

SPECIAL ISSUE



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THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (REGISTRATION OF VOTERS) REGULATION, 2012

(L.N. 126/2012, L.N. 73/2017)

THE ELECTION (GENERAL) REGULATIONS, 2012

(L.N. 2012 and L.N. 2017)

DIRECTIVES OF HANDLING THE ELECTION RESULT FORMS AT THE POLLING STATIONS FOR THE GENERAL ELECTION SCHEDULED TO BE HELD ON 9TH AUGUST, 2022.

IN EXERCISE of the powers conferred by Articles 88 (4) of the Constitution of Kenya, section 4 of the Independent Electoral and Boundaries Commission Act, 2011, section 39 of the Elections Act, 2011 and Regulations and 98 (1) and (2) of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission makes the following directives on the conduct of the 9th August, 2022 General Election exercise provided in the first and second Schedules hereinbelow:

FIRST SCHEDULE

PROCEDURE FOR HANDLING OF PRESIDENTIAL ELECTION RESULTS FORM BOOKLETS AT THE POLLING STATION

- (a) The Presiding Officer shall remove booklet 2, labelled 2 of 2 of the Presidential Result Form 34A from the package and seal it off in a tamper proof envelope.
- (b) The package in (a) above shall form part of the materials to be sealed in the Presidential Ballot Box after completion of the counting process.

- (c) The Presiding Officer shall only use Booklet one, labelled 1 of 2 of the Presidential Results Form 34A to populate the Presidential election results at the Polling Station.
- (d) The Presiding Officer shall clearly and firmly write the results on the original Presidential Result Form and ensuring replication on the attached self-carbonating Form 34A.
- (e) The Presiding Officer shall confirm the statistics of the vote in the presence of the accredited agents and invite them to sign the original result Form 34A.
- (f) The Presiding Officer shall ensure that the original Form 34A is appropriately signed and stamped to complete the process.
- (g) The Presiding Officer shall capture the image of the original results Form 34A and transmit it to the National Tallying Centre, Constituency Tallying Centre and Public Portal.
- (h) The Presiding Officer shall detach the original results Form 34A and seal it in a tamper proof envelope for delivery to the Constituency Returning Officer.
- (i) The Presiding Officer shall detach and share four (4) self-carbonated copies of the result Form 34A with the presidential candidates' accredited agents present at the polling station.
- (j) The Presiding Officer shall put the last self-carbonated copy of the result Form 34 A in a tamper proof envelope as a package to be sealed in the Ballot Box.
- (k) The Returning Officer shall take an image of the original result Form 34 A, using a smartphone, print and ensure that it is affixed at the public entrance to the respective polling station. In the event there are uncollected carbonated copies of results Form 34A by agents in (i) above, the Presiding Officer shall, affix one copy at the public entrance to the Polling Station or at any place convenient and accessible to the public at that polling station.
- (l) Persons authorised to be at the polling station including media, observers and polling station agents shall be allowed to take an image of the original election results Form 34A.

SECOND SCHEDULE

PROCEDURE FOR HANDLING ELECTION RESULT FORMS FOR MEMBER OF NATIONAL ASSEMBLY (35A), MEMBER OF THE COUNTY ASSEMBLY (36A), GOVERNOR (37A), SENATE (38A) AND COUNTY WOMAN MEMBER TO THE NATIONAL ASSEMBLY (39A).

- (a) The Presiding Officer shall only use booklet one of the Forms to populate the election results for the respective elective position at the polling station.
- (b) The Presiding Officer shall remove all remaining booklets from the package and seal the same off in a tamper proof envelope.
- (c) The package in (b) above shall form part of the materials to be sealed in the ballot boxes for the respective elective positions after the counting of votes.
- (d) The Presiding Officer shall clearly and firmly write the results on the original election results Form and ensuring replication on the attached self-carbonating Form.
- (e) The Presiding Officer shall confirm the statistics of the vote in the presence of the accredited agents and invite them to sign the original election result Form.
- (f) The Presiding Officer shall ensure that the original result form is appropriately signed and stamped to complete the process.
- (g) The Presiding Officer shall detach the original results Form and seal them in the respective tamper proof envelope for delivery to the Constituency Returning Officer.
- (h) The Presiding Officer shall in respect to each elective position detach one self-carbonated copy of the election result Forms and seal it in a tamper proof envelope as a package to be sealed in the Ballot Box.
- (i) The Presiding Officer shall detach one self-carbonated copy of the election result Form and affix it at the public entrance to the polling station or at any place convenient and accessible to the public at the polling station.
- (j) In the event there are not more than three (3) agents, the Presiding Officer shall issue each agent with a carbonated copy of the election results Form.
- (k) In the event there are more than three (3) agents, the Presiding Officer shall allow the agents to take a photographic image of the original election result Form and NOT issue the remaining carbonated copies of the election results form(s).
- (l) In the event of (k) above, the Presiding Officer shall insert and seal in a tamper proof envelope the three (3) carbonated copies of the result and seal them in the Ballot Box.
- (m) Persons authorised to be at the polling station including media, observers and polling station agents shall be allowed to take an image of the original election results form.

Dated the 2nd August, 2022.

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