



# **THE KENYA GAZETTE**

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GAZETTE NOTICE No. 7520

## **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-ELECTIONS FOR MEMBERS OF THE COUNTY ASSEMBLIES FOR  
ELDAS, KIAGU AND NGUU/MASUMBA WARDS IN WAJIR, MERU AND  
MAKUENI COUNTY ASSEMBLIES SCHEDULED TO BE HELD ON 14th  
OCTOBER, 2021**

IN EXERCISE of powers conferred by Articles 84, 85, 88 (4), 177 (1) (a), 193 and 194 (1) (a) of the Constitution of Kenya, sections 2, 5 (b), 13 (3), 19, 22, 25, 26, 32, 33, 38, 43 (5A) and 74 of the Elections Act, 2011 and Regulation 11 (6), 12 (1), 13B, 14 and 15 Parts VIII and IX of the Election (General) Regulations, 2012 the Independent Electoral and Boundaries Commission gives notice that:

- (a) Following deceleration of vacancies that occurred in the offices of Member of Eldas, Kiagu and Nguu/Masumba Ward for Wajir, Meru and Makueni County Assemblies on the 4th July, 27th May, and 15th June, 2021 *vide* letters from the Speaker of Wajir County Assembly received on the 7th July, 2021, from the Speaker of Meru County Assembly received on 9th June, 2021, and from the Speaker of Makueni County Assembly received on 6th July, 2021 and respectively, there shall be By-Elections for Members of Eldas, Kiagu and Nguu/Masumba Wards Thursday, 14th October, 2021.
- (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 Wednesday 4th August, 2021.
- (c) A public officer who intends to contest in the by-elections shall resign from public office within seven (7) days of the declaration of a vacancy by the Speakers of the respective Assemblies.
- (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-election.
- (f) 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 Wednesday 18th August, 2021.
- (g) 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 Wednesday 18th August, 2021.
- (h) Candidates intending to participate in this election as independent candidates shall submit their names and symbols that they intend to use during the by-elections for purposes of nomination of independent candidates to the Commission on or before Wednesday, 4th August, 2021.
- (i) 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.
- (j) The days for the nomination of political party candidates and independent candidates for the by-elections shall be on Wednesday, 25th August, 2021 and Thursday, 26th August, 2021. and the nomination papers shall be delivered by the candidates to the respective 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.
- (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 Monday, 30th August, 2021.
- (l) The campaign period for purposes of the 14th October, 2021, by-elections shall commence on, Wednesday, 25th August, 2021 and cease on Monday, 11th October, 2021, 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 Constituency Elections Agents to the Commission on or before Thursday, 30th September, 2021.
- (o) The registration and revision of the register of voters for the said electoral areas is suspended until the 25th October, 2021.
- (p) If the elections are contested, the poll will take place on the Thursday, 14th October, 2021.

*Notes:*

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Parts III, VIII and IX of the Election (General) Regulations, section 13 (2) and the First Schedule to the Leadership and Integrity Act No. 19 of 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 27th July, 2021.

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

GAZETTE NOTICE No. 7521

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 RETURNING AND DEPUTY RETURNING OFFICERS FOR PURPOSES OF THE BY-ELECTIONS OF MEMBERS OF ELDAS, KIGU AND NGUU/MASUMBA WARDS OF WAJIR, MERU AND MAKUENI COUNTY ASSEMBLIES SCHEDULED TO BE HELD ON 14TH OCTOBER, 2021

IN EXERCISE of the powers conferred by Articles 88 (4), and 177 (1) (a) and 193 of the Constitution, section 11 of the Independent Electoral and Boundaries Commission Act, 2011, sections 38, 39 (1) and (1A) and (1B) of the Elections Act, 2011 and Regulations 3 of the Elections (General) Regulations, 2011, the Independent Electoral and Boundaries Commission appoints the Returning and Deputy Returning Officers named in the 8th Column of the Schedule for purposes of the By-Elections for Members of Eldas, Kiagu and Nguu/Masumba Wards, Members of Wajir, Meru and Makueni County Assemblies respectively, scheduled to be held on the 14th October, 2021.

SCHEDULE

| County Code | County Name | Const. Code | Const. Name    | County Assembly Ward Code | County Assembly Ward Name | Designation              | Name of Officer        | ID No.   |
|-------------|-------------|-------------|----------------|---------------------------|---------------------------|--------------------------|------------------------|----------|
| 008         | Wajir       | 037         | Eldas          | 0180                      | Eldas                     | Returning Officer        | Mohamud Isaack Muhumed | 11172469 |
|             |             |             |                |                           |                           | Deputy Returning Officer | Osman Ibrahim Adan     | 21379715 |
| 012         | Meru        | 058         | Central Imenti | 0180                      | Kiagu                     | Returning Officer        | Pamela Karimi M'Ithiru | 13871311 |
|             |             |             |                |                           |                           | Deputy Returning Officer | Faith Gatwiri Guantai  | 21726191 |
| 012         | Makueni     | 087         | Kibwezi West   | 0435                      | Nguu/Masumba              | Returning Officer        | Maureen Oyaro          | 11135233 |
|             |             |             |                |                           |                           | Deputy Returning Officer | Mary Mutuku            | 27312593 |

Dated the 27th July, 2021.

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