such a period it may consider necessary where –
 - i. There is reason to believe that a serious breach of peace is likely to occur if the election is held on that date;

- ii. It is impossible to conduct the elections as a result of a natural disaster or other emergencies;
- iii. There has been occurrence of an electoral malpractice of such a nature and gravity as to make it impossible for an election to proceed.

ARTICLE 4: THE IQSK ELECTORAL CODE OF CONDUCT

The intent of this electoral code of conduct is to encourage fair and open conduct of the elections by IQSK members on a level playing field and, most importantly, to maintain a dignified and courteous conduct appropriate to the image of the noble profession of Quantity Surveying.

18. Obligations of Candidates

- (a) Candidates while ensuring observance of all Rules and Regulations governing the IQSK Council Elections shall –
 - i. Respect the rights of all participants and supporters of opponents in the election;
 - ii. Promote free, fair and truthful campaigns and elections by all lawful means;
 - iii. Respect divergent opinions;
 - iv. Debate and contest in a positive and objective manner without causing bad blood or ridiculing opponents;
 - v. Cooperate with the Elections Commission and other relevant institutions in the investigation of issues and allegations arising during the election period;
 - vi. Acknowledge the Commission's authority in the conduct of elections by ensuring attendance and participation of representatives at meetings and other forums convened by the Commission in dispute resolution;
 - vii. Reassure voters with regard to the secrecy and integrity of the ballot and furthermore, to reaffirm the provisions of this Constitution to the effect that no one will know how any other person has voted;
 - viii. Immediately report any deviations from this code of which he/she becomes aware to the Commission;
 - ix. Take reasonable steps to discipline, stop and control their supporters from infringing this code, engaging in activities of commission or omission which amounts to offences under the constitution or otherwise for not observing this code or contravening or failing to comply with any provisions of the electoral laws;

- x. Without prejudice to the right to present a petition to the Elections Tribunal, to accept the final outcome of the elections and the Commission's declaration and certification of the results thereof.

19. Nominations

- (a) A candidate or their supporters shall refrain from –
 - i. Intimidating and preventing candidates from presenting their nomination papers;
 - ii. Forging signatures during the nominations process; and.
 - iii. Destruction of candidates' nomination papers or any other document.

20. Campaigns

- (a) Candidates or their supporters shall –
 - i. Conduct campaigns in a peaceful and respectful manner;
 - ii. Condemn, avoid and prevent violence and intimidation or abusive language or words that will disparage the conduct of their opponents;
 - iii. Instruct their supporters to respect this code;
 - iv. Debate and contest other contestants in a positive and objective manner without ridiculing their opponents;
 - v. Refrain from mutilating or destroying documents or campaign materials posted or distributed by their opponents or the electoral commission; and,
 - vi. Not enter into an agreement with other candidates to campaign together.
- (b) Third party endorsements in campaign communications are not allowed.
- (c) Election messages –
 - i. Include short message services (SMS), emails, letters, postcards, and faxes asking for a member's election support;
 - ii. May include copies of a Candidate's curriculum vitae (CV), fact sheet, and biography; and,
 - iii. Must not be communicated through mass media like newspapers, television or radio.
 - iv. Shall not be signed off using an IQSK organizational title.
- (d) Handout pamphlets may be made available at any meetings attended by the candidate.

21. Voting

- (a) Candidates and their supporters shall refrain from:

- i. Disruption of the organization of elections;
- ii. Destroying voting materials and prevention of tallying of ballots;
- iii. Stuffing of ballot boxes in case of physical ballots;
- iv. Obstruction of voters from voting;
- v. Intimidation of election officials;
- vi. Manipulating voting documents and individual votes;
- vii. Any corrupt tendencies like bribing voters to vote for them;
- viii. Offering any inducement or reward to any person to vote, accept or refuse or withdraw his or her nomination;
- ix. Any form of campaigns during the elections day;
- x. Carrying crude and dangerous weapons to the floor of the elections in case of physical voting; and,
- xi. Drunkenness, use of drugs or disorderly behaviors within, near and around the floor of the elections.

22. Election financing and expenditure

- (a) Candidates and their supporters must use their own resources for election activities. Fundraising is not permitted.
- (b) Candidates and their supporters may not organize campaign committees.
- (c) Candidates and their supporters must not use IQSK resources, services or staff to endorse, support or promote their campaigns.

ARTICLE 5: ELECTION OFFENCES AND PENALTIES

23. Election Offences and Penalties

- (a) Where in the opinion of the Commission and on sufficient presentation of evidence, candidates or their supporters have contravened or infringed on any of the provisions of this code, they will be deemed to have committed an election offence and may be liable to disqualification from the elections and the following penalties depending on the severity of the offenses:
 - i. Issued with a formal warning letter;
 - ii. A fine determined by the Commission not exceeding Kshs. 200,000;
 - iii. Be barred from holding any campaigns during the election period;

- iv. Disqualification from current elections;
- v. Be barred from participating in any one or more future elections;
- vi. Be recommended for suspension from the Institute for a period of not less than two years;
- vii. Any other penalty provided for under the IQSK Code of Professional Conduct and Ethics.

