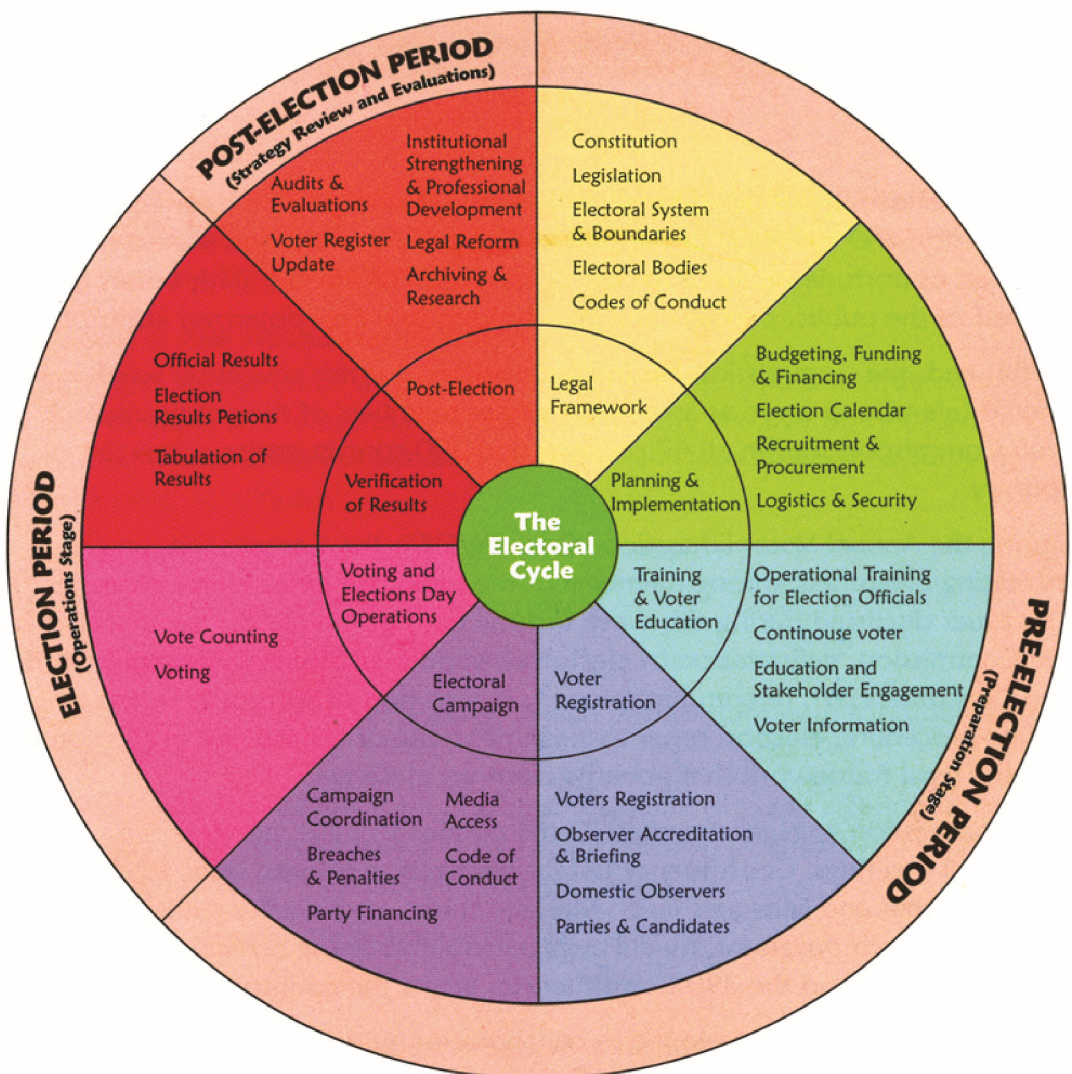




A Handbook on Frequently Asked Questions (FAQs) & Responses





INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

FREQUENTLY ASKED QUESTIONS (FAQs) & RESPONSES

Our Vision

A credible electoral management body that meets the democratic aspirations of the people of Kenya

Our Mission

To conduct transparent, efficient and impartial elections and undertake boundary delimitation for equitable representation and sustainable democracy

Our Core Values

Adherence to the rule of law

Inclusivity

Integrity

Accountability

Teamwork

Innovativeness

PREFACE

The electioneering period in Kenya is usually a challenging time for both the Commission and members of the public. The post/ pre-period thus offers an opportune moment for the Commission to interact with voters and the rest of the public, partners and stakeholders in a non-polarised atmosphere.

To this end, the Commission has institutionalised a voter education program in its electoral calendar to serve as an avenue where members of the public interact with Commission staff in the electoral areas across the Country.

