

SPECIAL ISSUE



THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXXIV—No. 227

NAIROBI, 28th October, 2022

Price Sh. 60

GAZETTE NOTICE No. 13268

THE CONSTITUTION OF KENYA

THE ELECTIONS ACT

(No. 24 of 2011)

OCCURENCE OF A VACANCY IN KANDARA CONSTITUENCY

PURSUANT to Articles 101 (4) (a) and 103 (1) (d) of the Constitution, as read with section 16 (3) of the Elections Act, 2011, it is notified for general information of the public that the seat of the Member of the National Assembly for Kandara Constituency elected under Article 97 (1) (a) of the Constitution has become vacant with effect from the 26th October, 2022.

Dated the 27th October, 2022.

MOSES M. WETANG'ULA,
Speaker of the National Assembly.

GAZETTE NOTICE No. 13269

THE CONSTITUTION OF KENYA

THE ELECTIONS ACT

(No. 24 of 2011)

OCCURENCE OF A VACANCY IN GARISSA TOWNSHIP CONSTITUENCY

PURSUANT to Articles 101 (4) (a) and 103 (1) (d) of the Constitution, as read with section 16 (3) of the Elections Act, 2011, it is notified for general information of the public that the seat of the Member of the National Assembly for Garissa Township Constituency elected under Article 97 (1) (a) of the Constitution has become vacant with effect from the 26th October, 2022.

Dated the 27th October, 2022.

MOSES M. WETANG'ULA,
Speaker of the National Assembly.

GAZETTE NOTICE No. 13270

THE CONSTITUTION OF KENYA

THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)

COUNTY GOVERNMENT OF NAIROBI

COUNTY EXECUTIVE COMMITTEE

NOMINATION OF MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE

IT IS notified for the general information of the public that pursuant to Articles 174 (f) and 175 (b) of the Constitution of Kenya, and section 35 of the County Governments Act, 2012, I, Sakaja Arthur Johnson, Governor of Nairobi City County, has nominated the following persons as members of County Executive Committee—

Name	Sector
Charles Kerich	Finance and Economic Planning Affairs
Michael Gumo	Innovation and Digital Economy
Brian Mulama	Talent, Skills Development and Care
Patrick Mbogo	Mobility and Works
Stephen Gathuita Mwangi	Built Environment and Urban Planning
Ibrahim Auma Nyangoya	Boroughs Administration and Personnel
Rosemary Kariuki (Ms.)	Business and Hustler Opportunities
Maureen Njeri (Ms.)	Green Nairobi (Environment, Water, Food and Agriculture)
Anastasia Mutethya Nyalita (Dr.)	Health, Wellness and Nutrition
Suzanne Silantoi (Ms.)	Inclusivity, Public Participation and Customer Service

Dated the 27th October, 2022.

SAKAJA ARTHUR JOHNSON,
Governor, Nairobi City County.

GAZETTE NOTICE No. 13271

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)
COUNTY GOVERNMENT OF NAIROBI CITY
THE VALUATION FOR RATING ACT
(Cap 266)

ESTABLISHMENT AND APPOINTMENT OF MEMBERS OF THE
VALUATION COURT

IT IS notified for the general information of the public that pursuant to Articles 174 (a), (f) and 175 (b) of the Constitution of Kenya, and sections 12 and 13 of the Valuation for Rating Act, I, Sakaja Arthur Johnson, Governor of Nairobi City County, has appointed with approval from the Deputy President of the Republic of Kenya, the following persons as members of the Valuation Court—

Name	Designation	Title
Stephen Onjoro	Principal Magistrate	Chairperson
Isaac Nyoike		Member
Gyneth Magiri		Member

Dated the 27th October, 2022.

SAKAJA ARTHUR JOHNSON,
Governor, Nairobi City County.