ARTICLE 6: ELECTION DISPUTES RESOLUTION

24. Dispute Resolution by the Independent Elections Commission

- (a) The Commission shall be responsible for the settlement of electoral disputes, including disputes relating to or arising from nominations but excluding election petitions and disputes subsequent to the declaration of election results.
- (b) An electoral dispute under Section 24 (a) shall be determined within seven (7) days of the lodging of the dispute with the Commission.
- (c) Notwithstanding Section 24 (b), where a dispute relates to a prospective nomination or election, the dispute shall be determined before the date of the nomination or election, whichever is applicable.

25. Establishment of the IQSK Elections Tribunal

- (a) There shall be established a Tribunal, to be known as the Elections Tribunal which shall consider and determine disputes arising after the IQSK Council elections.

26. Composition of the IQSK Elections Tribunal

- (a) The Elections Tribunal shall consist of a Chairperson, a Vice Chairperson and three other members appointed by the IQSK Council;
- (b) The IQSK Council shall stagger the appointment of members of the Elections Tribunal to ensure continuity;
- (c) The Chairperson and the Vice Chairperson shall be Members of the Institute and shall be drawn from the IQSK Panel of Arbitrators.
- (d) The IQSK Council shall invite volunteers to serve as members of the Elections Tribunal for the election year. This call shall be done by the latest forty five (45) days before the Election Day and shall run for at least seven (7) days.

- (e) The IQSK Council shall appoint the Chairperson, Vice Chairperson and the three other members within seven (7) days after the end of the invitation and inform successful invitees of such appointment at least 30 days before the elections date;
- (f) The Elections Tribunal shall serve part-time for a term of three months which shall thereafter be extended on a monthly basis with good cause;
- (g) Not more than two-thirds of the members of the Elections Tribunal shall be of the same gender;
- (h) The individuals to be appointed to the Elections Tribunal must meet the following minimum requirements –
 - v. They must satisfy the requirements of Chapter Six of the Constitution of Kenya 2010;
 - vi. They shall not be current members of the Council;
 - vii. They must be in good standing with the Institute; and,
 - viii. They must not be seeking election as office bearers of the Institute.
- (i) The Elections Tribunal shall in the performance of its functions regulate its own procedures and the conduct of proceedings before it.
- (j) The Elections Tribunal shall be assisted by staff drawn from the IQSK Secretariat.
- (k) The IQSK Council shall have the powers to replace a member of the Tribunal who may not be in a position to carry out their duty.

27. Hearing and determination of Election Disputes

- (a) For the purposes of hearing and determination of any election dispute by the Tribunal the secretary or support staff to the Tribunal may, under direction of the Tribunal, administer oaths.
- (b) The Chairperson may by notice under his or her hand, summon any people to attend and give evidence and to produce any relevant book or document.
- (c) The sessions of the Tribunal shall, unless the special circumstances of a petition require, be in Nairobi, convened by the chairman as occasion requires.
- (d) The record of the proceedings and of every decision of the Tribunal shall be authenticated by the signature of the chairman.
- (e) Decisions reached by the tribunal shall be binding to all members of the Institute.

28. Powers of the IQSK Elections Tribunal

- (a) The Elections Tribunal may, in the exercise of its jurisdiction –
 - i. Summon and swear in witnesses in the same manner or, as nearly as circumstances admit, as in a trial by a court in the exercise of its civil jurisdiction and impose the same penalties for the giving of false evidence;
 - ii. Issue summons for attendance of any person as a witness who appears to the Tribunal to have been concerned in the election or in the circumstances of the vacancy or alleged vacancy;
 - iii. Examine a witness who is summoned to attend or any other person who has not been called as a witness to the Tribunal;
 - iv. Allow examinations by a party to the petition and after examination the witness may be cross-examined by or on behalf of the petitioner and respondent or either of them; and,
 - v. Decide all matters that come before it without undue regard to technicalities.
- (b) The Elections Tribunal may, by order, direct the Commission to issue a certificate of election to an aspiring candidate –
 - i. Upon recount of the ballots cast, that the aspiring candidate won the election; and,
 - ii. That winner is found not to have committed an election offence.

29. Presentation and Service of Petitions

- (a) A petition concerning an election shall be filed within fourteen days after the declaration of the election results by the Commission.
- (b) A petition questioning an election upon the ground of a corrupt practice, and specifically alleging a payment of money or other act to have been made or done since the date aforesaid by the person whose election is questioned or with the knowledge of that person may, so far as respects the corrupt practice, be filed at any time within fourteen days after the publication of the election results.
- (c) A petition may be served personally upon a respondent, or through the Elections Tribunal.

30. Prohibition of Disclosure of Vote

- (a) A voter who has voted at an election shall not, in the proceedings of an election petition, be required to state whom they voted for.

