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GAZETTE NOTICE No. 2789

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012

**BY-ELECTIONS FOR MEMBER OF THE NATIONAL ASSEMBLY FOR
MSAMBWENI CONSTITUENCY AND MEMBERS OF THE COUNTY
ASSEMBLY FOR KAHAWA WENDANI WARD, KIAMBU COUNTY AND
KISUMU NORTH WARD, KISUMU COUNTY SCHEDULED TO BE HELD ON
25TH JUNE, 2020**

IN EXERCISE of powers conferred by Articles 84, 85, 88 (4), 97 (1) (a), 99, 101(4), 177, 193 and 194(1) of the Constitution of Kenya, sections 2, 5 (b), 13(3), 16, 19, 22, 24, 25, 32, 33, 38, 43 (5A) and 74 of the Elections Act, 2011 and Regulations 11 (4) and (6), 12 (1), 13B, 14 and 15, Parts III, V, VIII and IX of the Election (General) Regulations, 2012, the Independent Electoral and Boundaries Commission gives notice that:

- (a) Following the declaration of vacancies in the offices of Member of the National Assembly for Msambweni Constituency, Kwale County; Member of County Assembly for Kahawa Wendani Ward, Ruiru Constituency, Kiambu County; and Kisumu North Ward, Kisumu West Constituency, Kisumu County *vide* letters from the National Assembly Speaker received on Monday, 30th March, 2020, from Kiambu County Assembly Speaker received on Wednesday 11th March, 2020 and from Kisumu County Assembly Speaker received on Tuesday, 18th February, 2020, respectively, there shall be by-elections for Msambweni Constituency, Kahawa Wendani Ward and Kisumu North Ward on Thursday, 25th June, 2020.
- (b) Each political party intending to participate in the by-elections shall submit the names of the persons contesting in a party primary and the date of the party primary on or before Tuesday, 14th April, 2020.
- (c) A public officer who intends to contest in the by-elections shall resign from public office within seven (7) days of the

declaration of a vacancy by the Speakers of the respective Assemblies.

- (d) The Commission shall publish, in the *Gazette*, the names of the persons contesting in a party primary and the date of the party primary within seven (7) days of receipt of the names of the candidates.
- (e) Candidates intending to participate in the by-elections as independent candidates shall not have been members of any political party at least three (3) months immediately before the date of the by-election.
- (f) Political parties intending to present candidates in this election shall, after its primaries resolve all intra-party disputes and submit the list of persons nominated to contest in this election to the Commission on or before the Tuesday, 21st April, 2020.
- (g) Candidates intending to participate in this election as independent candidates shall submit their names and symbols that they intend to use during the by-elections for purposes of nomination of independent candidates to the Commission on or before Tuesday, 14th April, 2020.
- (h) The Commission shall publish in the *Gazette*, the names and symbols of persons intending to contest in the election as independent candidates at least fourteen (14) days before the nomination day.
- (i) The days for the nomination of political party candidates and independent candidates for the by-elections shall be on Tuesday, 28th April, 2020 and Wednesday, 29th April, 2020 and the nomination papers shall be delivered by the candidates to the respective Returning Officer between the hours of eight o'clock in the morning and one o'clock in the afternoon and between the hours of two o'clock and four o'clock in the afternoon at the place designated by the Commission.
- (j) Disputes relating to or arising from nominations shall be determined within ten (10) days of the lodging of the dispute with the Commission in any event not later than Friday, 8th May, 2020.
- (k) The campaign period for purposes of the 25th June, 2020 by-elections shall commence on Tuesday, 28th April, 2020 and cease on Monday, 22nd June, 2020 being 48 hours before the by-election day.

- (l) The campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
- (m) Political parties and independent candidates shall appoint and submit to the Commission the names of their Constituency Elections Agents to the Commission on or before Thursday, 11th June, 2020.
- (n) The registration and revision of the register of voters for the said electoral areas is suspended until Monday, 6th July, 2020.
- (o) If the elections are contested, the poll will take place on the Thursday, 25th June, 2020.