GAZETTE NOTICE No. 13272

THE CONSTITUTION OF KENYA
THE COUNTY GOVERNMENTS ACT
(No. 17 of 2012)
THE VALUATION FOR RATING ACT
(Cap 266)

APPOINTMENT

IN EXERCISE of the powers conferred by sections 12 and 13 of the Valuation for Rating Act, I, Abdullswamad Sherrif Nassir, Governor of the County Government of Mombasa, has appointed the persons below to be members of the Mombasa County Valuation Court—

Name	Position
Martin O. Rabera	Chairperson
Victor Otieno Olonde (Dr.)	Member
Jane Mami Kimori	Member
Nagib Shamsan	Member
Murtaza Kutbuddin Tajbhai	Member

Dated the 24th October, 2022.

ABDULLSWAMAD SHERRIF NASSIR,
Governor.

GAZETTE NOTICE No. 13273

THE CONSTITUTION OF KENYA
THE PUBLIC FINANCE MANAGEMENT ACT
(No. 18 of 2012)

THE MOMBASA COUNTY TAX WAIVER AND VARIATION
ACT, 2017

COUNTY GOVERNMENT OF MOMBASA

ARREARS WAIVER

NOTICE is given that pursuant to the powers conferred by Article 210 of the Constitution of Kenya, 2010, section 159 of the Public Finance Management Act, 2012 and sections 6 and 7 of the Mombasa County Tax Waiver and Variation Act, 2017, and all other enabling laws, I, Maryam Mbaruk, Executive Committee Member for Finance, Mombasa County Government, do waive all accumulated and preceding penalties and/or arrears for the previous financial years on PSV, Market Stall Rentals and E-Clamping.

This notice shall take effect from 14th October, 2022 and lapses on the 13th November, 2022.

Dated the 14th October, 2022.

MARYAM MBARUK,
CECM, Finance.

GAZETTE NOTICE No. 13274

COUNTY GOVERNMENT OF NANDI

TASKFORCE ON THE REVIEW OF MULTINATIONAL
COMPANIES ENGAGEMENTS IN TEA SUB-SECTOR

APPOINTMENT

IT IS notified for the general information of the public that the Governor of Nandi, Stephen Sang has appointed the following persons as members of a taskforce to conduct an extensive review on the multinational companies' engagements in tea sub-sector in Nandi and in collaboration with the county governments of Kericho and Bomet, for a period of ninety (90) days, with effect from the 31st October, 2022.

The Taskforce shall be comprised of the following members—

John Cheruiyot—*Chairman*

Members:

Elija Yego (Rev.),
Bernard Kiplimo arap Lagat (Dr.),
Philemon Bureti (Dr.),
Nathan Tororei,
CPA Alfred Lagat,
Steven Rotich,
Ruth Choge (Dr.),
Wilson Kipkogei Lelmegit.

Secretariat:

Godfry Sang,
Kibet Gim Awi,
Maureen Chepngetich.

Terms of Reference

The terms of reference for the Taskforce shall be to—

- review the current and emerging challenges facing the tea sub-sector multinationals and other stakeholders within Nandi County and make appropriate recommendations;
- co-ordinate stakeholders' consultation with the multinationals and other tea sub-sector players on appropriate mechanisms to address the current and emerging challenges in the sector;
- review socio-economic impacts of mechanization of tea plucking machines among the multinational tea companies in Nandi and propose appropriate mitigation measures;
- establish the status of all land leases including acreages held by each multinational in Nandi;
- consider the current land rent, rates and applicable fees paid by the multinationals and propose appropriate policy and legal frameworks necessary to review and increase land rates and rent paid by multinationals;
- consider the role, effectiveness, and relevance of multinational tea companies in management of Tea CESS and propose appropriate legal, policy and institutional framework to collect

and manage the CESS deducted from farmers for road maintenance;

- (g) consider the roles of different stakeholders and make appropriate recommendations on how they can collaborate amongst themselves and with the county government to develop the tea sub-sector;
- (h) prepare a joint tri-patriate report on necessary legal, policy and institutional reforms for effective engagement with multinationals in the affected counties; and
- (i) carry out such other functions as may be necessary or incidental to the foregoing.