31. Scrutiny of Votes

- (a) The Elections Tribunal may, on its own motion or on application by any party to the petition, during the hearing of an election petition, order for a scrutiny of votes to be carried out in such a manner as the tribunal may determine.
- (b) Where the votes at the trial of an election petition are scrutinized, only the following votes shall be struck off –
 - i. The vote of a person whose name was not on the Voters' Register published by the Commission;
 - ii. The vote of a person whose vote was procured by bribery, cheating or undue influence;
 - iii. The vote of a person who committed or procured the commission of impersonation at the election;
 - iv. The vote of a person proved to have voted twice;
 - v. The vote of a person, who by reason of conviction for an election offence or by reason of the report of the Elections Tribunal, was disqualified from voting at the election; and,
 - vi. The vote cast for a disqualified aspiring candidate by a voter knowing that the aspiring candidate was disqualified or the facts causing the disqualification, or after sufficient public notice of the disqualification or when the facts causing it were notorious.

32. Non-compliance with the Law

- (a) No election shall be declared to be void by reason of non-compliance with any written law relating to that election if it appears that the election was conducted in accordance with the general principles laid down in Section 3 of these By-Laws, or that the non-compliance did not affect the result of the election.

33. Determination of Election Petition

- (a) Upon receipt of a petition, the Elections Tribunal shall peruse the petition and –
 - i. If it considers that no sufficient ground for granting the relief claimed is disclosed therein may reject the petition summarily; or,
 - ii. Fix a date for the trial of the petition.
- (b) Subject to Section 27 of these By-Laws, an election petition shall be heard and determined within seven days.

Appendix B: AGM Motions

IQSK CONSTITUTIONAL AMENDMENTS

1) **ELECTIONS**

Background

The COVID-19 pandemic has led to restrictions from government and advisories from non-government health agencies among them physical/social distancing and limiting number of people in a meeting to fifteen (15) to curb the spread of the disease.

This is election year for IQSK but the IQSK constitution provides for elections on the floor of the AGM. This is not feasible this year in view of the foregoing.

The Motions

In view of the explanation given above, the Council moves the following motions ‘

- i. **THAT** the IQSK Constitution be amended (B.L.17 (7-9) to allow for electronic voting, tallying and announcement of election results by the scrutineers.
- ii. **THAT** the holding of elections be postponed for three months to allow for proper planning and execution of the first motion.
- iii. **THAT** the tenure of the IQSK Council be extended for a further three months in line with the first two motions.

Members’ Resolution

More than two thirds of the members present voted in support of the all the three motions and it was consequently resolved that the appropriate section of the constitution be amended to allow for electronic voting, tallying and announcement of election results by the scrutineers; that the holding of elections be postponed for three months; and, the tenure of the IQSK Council be extended for a further three months in line with the previous two resolutions.

2) **CHAIRMAN TO PRESIDENT**

Background

Professional bodies and societies nationally and globally have moved to adopt the title ‘President’ in place of the traditional ‘Chairman’.

To move with the times and to be in tandem with other similar bodies globally, IQSK council Proposes subject to approval by members that IQSK adopts the use of **President** in place of Chairman.

The Motions

In view of the explanation given above, the Council moves the following motions ‘

- i) **THAT** the Chairman of IQSK Council shall hence forth be referred to as the President of the Council.
- ii) **THAT** the Vice Chairman of the Council of IQSK shall hence forth be referred to as the Vice President of the council.

Members' Resolution

More than two thirds of the members present voted in support of the motion and it was consequently resolved that the appropriate section of the constitution be amended to have the Chairman of the IQSK Council be hence forth referred to as the President of the Council while the Vice Chairman of the IQSK Council should hence forth be referred to as the Vice President of the Council.

MOVED BY THE 2018-2020 COUNCIL OF IQSK

May 2020

Appendix C: Elections Panel’s Work plan

IQSK 2020 ELECTIONS WORKPLAN				
No	Item	Date	Status	Actioned to
1	Notice of Elections	27-Jul	Done	Millicent
2	Start of nominations	27-Jul	Done	Millicent
3	Call for subscriptions renewal for inclusion in voter register	27-Jul	Done	Millicent
4	Close of nominations	7-Aug	Done	Millicent
5	End of call for inclusion in voter register	10-Aug	Done	Millicent
6	Vetting of candidates	11-Aug	Done	Panel
7	Start of Campaign Period	12-Aug	Done	Millicent
8	Publishing of successfully nominated candidates	12-Aug	Done	Millicent/Nyakundi
9	Publishing of election guidelines and timelines.	12-Aug	Done	Millicent/Nyakundi
10	Preparation of Draft Voter’s Register	12-Aug	Done	Lydia
11	Preliminary inspection of Draft Voter’s Register by Panel	12-Aug	Done	Panel
12	Sharing of draft Voter’s Register for Inspection by Voters	13-Aug	Done	Millicent/Nyakundi
13	Sharing of Mock Elections Tokens	14-Aug	Done	Dennis ICPAK
14	Mock Elections	14-Aug	Done	Dennis ICPAK
15	Review and Corrections to Voter Register	14-Aug	Done	Panel
16	Publishing of Final Voter Register	17-Aug	Done	Millicent/Nyakundi
17	Tallying and Review of Mock Election	17-Aug	Done	Panel
18	Close of Campaign Period	18-Aug	Done	Panel
19	Sharing of Voting Tokens	18-Aug	Done	Dennis ICPAK
20	Start of Voting	19-Aug	Done	Dennis ICPAK
21	Close of Voting	19-Aug	Done	Dennis ICPAK
22	Tallying and declaration of Results	19-Aug	Done	Panel