During the period preceding the 2022 General Elections, the Commission will listen to and address issues arising from the 2017 General Elections as well as increasing awareness among members of the public on all electoral processes. These electoral processes include but not limited to: Boundaries delimitation, referendum process, continuous voter registration, voting process, election result management, electoral technologies, purpose of the server and legal frameworks that govern elections in Kenya.

The Commission shall engage the members of the public through various forums including: Town hall meetings, Constituency based sensitisation forums, door to door visits, faith based institutions, market places, community gatherings, school out-reach programs, media engagement and on site service delivery in all the electoral areas across the Country. During the public engagements, the Commission will adhere to the Covid-19 guidelines.

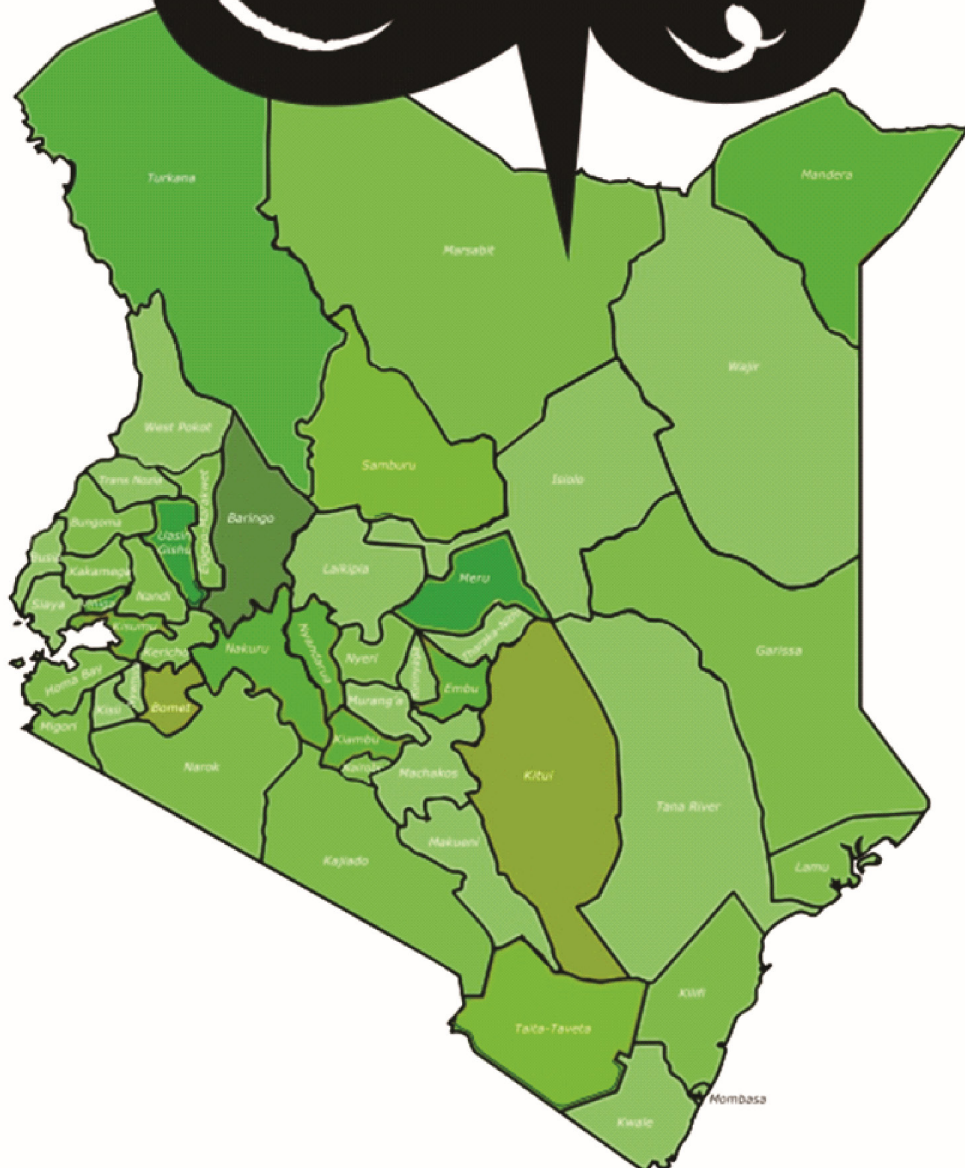
This booklet has been developed with support from development partners including IFES and URAIA Trust with the aim of availing responses to the Frequently Asked Questions on electoral processes and procedures.