Guidelines and Modalities of Conducting Business by the Taskforce

2. In the performance of its tasks, the Taskforce —

- (a) shall consult with key stakeholders in the tea sub-sector;
- (b) shall hold such number meetings in the places and at such times as the Taskforce shall consider necessary for the proper discharge of its functions;
- (c) shall conduct public hearings and open forums and receive views from members of the public and receive oral and written submissions from any person with relevant information;
- (d) may co-opt any person(s) as it may consider necessary or expedient for the proper performance of its functions;
- (e) may create committees or sub-committees to expedite the discharge of its tasks;
- (f) may consider reports of past or on-going initiatives towards enhancing the legal, policy and institutional framework in the tea sub-sector;
- (g) may cause to be carried out such studies or research as may inform the Taskforce on its mandate; and
- (h) may have all powers necessary or expedient for the proper execution of its functions, including the power to regulate its own procedures.

3. The Secretariat of the Taskforce shall be based at the County Headquarters.

4. The Taskforce shall prepare and submit to the Governor, its work plan and progress report within one (1) week of its appointment

5. The costs incurred by Taskforce shall be defrayed from the voted funds of the respective County Executive offices or such grants or donations as may be secured from by the Taskforce.

Dated the 27th October, 2022.

STEPHEN KIPYEGO SANG,
Governor, Nandi County.

GAZETTE NOTICE NO. 13275

COUNTY GOVERNMENT OF BOMET

TASKFORCE ON STATUS OF DEVELOPMENT AND
IMPLEMENTATION OF DEVELOPMENT PLANS IN BOMET
COUNTY

APPOINTMENT

IT IS notified for the general information of the public that the Governor, Bomet County has appointed a taskforce consisting of the following—

Augustine Rugut (Dr.) — *Chairperson*

Members:

Joseph K. Mutai (Dr.),
Eric Kipsang Mibei (Dr.),
Ann Chepkoech,
Samwel Kirui,
Pauline Chemutai Korir,
Robert Kibet Cheres,
Joseph Kipkirui Rono (Dr.),
Joseph Kipngetch Kirui (Dr.).

Joint Secretaries:

Richard Kipngeno Ronoh (Dr.),
Eric Langat Cheruiyot.

The terms of reference of the Taskforce are to—

- (a) evaluate past development plans and advise the government on any gaps and/or shortcomings and recommend potential flagship projects/programmes targeted at improving the livelihoods of Bomet residents;
- (b) assess strategic strengths of key programs from a socio-economic empowerment perspective for the residents of Bomet County;
- (c) assess the current existing linkages for both internal and external market for key sectors of development and scope potential areas of opportunity; and
- (d) compile a report with recommendations of actions that the County government as well as stakeholders should undertake to exploit identified areas of potential.

Timeline of the Assignment

The assignment shall take ninety (90) days commencing the 14th day of November, 2022. The Secretariat of the Taskforce shall be based at the County Government Offices, Bomet Town, P.O. Box 19–20400 Bomet.

Dated the 25th October, 2022.

HILLARY BARCHOK,
Governor, Bomet County.

GAZETTE NOTICE NO. 13276

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 MEMBERS OF NATIONAL ASSEMBLY, KANDARA AND GARISSA TOWNSHIP CONSTITUENCIES, MEMBER OF SENATE, ELGEYO MARAKWET COUNTY AND MEMBER FOR SHELLA WARD, LAMU COUNTY ASSEMBLY SCHEDULED TO BE HELD ON THURSDAY, 5TH JANUARY, 2023

IN EXERCISE of powers conferred by Articles 85, 88(4), 97 (1) (a), 98 (1) (a), 99, 101 (4), 103 (1) (d), 177 (1) (a), 193 and 194 (1) (d) of the Constitution of Kenya, sections 5 (1) (b), 13 (3), 16, 24, 26, 30, 32, 33, 38, 38A, 43 (5A) and 74 of the Elections Act, 2011 and Regulations 11 (4), 12 (1), 13B, 14 and 15, Parts V, VI and IX of the Election (General) Regulations, 2012, the Independent Electoral and Boundaries Commission gives notice that—

