



GAZETTE NOTICE NO:.....

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

**NOTICE OF PARLIAMENTARY BY- ELECTION FOR MEMBER OF THE
NATIONAL ASSEMBLY –KITUI WEST CONSTITUENCY SCHEDULED TO BE
HELD ON 26TH MARCH, 2018**

IN EXERCISE of powers conferred by Articles 88(4), 97(1)(a), 99, 101(4) of the Constitution of Kenya, Sections 2, 13(3), 16, 24, 26, 30, 31, 32, 33, 38, 38A, 39, 43 (5A) and 74 of the Elections Act, 2011 and Regulations 11(4), 12(1) and 14, Parts III, V and IX of the Election (General) Regulations, the Independent Electoral and Boundaries Commission gives notice that:

- (a) Following the Declaration of Vacancy in the office of Member of the National Assembly for Kitui West Constituency vide a letter from the Speaker and Gazette Notice No. 12711 Vol. CXIX- No. 193 dated 27th December, 2017, there shall be a by- election for the Member of National Assembly Kitui West Constituency on **26th March, 2018**.
- (b) Each Political Party intending to participate in the by-election shall submit the names of the persons contesting in a party primary and the date of the party primary on or before **10th January, 2018**.
- (c) 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.
- (d) Candidates intending to participate in the by- election as independent candidates shall not have been members of any political party by **23rd December, 2017**.
- (e) Each political party intending to participate in the elections must finalize its primaries and resolve all intra-party disputes on or before the **19th January, 2018**.
- (f) 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 **6th January, 2018**.

- (g) 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 being on or before **12th January, 2018**.
- (h) The days for the nomination of political party candidates and independent candidates for the by-election shall be on **Thursday 25th January, 2018 and Friday, 26th January, 2018** 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.
- (i) Disputes relating to or arising from nominations shall be determined within ten (10) days of the lodging of the dispute with the Commission.
- (j) The campaign period for purposes of the **26th March, 2018** by-election shall commence on **Thursday 25th January, 2018** and cease on **Friday, 23rd March, 2018** being 48 hours before the by-election Day.
- (k) The Campaign time shall run from **7.00 a.m. to 6.00 p.m.** during the campaign period.
- (l) Political parties and Independent candidates shall appoint and submit to the Commission the names of one Constituency Election Agents to the Commission on or before **10th March, 2018**
- (m) If the elections are contested, the poll will take place on the **26th March, 2018**.

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 Election 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 is drawn to the provisions of Section 26 of the Elections Act, 2011.
5. The attention of Political Parties and Candidates is drawn to the provisions of section 43(5A) of the Elections Act, 2011 on resignation of public officers.

Dated 4th January, 2018

W.W. Chebukati
Chairperson
Independent Electoral and Boundaries Commission.