<p>Key</p> <ul style="list-style-type: none"> Done Ongoing Not Done 	<p>Notes</p> <p>All activities on the workplan have already been executed. Last Update: 01:00pm, Thursday, 20th August, 2020.</p>
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IQSK Elections Panel 2020

Appendix D: Blank Copy of the Nomination Form



INSTITUTE OF QUANTITY SURVEYORS OF KENYA

Blue Violets, Office No.106, 1st Floor
 Kindaruma Road, Kilimani Area
 P.O. Box 13929 – 00800, Westlands
 Tel: 2619337 Mobile: 0721-676-823
 NAIROBI, KENYA
 Email: iqsknrb@iqsk.co.ke / info@iqskkenya.org
 Website: www.iqskkenya.org

NOMINATION FORM

ELECTION OF MEMBERS OF THE COUNCIL 2020 – 2022

I wish to nominate the following person to serve on the Council of IQSK in the position indicated for term of 2020 – 2022.

Name of Candidate

Membership No.

Position

Name of Proposer **Signature**

Membership No.

Name of Seconder **Signature**

Membership No.

Notes

Nomination forms must be returned to reach IQSK Secretariat on or before 5.00 pm 3rd August 2020 via Email (preferably): iqsknrb@gmail.com

The nomination forms to be accompanied by a short bio (about a paragraph) of the candidate and a passport photo.

The candidate, proposer and seconder must be in good standing with IQSK

Serving in the IQSK council requires one to commit own time at no remuneration/compensation

20th July 2020

Appendix E: Draft Voters' Register

Draft Voters' Register for the IQSK Council Elections 2020

DRAFT VOTERS' REGISTER

2020 COUNCIL ELECTIONS

Instructions

This is the **draft voters' register** for the **2020 IQSK Council Elections**.

The register includes fellow members, professional members and licentiate members who were in good standing by **5:00pm on 10th August 2020**. If your name has been erroneously omitted from the register, please email the IQSK Elections Panel by **5:00pm on Friday, 14th August 2020** in order to be included in the final voters' register.

Graduate members, technician members and student members are not included in the draft voters' register because they will not be participating in the upcoming elections; in line with the IQSK Constitution and By-Laws 2013.

For any inquiries you may have, please get in touch with the IQSK Elections Panel using:

Email: elections@iqskenya.org

Phone: **+254 721 676 823**

	MEMBER NAME	IQSK NUMBER
1	Prof. Qs. Sylvester M. Masu	3
2	Qs. Onesimus M. Gichuiriri	5
3	Qs. Kimani Mathu	6
4	Qs. Geoffrey Kahuria Koigi	9
5	Qs. Moses A. Nyakiongora	12
6	Hon. Qs. Yusuf Kifuma Chanzu	13
7	Qs. Raphael M. Muigai	14
8	Qs. Leah Wangari Thumbi	16
9	Qs. Gladys Wangui Wahome	20
10	Qs. Joseph Omariba Otuke	26
11	Qs. Bramwell P. Kimokofi	27
12	Qs. Antony Levitan	34
13	Qs. Kishore Nayar	35
14	Qs. Jacktone V. Hongo	41
15	Qs. Japheth N. Rasugu	44
16	Qs. David Mungai Njuguna	53
17	Qs. Mathias Nasubo Ogama	62
18	Dr. Qs. Njeri Wachira - Towey	68
19	Qs. Festus Mukunda Liliku	83
20	Qs. Andrew N. Mandere	99
21	Qs. David Mwangi Gaiho	133
22	Qs. Nyagah Boore Kithinji	139
23	Qs. Samson Getui Obae	141
24	Prof. Qs. Hezekiah Gichunge	176
25	Qs. Silvester M. Mutharia	182
26	Dr. Qs. Stanley K. Murage	185
27	Qs. Bashir H. Hajee	186
28	Qs. Tom Oketch	205
29	Qs. Francis M. King'ori	229
30	Qs. Ali Alamin Mandhry	491
31	Qs. Daniel Nyabuti Kimoro	251
32	Qs. Alphonse Nyagila Okweto	501
33	Qs. Julius Mutemi Mwangangi	666

Courtesy of the IQSK Elections Panel 2020.

