

# **SPECIAL ISSUE**



# **THE KENYA GAZETTE**

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**NAIROBI, 4th October, 2022**

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GAZETTE NOTICE No. 11942

THE CONSTITUTION OF KENYA

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)

NOMINATED MEMBERS TO THE COUNTY ASSEMBLIES

CORRIGENDA

IN Gazette Notice No. 10712, Vol. CXXIV—No. 186 published on the 9th September, 2022, *delete* and *insert* as specified herein below:

In Schedule 2

KAJIADO – 034

GENDER TOP-UP LIST

Page 7083; Row 7; Column 4;

*Delete*; \*\*\*\*\*311

*Insert*; \*\*\*\*\*593

Dated the 4th October, 2022.

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

GAZETTE NOTICE No. 11943

THE CONSTITUTION OF KENYA

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REGULATIONS, 2017

(L.N. 69)

NOMINATED MEMBERS TO THE NATIONAL ASSEMBLY AND THE  
SENATE

CORRIGENDA

IN Gazette Notice No. 10537, Vol. CXXIV—No. 181 published on the 7th September, 2022, *delete* and *insert* as specified herein below:

In the 4th Schedule,

Page 7022; Row 2; Column 2;

*Delete*; Crystal Kagehi Asige

*Insert*; Crystal Kegehi Asige

Dated the 4th October, 2022.

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

GAZETTE NOTICE NO. 11944

## THE CONSTITUTION OF KENYA

INDEPENDENT ELECTORAL AND BOUNDARIES  
COMMISSION ACT

(No. 9 of 2011)

## THE ELECTIONS ACT

(No. 24 of 2011)

## THE ELECTIONS (GENERAL) REGULATIONS, 2012

BY-ELECTION FOR OLOLMASANI, KYOME/THAANA, UTAWALA,  
MUMIAS NORTH AND SOUTH GEM WARDS IN NAROK, KITUI, NAIROBI  
CITY, KAKAMEGA AND SIAYA COUNTY ASSEMBLIES, RESPECTIVELY,  
SCHEDULED TO BE HELD ON 8TH DECEMBER, 2022

IN EXERCISE of powers conferred by Articles 84, 85, 88(4), 193,  
194 (1) (f) of the Constitution of Kenya, sections 2, 13 (3), 19, 20, 25,  
26, 38, 39, 49 and 74 of the Elections Act, 2011 and Regulations 11  
(3), 12 (1), 14 and 15, Parts III, VIII and IX of the Election (General)  
Regulations, 2012, the Independent Electoral and Boundaries  
Commission gives notice that:

- (a) Pursuant to Gazette Notice No. 8784 of 2022 Vol. CXXIV-  
No. 144 published on the 26th July, 2022, there shall be by-  
elections for Ololmasani, Kyome/Thaana, Utawala Mumias  
North and South Gem Wards in Narok, Kitui, Nairobi City,  
Kakamega and Siaya County Assemblies, respectively, on the  
8th December, 2022.
- (b) Political Parties whose candidates passed on, are required to  
submit the details of their candidates for the by-election to the  
Commission on or before Monday, 24th October, 2022.
- (c) The days for the nomination of Political parties whose  
candidates passed on shall be on Thursday, 10th November,  
2022 and Friday, 11th November, 2022 and the nomination  
papers shall be delivered by 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.
- (d) All candidates who had been cleared to participate in this  
election prior to the the 9th August, 2022, General Election, to  
verify their details and documents with the respective  
Returning Officer on or before the nomination days.
- (e) 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 Monday, 21st  
November, 2022.
- (f) The campaign period for purposes of the Thursday, 8th  
December, 2022, by-election shall commence immediately  
after nomination of candidates in (c) on Thursday, 10th  
November, 2022 and cease on Tuesday, 6th December, 2022,  
being 48 hours before the by-election day.
- (g) The campaign time shall run from 7.00 a.m. to 6.00 p.m.  
during the campaign period.
- (h) 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 Tuesday, 24th November, 2022.
- (i) The registration and revision of the register of voters for the  
said electoral areas remain suspended.
- (j) If the elections are contested, the poll will take place on  
Thursday, 8th December, 2022.

## Notes:

1. The attention of candidates and persons subscribing  
nomination papers is drawn to the provisions of Parts III, V 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, the  
disqualifications imposed thereof and the Constitution of Kenya.

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

5. 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 4th October, 2022.

W. W. CHEBUKATI,

*Chairperson,**Independent Electoral and Boundaries Commission.*

GAZETTE NOTICE NO. 11945

## THE CONSTITUTION OF KENYA

INDEPENDENT ELECTORAL AND BOUNDARIES  
COMMISSION ACT

(No. 9 of 2011)

## THE ELECTIONS ACT

(No. 24 of 2011)

## THE ELECTIONS (GENERAL) REGULATIONS, 2012

PARLIAMENTARY BY- ELECTION FOR MEMBER OF THE SENATE,  
BUNGOMA COUNTY SCHEDULED TO BE HELD ON 8TH DECEMBER,  
2022

IN EXERCISE of powers conferred by Articles 85, 88 (4), 98 (1)  
(a), 99, 101 (4) and 103 (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, and 14, 15,  
Parts VI and IX of the Election (General) Regulations, 2012, the  
Independent Electoral and Boundaries Commission gives notice that:

- (a) Following declaration of vacancy that occurred in the office  
of Member of the Senate for Bungoma County confirmed by  
the respective Speakers of the Senate *vide* a letter dated the  
26th September, 2022, there shall be a by-election for  
Member of the Senate for Bungoma County on Thursday, 8th  
December, 2022.
- (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  
Thursday, 13th October, 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) Political parties intending to present a candidate in this  
election shall conduct its primaries on or before the  
Wednesday, 19th October, 2022.
- (f) 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.
- (g) 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 Monday, 24th October, 2022.
- (h) Political parties intending to present candidates in this  
election through direct nominations shall submit the list of

- persons nominated to contest in this election to the Commission on or before Monday, 24th October, 2022.
- (i) Candidates intending to participate in this election as independent candidates shall submit their names and symbols that they intend to use during the by-election for purposes of nomination of independent candidates to the Commission on or before Thursday, 13th October, 2022.
  - (j) 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.
  - (k) The days for the nomination of political party candidates and independent candidates for the by-election shall be on Thursday, 10th November, 2022 and Friday, 11th November, 2022 and the nomination papers shall be delivered by the candidates to the 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.
  - (l) 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 Monday, 21st November, 2022.
  - (m) The campaign period for purposes of the Thursday, 8th December, 2022 by-election shall commence upon nomination of the candidate on Wednesday, 9th November, 2022 and cease on Tuesday, 6th December, 2022 being 48 hours before the by-election day.
  - (n) The Campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
  - (o) 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 Tuesday, 24th November, 2022.

- (p) The registration and revision of the register of voters for the said electoral area remains suspended.
- (q) If the elections are contested, the poll will take place on Thursday, 8th December, 2022.

*Notes:*

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Parts III, 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 4th October, 2022.

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