



# **THE KENYA GAZETTE**

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GAZETTE NOTICE No. 2721

## **THE CONSTITUTION OF KENYA**

### **THE ELECTIONS ACT**

(No. 24 of 2011)

#### **THE ELECTION (GENERAL) REGULATIONS, 2012**

NOTICE FOR PARLIAMENTARY BY-ELECTIONS: BONCHARI CONSTITUENCY MEMBER OF NATIONAL ASSEMBLY AND BY-ELECTION FOR BUNGOMA, TANA RIVER AND MERU COUNTY ASSEMBLIES—MISIKHU WARD, KINAKOMBA WARD AND MAUA WARD

IN EXERCISE of the powers conferred by Article 84, 85, 88(4), 97, 99, 101(4), 103, 177, 193, 194 (a) and (c) of the Constitution of Kenya, Sections 13(3), 16, 19, 22, 24, 25, 26, 32, 33, 38, 74 of the Elections Act, and Regulations 11 (2), (3), (4), (6) and 12 (1), PART III, V and VIII of the Elections (General) Regulations, the Independent Electoral and Boundaries Commission gives notice that:

- (a) Vacancies occurred in the offices of the Member of National Assembly for Bonchari Constituency on 7th April, 2014 and County Assembly Ward Representatives for Misikhu, Kinakomba and Maua Wards on 26th March, 2014, 22nd March, 2014 and 21st February, 2014 respectively.
- (b) Independent Candidates to submit their symbols on or before 1st May, 2014 being twenty-one (21) days before the Commission nomination days.
- (c) Each Political Party wishing to participate in the elections must finalize the nominations and determine intra-party disputes arising from party nomination of its candidate(s) on or before the 2nd May, 2014.
- (d) Submission of the list and details of the Political Party nominated candidates and the Independent candidates to the Commission shall be on 9th May, 2014.
- (e) Disputes relating to or arising from nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission.
- (f) The days for the nomination of Political Parties candidates and Independent Candidates for the By-Election will be on Thursday 22nd May, 2014 and Friday, 23rd May, 2014 and nomination papers shall be delivered by candidates to the Returning Officers between the hours of eight o'clock in the morning and four o'clock in the afternoon.

(g) Disputes relating to or arising from decisions of the Returning Officers after nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission.

(h) Pursuant to the provisions of Regulation 57 (1) and (2) of the Elections (General) Regulations, 2012 every Political Party and every Independent Candidate at the by-election shall submit to the Commission names of the Chief Agents on or before 9th June, 2014.

(i) The campaign period for purposes of the 23rd June, 2014 By-Elections Shall Commence on 23rd May, 2014 and cease on 21st June, 2014 being 24 hours before the By- Election Day which is 23rd June, 2014.

(j) The campaign time shall run from 7:00 a.m. to 6:00 p.m. during the campaign period.

(k) If the by-elections are contested, the poll will take place on the 23rd June, 2014.

#### **NOTES:**

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of PART III, V and VIII of the Election (General) Regulations on the Parliamentary Elections (Subsidiary Legislation), First Schedule to the Leadership and Integrity Act No. 19 of 2012 and Chapter Six of the Constitution of Kenya.
2. Every political party and every person who participates in the by-election shall subscribe to and observe the Electoral Code of Conduct set out in the Second Schedule to the Elections Act, 2011.
3. Pursuant to the provisions of Section 26 of the Elections Act, 2011 any candidate who intends to vie for the by-election should not participate in public fundraising.
4. The provisions of section 43(5) of the Elections Act, 2011 are drawn to any public officer who intends to contest the said by-elections.

Dated the 14th April, 2014.

A. I. HASSAN,  
*Chairperson,*

*Independent Electoral and Boundaries Commission.*