Any inquiries? Email us on: elections@iqskenya.org or call us on: **+254 721 676 823**

Draft Voters' Register for the IQSK Council Elections 2020

34	Qs. Hazron Maira	4
35	Qs. Charles J. Mwaura	7
36	Qs. Wilfred Gitau Ngaruiya	8
37	Qs. George Migwi Maina	15
38	Qs. Milton J. Mugo Ndegwa	18
39	Qs. Lilian Wanjiku Kithinji	22
40	Qs. Francis Chege Mwangi	25
41	Qs. Francis Ray N. Mbaya	29
42	Qs. Lawrence Galitu Mbugua	31
43	Qs. Peter Njuguna Mugaki	36
44	Qs. John Mwai Mathenge	37
45	Qs. Mwaragania Wambugu	43
46	Qs. Alfred Ingida Aluvaala	48
47	Qs. W. J. Macharia Kamau	49
48	Qs. Jackson W. Waihenya	52
49	Qs. Anna Muthoni Muchungu	58
50	Qs. Newton Dishon Maungu	65
51	Qs. Robert K. C. Bunei	66
52	Qs. Pauline Wanja Munene	67
53	Qs. James Munene Gitonga	72
54	Qs. Mutegi John Mburire	74
55	Qs. Nicholas Ng'ang'a Gitau	78
56	Qs. Moses Daniel Kamau	80
57	Qs. Lusweti Wose	81
58	Qs. Christopher G. Munene	82
59	Qs. Charles Maina Mwangi	94
60	Qs. Adeline Mercy Dindi	95
61	Qs. Mutinda Josphat Mutuku	97
62	Qs. Andrew Kituo Mbuku	100
63	Qs. Karimi Stephen Muriithi	101
64	Qs. John Kamau Kihara	103
65	Qs. Philip Amwata Osoro	109
66	Qs. Tom Kipnetich Chirchir	110
67	Qs. Juma Paul Ambatsa	112
68	Qs. Alice Wanjiru Mwangi	114
69	Qs. Gyavira Amanyana Namulanda	116
70	Qs. Suleiman Ondieki Magare	119
71	Qs. Patrick Tana Mutisya	125
72	Qs. Paul Muthoka Munene	126
73	Qs. Michael Kimanzi Nduli	130
74	Qs. Steve Rukwaro Muthui	132
75	Qs. Julius Kiogora Ringera	135
76	Qs. Elizabeth W. Njoroge	138
77	Qs. Victor B. O. Odongo	142
78	Qs. George Charles Omondi	143
79	Qs. William Kungu Kinyanjui	145
80	Qs. Hosea K. Ngari	147
81	Qs. Omullo Pius Ouma	148
82	Qs. Karita George Ngugi	150
83	Qs. Leonard Kasili Mumiukha	152
84	Qs. Hannah Wambui Gathura	157

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Draft Voters' Register for the IQSK Council Elections 2020

85	Qs. Martin M. K. Wamae	161
86	Qs. Julius Meshack Oluoch	163
87	Qs. Emmanuel M. Wamalwa	165
88	Qs. Charles Kinyanjui Maingi	173
89	Qs. Michael Mbugua	177
90	Hon. Qs. Innocent I. O. Momanyi	179
91	Qs. Susan Ruto	181
92	Qs. Julius M. Wanyagi	187
93	Qs. Aaron Murithi Gitonga	193
94	Qs. Francis Gatonga Kairu	194
95	Qs. James Ouma Okaka	196
96	Qs. James Maina Kamau	197
97	Qs. Samuel Reuben Mainya	199
98	Qs. Peter Kariuki Kanyi	202
99	Qs. Nicholas M. Mutua	206
100	Qs. James Ogoda	207
101	Qs. E. O. Odhiambo	208
102	Qs. Francis O. Ombura	212
103	Qs. Wilson G. Mwangi	213
104	Qs. Isaac M. Gitura	214
105	Qs. Bernard M. Mandere	220
106	Qs. James N. Nyambane	221
107	Qs. Denis K. Kirui	225
108	Qs. Moses K. Kimani	227
109	Qs. Philip Muchungu	228
110	Qs. Gregory Murunga Chekata	241
111	Qs. Samson Kirioba Maisiba	242
112	Qs. Paul Kamatu Ngugi	245
113	Qs. Charles Muita Kairu	247
114	Qs. John O. Okerosi	253
115	Qs. Peter S. Kariuki	255
116	Qs. Oliver Zablon Munala	260
117	Qs. Joel Gichimu Thaibiri	263
118	Qs. Julius K. Matu	268
119	Qs. Mary W. Muchohi	269
120	Qs. Shadrack M. Mutumah	270
121	Qs. Micheal G. M. Ngina	274
122	Qs. David G. Mwaniki	277
123	Qs. Richard M. Ngari	280
124	Qs. Jordan R. Opiyo	283
125	Qs. Samuel N. Njoroge	285
126	Qs. Bernard Mbugua Muhia	287
127	Qs. Alfred O. Gayo	288
128	Qs. Eddieson O. Otieno	289
129	Qs. Patrick Njeru	292
130	Qs. William Muchemi	293
131	Qs. Ambrose K. Mwangi	296
132	Qs. Peter K. Miriti	300
133	Qs. Michael Mathenge Wanyagi	305
134	Qs. Fervent Kimani Thumbi	308
135	Qs. Rita Kathini	309