- (a) Following declaration of vacancies that occurred in the office of Members of National Assembly for Kandara and Garissa Township constituencies, Member of Senate for Elgeyo Marakwet County and Member for Shella Ward, Lamu County Assembly as confirmed by the respective Speakers *vide* letters dated 27th October, 2022 for Parliamentary elections and 24th October 2022 for the County Assembly election, there shall be by-elections for Members of National Assembly for Kandara and Garissa Township constituencies, Member of Senate for Elgeyo Marakwet County and Member for Shella Ward in Lamu County Assembly on Thursday, 5th January, 2023.
- (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 14th November, 2022.

- (c) A public officer who intends to contest in the by-election shall resign from public office within seven (7) days of the declaration of the vacancy by the Speaker.
- (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-elections.
- (f) Political parties intending to present candidates in the by-elections shall conduct party primaries and resolve all intra-party disputes and submit the list of persons nominated to contest in the by-elections to the Commission on or before Wednesday, 30th November, 2022.
- (g) Political parties intending to present candidates in these by-elections through direct nominations shall submit the list of persons nominated to contest in the elections to the Commission on or before Wednesday, 30th November, 2022.
- (h) Candidates intending to participate in these By-Elections as independent candidates shall submit their names and symbols that they intend to use during the By-elections to the Commission on or before Monday, 14th November, 2022.
- (i) The Commission shall publish in the Gazette, the names and symbols of persons intending to contest in the by-elections as independent candidates at least fourteen (14) days before the nomination day.
- (j) The days for the nomination of political party candidates and independent candidates for the by-elections shall be on Monday, 5th December, 2022 and Tuesday, 6th December, 2022 and the nomination papers shall be delivered by the candidates to the respective Returning Officers 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.
- (k) 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 Thursday, 15th December, 2022.
- (l) The campaign period for purposes of the Thursday, 5th January, 2023 By-elections shall commence upon nomination of the candidate on Monday, 5th December, 2022 and cease on Monday, 2nd January, 2023 being 48 hours before the by-election day.
- (m) The campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
- (n) Political parties and independent candidates shall appoint and submit to the Commission the names of their Polling Station, Constituency and County Agents to the Commission on or before Wednesday, 21st December, 2022.
- (o) The registration and revision of the register of voters for the said electoral area remains suspended.
- (p) If the elections are contested, the poll will take place on Thursday, 5th January, 2023.

NOTES:

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Parts III, V, VI, VIII and IX of the Election (General) Regulations, section 13 (2) and the First Schedule to the Leadership and Integrity Act, 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 28th October, 2022.

W. W. CHEBUKATI,
Chairperson, Independent Electoral and Boundaries Commission.

GAZETTE NOTICE NO. 13277

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
(L.N. 128/2012 and L.N. 72/2017)

APPOINTMENT OF COUNTY RETURNING OFFICER, BARINGO COUNTY FOR THE CLEARANCE OF THE DEPUTY COUNTY GOVERNOR

PURSUANT to the *Supreme Court Advisory Opinion Reference No. 1 of 2015* and in exercise of the powers conferred by Articles 88 (4), 180 (5), (6) and 182 (1) (a) and (2) of the Constitution of Kenya, section 4 of the Independent Electoral and Boundaries Commission Act, 2011, section 25 of the Elections Act, 2011 and Regulation 4 (1) (a) of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission appoints the person listed in the Schedule to this notice, as the County Returning Officer, for purposes of clearing the Deputy County Governor, Baringo County.

SCHEDULE

County Code	County Name	Surname	Other Names	ID. No
030	Baringo	Mwangi	John Muhia	*****933

Dated the 28th October, 2022.

W. W. CHEBUKATI,
Chairperson, Independent Electoral and Boundaries Commission.