



LEGAL NOTICE NO.

THE ELECTIONS ACT, 2011

(No. 24 of 2011)

IN EXERCISE of the powers conferred by section 109 of the Elections Act, 2011, the Independent Electoral and Boundaries Commission makes the following Regulations—

THE ELECTIONS (TECHNOLOGY) (AMENDMENT) REGULATIONS, 2022

Short Title

1. These Regulations may be cited as the Elections (General) (Technology) Regulations, 2022 and shall come into effect upon publication in the *Gazette*.

L.N.

2. Regulation 2 of the Elections (Technology) Regulations, 2012, in these Regulations referred to as “the principal Regulations”, is amended –

(a) in the definition section by deleting the phrase “committee”

(b) in the definition section by deleting the definition of the term “election technology” and substituting therefor the following new definition

"election technology" means the Integrated Electronic Electoral System as defined in the Elections Act and any other technology deployed by the Commission in the discharge of its mandate;

3. Regulation 7 of the principal Regulations is amended by deleting and substituting therefor with a new sub regulation 7—

The Commission shall comply with the Public Procurement and Asset Disposal Act, 2015 and its regulations and in accordance to the guidelines on e-waste management issued from time to time by the National Environmental and Management Authority during the disposal of election technology assets

4. Regulation 9 of the principal Regulations is amended—

- (a) By deleting sub regulation 1
- (b) by deleting sub regulation (2)
- (c) by inserting new sub regulations--

- (1) The Commission shall observe the principles of public participation in accordance with section 26 of the IEBC Act
- (2) The Commission shall issue a public notice specifying the date, time, and place of the testing and invite stakeholders to attend.
- (3) The Commission shall publish the information required under sub-regulation (2)—
 - (a) on its official website;
 - (b) through electronic and print media of national circulation;
 - (c) by posting the notice outside of the Commission’s offices;
 - and
 - (d) assign any other easily accessible mechanism.

5. Part VII of the principal Regulations is amended by deleting the expression “software Source Code” and substituting therefor the expression “Election Technology”

6. Regulation 18 of the principal regulations is deleting and substituting therefor the new provision as follows—

18. Access to information

- (1) The Commission shall ensure promotion of routine and systematic information disclosure pursuant to the Access to Information Act, 2016 and the IEBC Act
- (2) The Commission shall ensure protection of data in accordance with the Guiding principles pursuant to section 25 (i) of and 27 (c) of the IEBC Act
- (3) The Commission may avail the following information on request—
 - (a) Voter identification logs in the KIEMS kit
 - (b) A record of the electronic unique reference number of result forms per polling station showing the date and time of transmission;
 - (c) Serial numbers of the Election Technology Devices deployed in the polling stations;
 - (d) Serial numbers of the sim cards deployed in the election;

- (e) Serial numbers of the servers used in the election;
 - (f) IEBC ICT policy on Election Technology Management;
 - (g) Business continuity and Disaster Recovery Plan; or
 - (h) Penetration test certificate.
- (4) Where applicable, the Commission may grant read-only access to information and persons authorized will be required to fill Form 1 set out in the second schedule.
- (5) The authorized persons referred to in sub regulation (4) shall be:
- (a) Registered voter;
 - (b) Authorized political party officials;
 - (c) Person authorized by independent candidates;
 - (d) Candidates;
 - (e) Referendum committee; or
 - (f) any other person that the Commission may authorize.
- (6) The information requested in sub regulation (3) shall be processed in accordance with regulation 16.

7. Regulation 24 of the principal Regulations is amended by—

- (a) In sub-regulation (1) by deleting the expression “deleting” and substituting therefor the expression “detailing”
- (b) inserting the following new sub regulation (4) immediately after regulation (3)—

The Commission shall notify the public and stakeholders on an operations continuity plan

8. The principal Regulations is amended by

- (a) deleting Part XI
- (b) deleting regulation 31
- (c) deleting regulation 32
- (d) deleting regulation 33
- (e) deleting regulation 34
- (f) deleting regulation 35

(g) deleting regulation 36

(h) deleting regulation 37

9. The principal regulations are amended by deleting the information request form in the second schedule, and substituting therefor with Form 1

FORM xxxx APPLICATION FOR USER ACCESS FORM

[Reg 18(4)(ii), Reg 34(ii), Reg 35(ii)]

DATE	
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APPLICANT DETAILS

First name		Middle name	
Last name		Signature	
Email Address			
State the data to be accessed (Tick as appropriate)	1. Voter Registration <input type="checkbox"/> 2. Voter Identification <input type="checkbox"/> 3. Results Transmission <input type="checkbox"/> 4. Candidate registration <input type="checkbox"/>	5. Accreditation Application <input type="checkbox"/>	
Organization/Political Party: <i>Indicate organization/ Political party</i>			

APPROVAL BY ORGANIZATION/POLITICAL PARTY

Name		Designation	
Date		Signature	

Organization/Political Party <i>Provide the name, telephone contact, and signature of the authorized person in the organization/Political party.</i>	Name	
	Telephone	
	Signature	
	Date	

IMPLEMENTATION BY IEBC

APPROVED BY

Name		Designation	
Date		Signature	

IMPLEMENTED BY

Name		Designation	
Date		Signature	
User account allocated			

TERMS OF USE:

1. This user account is to be used for IEBC related purpose only.
2. Every account holder takes responsibility for the data captured through the allocated account.
3. IEBC does not accept responsibility for unauthorized use of the user account.
4. Every account holder shall be bound the Electoral code of Conduct stipulated in the second schedule of the Elections Act, 2011