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Draft Voters' Register for the IQSK Council Elections 2020

136	Qs. Beatrice N Wanjau	310
137	Qs. Philip Oduor Omondi	315
138	Qs. Timothy Munene Nderitu	317
139	Qs. Olivia Sally Otieno	320
140	Qs. Jeniffer Nduku Musyimi	321
141	Qs. Martha Merikol Kitutu	322
142	Qs. Wallace Gachogo Muira	325
143	Qs. George Kamau Ngure	326
144	Qs. Joseph Kahure Ileri	329
145	Qs. Michael Muthike Muriithi	330
146	Qs. Leah Nyambura Gathitu	334
147	Qs. Antony Wambua	335
148	Qs. Mary Wachuka Gichuki	336
149	Qs. Faith Njeri Kimani	338
150	Qs. Alex Nyamweya Motanya	341
151	Qs. Jensdy Muriithi Marangu	344
152	Qs. Diana Mumbua Musyoka	346
153	Qs. Thomas Koigi Kahuria	349
154	Hon.Qs. Mohamed Mohamud Ali	352
155	Qs. Collins Otieno Aluga	355
156	Qs. Solomon D. Kabui Mokiri	358
157	Qs. Paul Ogweni Omondi	360
158	Qs. Gabriel Pius K. Mwangi	361
159	Qs. Joseph Kahiga	363
160	Qs. Simon Njoroge Ndung'u	374
161	Qs. Paul Omolo Sagi	379
162	Qs. Andrew Muchira Ngure	385
163	Qs. Simon Ndung'u Ndumia	390
164	Qs. Francis Minda Gitaka	392
165	Qs. Meshack Kipanoi Shunet	393
166	Qs. Peter Muchiri Ndung'u	395
167	Qs. Denis Chek	397
168	Qs. Diana Mukiri Mugambi	400
169	Qs. Kennedy M. P. Mutwii	403
170	Qs. Rodgers Magori Nyabuto	405
171	Qs. M. Michubu Kobia	406
172	Qs. Patricia Nthambi Josiah	408
173	Qs. David Gidudi Choka	409
174	Qs. Desmond L. M. Mucheni	413
175	Qs. Dennis Kuttoh	417
176	Qs. Antony Githiri Kimani	418
177	Qs. Felix Okara Maranga	419
178	Qs. David Karu Kang'ara	431
179	Qs. Joseph Musyoka Basil	433
180	Qs. Rose Jematya Kotut	434
181	Qs. Rewel Kariuki Maigua	435
182	Qs. John Mutua Maingi	438
183	Qs. Mbinda Kativini	445
184	Qs. David Mathu Njuguna	446
185	Qs. Titus Mwangi Macharia	448
186	Qs. Fredrick Ndaire Karua	449

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Draft Voters' Register for the IQSK Council Elections 2020

187	Qs. David Waiganjo Kiraki	455
188	Qs. Peter Mwangi Munderu	456
189	Qs. Ronald Isoe Asuma	457
190	Qs. Robert Ouma John	459
191	Qs. Robert Mwangi Ambuku	466
192	Qs. Bertrand Lubanga Ngaywa	469
193	Qs. Hassan Mwinyi	470
194	Qs. Alex M. Makori Magembe	471
195	Qs. Joseph Ojwang Onyango	472
196	Qs. Samuel Ngigi Waiganjo	475
197	Qs. Simon Awiti	476
198	Qs. Sylvester Onyango Oluoch	483
199	Qs. Erick Wanjala Simiyu	485
200	Qs. Charles Ofieno Ogutu	489
201	Qs. Walter Aggrey Odundo	490
202	Qs. David Maina Nguyo	499
203	Qs. Peter Okinyi	503
204	Qs. Michael K. Muiruri	504
205	Qs. Robinson Mwangi Kariguh	505
206	Qs. Joseph Njau Kihui	507
207	Qs. Martin Mahira Muiruri	508
208	Qs. Charles O. Gisembe	514
209	Qs. Japheth Kosgei Kibet	521
210	Qs. Brian Simiyu Barasa	523
211	Qs. Desmond Muriithi Muriuki	524
212	Qs. Justus Njuguna Mwangi	526
213	Qs. Patrick Nyolei Tonui	528
214	Qs. Judy Wanjiku Njuguna	531
215	Qs. Rose Nyambura Mwangi	538
216	Qs. Pinto Nduse Kimuyu	540
217	Qs. Jason Wanyoike Njaroge	542
218	Qs. Zacharia Muia Maithya	543
219	Qs. Philip Odep Kola	546
220	Qs. Nicodemus Chege Maina	552
221	Qs. Ahmed Albashir Ibrahim	553
222	Qs. Esther Muthoni Githinji	554
223	Qs. Charles Mbugua Kamau	555
224	Qs. Brian Kipkorir Toroitich	560
225	Qs. Kenneth Mungai Ng'ang'a	561
226	Qs. Peter Kamau Gathuru	566
227	Qs. Vincent Wafula Kuucha	569
228	Qs. Zacharia Wahome Ngacha	573
229	Qs. Stephen Kahuria Koigi	575
230	Qs. Celestine Akoth Ouma	584
231	Qs. Joram Ombisa Mweresa	595
232	Qs. Hussein Were Hussein	597
233	Qs. Peter Mwangi Njogu	602
234	Qs. Vincent Anjeche Bulimo	604
235	Qs. Ivy Vuguza Mugodo	608
236	Qs. Jason Nthamburi Muraa	612
237	Qs. Isaac Kiage Makone	627