NOTES:

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Parts III, V, VIII and IX of the Election (General) Regulations, Section 13(2) and the First Schedule to the Leadership and Integrity Act, No. 19 of 2012 and Chapter Six of the Constitution of Kenya.

2. Every political party, candidate and every person who participates in the election shall subscribe to and observe the Electoral Code of Conduct set out in the Second Schedule to the Elections Act, 2011.

3. A person guilty of an election offence will be liable to the penalties imposed by the Election Offences Act, 2016 (No. 37 of 2016), the disqualifications imposed thereof and the Constitution of Kenya.

4. The attention of candidates and political parties is drawn to the provisions of section 43(5A) of the Elections Act, 2011.

5. The attention of candidates is drawn to the provisions of section 26 of the Elections Act, 2011.

6. The attention of political parties, candidates and every person who participates in the election is drawn to section 2 of the Elections Act, 2011 on the campaign period.

Dated the 31st March, 2020.

W.W. CHEBUKATI,

Chairperson, Independent Electoral and Boundaries Commission.

GAZETTE NOTICE No. 2790

THE CONSTITUTION OF KENYA

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012

POSTPONEMENT OF BY-ELECTIONS FOR DABASO COUNTY ASSEMBLY WARD SCHEDULED FOR 29TH APRIL 2020 AND MSAMBWENI CONSTITUENCY, KISUMU NORTH COUNTY ASSEMBLY WARD AND KAHAWA WENDANI COUNTY ASSEMBLY WARD SCHEDULED TO BE HELD ON 25TH JUNE, 2020

IN EXERCISE of the powers conferred by 88 (4) to the Constitution of Kenya, section 55 (B) of the Elections Act, 2011 and Regulation 64 (A) of the Elections (General) Regulations, 2012 the Independent Electoral and Boundaries Commission indefinitely postpones the following by-elections and shall communicate *vide* a Gazette Notice when the said by-elections will be conducted—

- (a) the by-election for County Assembly Member-Dabaso Ward, Kilifi North Constituency scheduled for 29th April, 2020; and
- (b) the by-elections for Member of National Assembly-Msambweni Constituency, Kwale County; County Assembly Member for Kahawa Wendani Ward, Ruiru Constituency, Kiambu County Assembly; and County Assembly Member, Kisumu North Ward, Kisumu West Constituency, Kisumu County Assembly scheduled for 25th June, 2020.

Dated the 1st April, 2020.

W.W. CHEBUKATI,

Chairperson, Independent Electoral and Boundaries Commission.

GAZETTE NOTICE No. 2791

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS

(L.N. 128 of 2012 and L.N. 72 of 2012)

THE ELECTIONS (PARTY PRIMARIES AND PARTY LISTS) REGULATIONS, 2017

(L.N. 69)

RE-ALLOCATION OF SPECIAL SEAT

NOMINATED MEMBER TO THE COUNTY ASSEMBLY OF MERU

CORRIGENDA

PURSUANT to the provisions of section 37 of the Elections Act, 2011, following the demise of Member of County Assembly of Meru, the Independent Electoral and Boundaries Commission in exercise of the powers conferred by Articles 88 (4), 90 and 177 (1) (b) of the Constitution of Kenya, section 4 of the Independent Electoral and Boundaries Commission Act, 2011; section 37 of the Elections Act, 2011 *amends* Gazette Notice No. 8380 of 2017, as hereunder.

In the Schedule respectively, amend as specified herein below;

MERU COUNTY—12

GENDER TOP-UP LIST

Page 4998, Second Column, Row-11

No.	Name	Gender	ID No.	Name of Party
<i>Delete</i>	Petronilla Gainchi Kiao	Female	2369364	PNU
<i>Insert</i>	Faith Gakii Mwilaria	Female	20838158	PNU

The deleted nominee stands disqualified as the County Assembly Member of the respective County Assembly.

Dated the 26th March, 2020.

W.W. CHEBUKATI,

Chairperson, Independent Electoral and Boundaries Commission.