



FOR IMMEDIATE RELEASE

NAIROBI, KENYA, SEPTEMBER 15TH 2022

SUBJECT: ALLOCATION OF SPECIAL SEATS BY USE OF POLITICAL PARTY LIST

Article 90 of the Constitution introduces elections on the basis of proportional representation by use of party lists. Article 90(2) of the Constitution provides that, the Commission shall be responsible for the conduct and supervision of elections for the allocation of seats on the basis of proportional representation through the nomination of candidates by political parties by use of party lists. Political Parties are required to submit party lists in accordance with the constitution or nomination rules of the respective political party.

On 27th July, 2022, the Commission published the party lists as received from political parties both in electronic format, as uploaded by parties on the candidate registration management system (CRMS), and hardcopy printouts of the same. Section 36(4) of the Elections Act, 2011 provides that the Commission shall designate, from each qualifying list, the party representatives on the basis of proportional representation.

In allocating the nomination slots, the Commission applied the formulae developed under Regulation 56(2) of the Elections (General) Regulations:

“The formula for allocation of seats to the respective political parties from the party lists shall be the number of seats won by a political party divided by the total number of seats multiplied by available seats for allocation in the respective house.”

The formulae which was applied through an electronic system is simple, secure and accurate and is without room for either adverse human intervention or bias.

The Commission completed the process and published the nominated persons to the Senate and National Assembly on 7th September 2022 and the list of persons nominated to the 47 County Assemblies on 9th September 2022 vide a special issue of the Kenya Gazette No. 10537 Vol. 181 and No. 10712 Vol. CXXIV -No. 186 respectively.

We wish to inform the public that as per the Constitution and the Elections Act, the party list remains a closed list as at the date of General Election and for the term of Parliament or County Assembly, as the case may be, for which the candidates are elected and cannot be changed unless through an order of the court.

W.W. CHEBUKATI
CHAIRMAN