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Draft Voters' Register for the IQSK Council Elections 2020

238	Qs. Kairu Bachia	634
239	Qs. Eli Kaseera Asura	635
240	Qs. Benson Munala Mukoko	640
241	Qs. Timothy Gichanga Manyira	641
242	Qs. Leah Wambui Karanja	649
243	Qs. Martin Munyua Njenga	650
244	Qs. Cassius Murumba Kusienya	663
245	Qs. Ibrahim G. Adannuh	667
246	Qs. Paul Habwe Ebole	670
247	Qs. Gachagua Ngunjiri	675
248	Timothy Odhiambo Owuor	678
249	Qs. Robert Ndegwa Mathenge	682
250	Qs. Claire Wangari Githiri	688
251	Qs. Rachel Patience Mulondo	689
252	Qs. Anthony Gakuru Muchiri	695
253	Qs. Vincent Gachara Ndichu	696
254	Qs. Josphine Wawira Wanjira	712
255	Qs. Leah Jepkosgei Kanda	722
256	Qs. Denis Mwanzali Savala	738
257	Qs. Emmanuel Kipkoech Chepkwony	784
258	Qs. Willis Odhiambo Ouma	787
259	Qs. Charles Wafula Sikuku	791
260	Qs. Vincent Koome Bururia	800
261	Qs. Karugu Waitthaka Huria	808
262	Qs. Elphas Kibungei Bor	810
263	Qs. Humphrey Mwangi Mukoma	817
264	Qs. Susan Wambui Kinyati	818
265	Qs. Portia Afwandi Ajayo	825
266	Qs. Haggai Omondi Audi	832
267	Qs. Athanase Mwamba Wambari	837
268	Qs. Godrick Ekisa Oduu	842
269	Qs. Simon Saiti Malonza	845
270	Qs. Morris Mwenda Lunge	883
271	Qs. Eric Guantai Munene	909
272	Qs. Joseph Ngare Okinyi	913
273	Qs. Paul Kangogo Cheruiyot	917
274	Qs. Kevin Muriithi Mugo	918
275	Qs. Kenneth Mwenda Albert	919
276	Qs. Christopher Kiprotich Chelulei	948
277	Qs. Humprey Njuho Komu	959
278	Qs. Molu Duba	994
279	Qs. Davies Kibet	1002
280	Qs. Jackson Macharia Kibuchi	1017
281	Qs. David Muchiri Mathenge	1024
282	Qs. Michael Chege Njoroge	1026
283	Qs. Peter Mvoi Mwanyumba	1028
284	Qs. Alisadat Ibrahim Ali	1117
285	Qs. Barrack Omondi Ongondo	1137
286	Qs. Samuel Kioge Mwangi	1191
287	Qs. Daimon Kevan Keith	1200
288	Qs. Hope John Kiplagat	1201

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Draft Voters' Register for the IQSK Council Elections 2020

289	Qs. Eleanor Atieno Oloo	1330
290	Qs. Fred Allan Kichari	1340
291	Qs. Janet Cheruto Chirchir	1492
292	Qs. Charles Wambua Kioko	1536
293	Qs. Eliud Wachira Wamahi	1680
294	Pius M. Muoka	278
295	David K. Maiyo	425
296	James Akumu Kanalo	482
297	John Karanja Mutwa	510
298	Michael Makuto Dunda	836
299	Richard Mburu Mwaura	884
300	Michael Njoroge Keiru	910
301	Phires Mokeira Ogoti	1038
302	Pharis Nyamai Maina	1759
303	Elijah Ondara Mogoi	1760
304	Patrick Mbataru Kiruthu	1761
305	Ngina Michael	1762

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Appendix F: Mock Elections Tally

8/29/2020		IQSK MOCK ELECTIONS 2020	
IQSK MOCK ELECTIONS 2020			
TALLY			
Start Date: 14 Aug 2020 02:30:00 PM			
End Date: 15 Aug 2020 11:00:00 AM			
<u>VP</u>			
Candidate	Votes	%	
Qs Yellow	46	63.01%	
Qs Red	26	35.62%	
<u>Assistant Hon Secretary</u>			
Candidate	Votes	%	
Qs White	27	36.99%	
Qs Blue	36	49.32%	
Qs Purple	9	12.33%	
<u>Council Member</u>			
Candidate	Votes	%	
Qs Green	56	76.71%	
Qs Colorless	46	63.01%	
Qs Black	45	61.64%	
Qs Gold	50	68.49%	
Qs Orange	31	42.47%	
CANDIDATE SELECTIONS			
ABSTAINED BALLOTS - VP (1 VACANCIES)	No. of ballots		
ABSTAINED VOTING FOR VP	1		
DID NOT ABSTAIN ANY VACANCY	72		
https://www.icpak.com/iqsk-mock-elections-2020/tallying/			
1/2			

8/29/2020

IQSK MOCK ELECTIONS 2020

ABSTAINED BALLOTS - Assistant Hon Secretary (1 VACANCIES)	No. of ballots
ABSTAINED VOTING FOR Assistant Hon Secretary	1
DID NOT ABSTAIN	72

ABSTAINED BALLOTS - Council Member (4 VACANCIES)	No. of ballots
ABSTAINED VOTING FOR Council Member	1
ABSTAINED VOTING FOR 3 VACANCIES	19
ABSTAINED VOTING FOR 2 VACANCIES	1
ABSTAINED VOTING FOR 1 VACANCIES	1
DID NOT ABSTAIN	51

GENERAL SUMMARY	
Total No. Of Eligible Members	305
Total No. of Ballots Cast	73
Total No. of Ballots Tallied	73
Total No. of Ballots not cast	232

[Download Register \(index.php?voterdownload=1\)](#)

73 of 73 ballots tallied.

[Log out \(../admin/?logout=yes\)](#) | [Logs \(log.php\)](#)

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Appendix G: Mock Elections Log

Redacted in compliance with the Data Protection Act 2019.

Appendix H: Final Voters' Register

Redacted in compliance with the Data Protection Act 2019.

Appendix I: Council Elections Tally

8/29/2020

IQSK COUNCIL ELECTIONS 2020

IQSK COUNCIL ELECTIONS 2020

TALLY

Start Date: 19 Aug 2020 08:00:00 AM

End Date: 19 Aug 2020 05:00:00 PM

<u>Vice President</u>		
Candidate	Votes	%
1. Qs. Jennifer Musyimi	112	56.57%
2. Qs. Mutinda Josphat Mutuku	86	43.43%
<u>Assistant Honorary Secretary</u>		
Candidate	Votes	%
1. Qs. Gachagua Ngunjiri	57	28.79%
2. Qs. Jasan Njoroge	69	34.85%
3. Qs. Wilson Kipkoech	70	35.35%
<u>Council Members</u>		
Candidate	Votes	%
1. Qs. Barrack Omondi Ongondo	109	55.05%
2. Qs. Jordan Rabach Opiyo	162	81.82%
3. Qs. Kennedy Mwendwa	134	67.68%
4. Qs. Leah J. Kanda	172	86.87%
5. Qs. Rose Jematya Kotut	166	83.84%

CANDIDATE SELECTIONS

ABSTAINED BALLOTS - Vice President (1 VACANCIES)	No. of ballots
ABSTAINED VOTING FOR Vice President	0
DID NOT ABSTAIN ANY VACANCY	198

<https://www.icpak.com/iqsk-council-elections-2020/tallying/>

1/2

8/29/2020

IQSK COUNCIL ELECTIONS 2020

ABSTAINED BALLOTS - Assistant Honorary Secretary (1 VACANCIES)	No. of ballots
ABSTAINED VOTING FOR Assistant Honorary Secretary	2
DID NOT ABSTAIN	196

ABSTAINED BALLOTS - Council Members (4 VACANCIES)	No. of ballots
ABSTAINED VOTING FOR Council Members	0
ABSTAINED VOTING FOR 3 VACANCIES	14
ABSTAINED VOTING FOR 2 VACANCIES	1
ABSTAINED VOTING FOR 1 VACANCIES	5
DID NOT ABSTAIN	178

GENERAL SUMMARY	
Total No. Of Eligible Members	308
Total No. of Ballots Cast	198
Total No. of Ballots Talled	198
Total No. of Ballots not cast	110

[Download Register \(index.php?voterdownload=1\)](index.php?voterdownload=1)

198 of 198 ballots tallied.

[Log out \(../admin/?logout=yes\)](#) | [Logs \(log.php\)](#)

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Appendix J: Council Elections Logs

Redacted in compliance with the Data Protection Act 2019.

Appendix K: Acknowledgements

The IQSK Elections Panel wishes to thank the IQSK Council of 2018 - 2020 for entrusting it with the task of overseeing the council elections of 2020.

The Elections Panel is grateful for the immense support accorded to it by the IQSK Secretariat, led by Ms. Millicent Osano, without which the successful conduct of the 2020 council elections would not have been possible.

The Elections Panel would also like to thank ICPAK, represented by Mr. Dennis Bett Milgo, for providing a robust system and equally robust technical support before, during and after the elections.

The Elections Panel also thanks all candidates and their supporters for their impressive observance of the election guidelines and rules.

Last but not least, the Elections Panel thanks the members of the Institute who took their time to participate in these elections and exercise their rights as prescribed in the IQSK Constitution and By-Laws 2013.





The IQSK Elections Panel 2020

Institute of Quantity Surveyors of Kenya

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