IEBC 2022 Edition

CONTENTS

Frequently Asked Questions on Boundary Delimitation.....	1
Frequently Asked Questions on Elections Processes and Procedures.....	11
Frequently Asked Questions on Referendum Process.....	15
Frequently Asked Questions on Election Observation.....	23
Frequently Asked Questions on Electoral Technologies.....	28
Frequently Asked Questions on Voter Registration.....	33
Frequently Asked Questions on Voter Information, Education and Communication.....	37
Legal Frequently Asked Questions on Electoral Laws.....	39

FREQUENTLY ASKED QUESTIONS ON BOUNDARY DELIMITATION PROCESS



1.0. What is boundary delimitation?

It is the process of determining boundaries of electoral areas for the purposes of representation to Parliament and County government Assemblies.

2.0. What are the types of boundaries in Kenya?

There are three types of boundaries in Kenya, namely:

- National boundaries that make up sovereign territory.
- Administrative boundaries (County, Sub County, Division, Location and Sub location).
- Electoral boundaries (Constituencies and County Assembly Wards).

3.0. Who determines National boundaries?

The Ministry of Interior and Coordination of National Government.

4.0. Who determines electoral boundaries in Kenya?

IEBC determines boundaries for Constituencies and County Assembly Wards (CAWs).

5.0. How many Constituencies do we have in Kenya?

There are 290 Constituencies.

6.0. How many County Assembly Wards (CAWs) do we have in Kenya?

There are 1450 CAWs.

7.0. Who determines the number of CAWs in Kenya?

The IEBC determines the number, names and boundaries of Wards to be used in the general election.

8.0. When can electoral boundaries be reviewed?

The Constitution requires that IEBC reviews electoral boundaries as follows:

- Periodically for CAWs as the Commission may determine.
- Not less than the 8th year and not more than the 12th year from the date of the last delimitation or review for the Constituencies.

9.0. What is the Commission's mandate on the existing Constituencies and CAWs?

The Commission has the mandate to determine:

- The names and boundaries of constituencies.
- Periodically determine the number, names and boundaries of the County Assembly Wards.

10.0. Which Institution determines County boundaries?

County boundaries can only be altered by a resolution recommended by an ad-hoc Independent Commission set up for that purpose by Parliament.

11.0. How can I participate in boundaries delimitation?

You can participate in the following ways:

- (i) Presenting written memoranda as an individual or as a group to IEBC or an Independent Commission set up by Parliament for that purpose.

- (ii) Making oral presentations to the IEBC during Public Hearing at your county headquarters town hall according to a schedule that will be published and gazetted.
- (iii) Official social media platforms of the Commission.

12.0. Can a Kenyan living outside Kenya participate in boundary delimitation?

Yes, Kenyans residing outside the Country can participate through sending memorandum to the Commission or through any of the ways mentioned in 11.0 above.

13.0. When can the results of boundaries review be used in a General Election?

The results of any Review of boundaries of constituencies and Wards will take effect upon gazettelement and subsequent dissolution of Parliament and County Assemblies.

14.0. What parameters are used to determine the names and boundaries of Constituencies and the number, names and boundaries of Wards?

The Commission uses the guidelines/criteria set out in article 89 of the Constitution:

- (i) The population quota.
- (ii) Cities and sparsely populated areas.
- (iii) Other areas.
- (iii) Geographical features and urban areas.
- (iv) Community of interest, historical, economic and cultural ties.
- (v) Means of communication.

15.0. What is population density?

It is the number derived from dividing the population of Kenya by the total landmass of the country.

16.0. What is a sparsely populated area?

This is an electoral area whose population density is less than the national population density as derived from the parameters in number 16.

17.0. What is community of interest?

This refers to the significance a community attaches to its geographical environment due to the perceived benefits that are currently accruing to it, due to its proximity to the features or future perceived benefits, for instance; forests, mountains, means of production and lakes.

18.0. What are geographical features?

These are the natural features present in the local area such as rivers, lakes, hills, forests and escarpments.

19.0. What are historical ties?

These are the past connections to the local area that are held as precious to the local community that has been resident in the area for a long period of time such as physical features that define the culture of a people, their names and significance to their way of life, religious and cultural sites, cemeteries, names of important occurrences in the area, names of the areas etc.

20.0. What are economic ties?

These are shared livelihood opportunities existing in a locality, e.g., business opportunities, forests, factories, slaughterhouse, lake, grazing lands, national park etc.

21.0. What are cultural ties?

These refer to the ascribed significance of the people who live in a certain locality. This shapes their culture and way of life, i.e., those who fish are near lakes and major rivers, pastoralists live in large rangelands to enable grazing and fashion their lives along this geographical abundance of resources.

22.0. What do means of communication mean?

This refers to the infrastructure in place to enable mobility, connection and communication of the people resident in a certain area. This includes roads, telecommunications infrastructure, rail lines, airports, ports and harbours.

23.0. What is a 'population quota' in boundary review?

The number derived from dividing the total population of the country by the 290 constituencies and /or the total number of wards.

24.0. How do we determine the population quota for an electoral area?

The population quota of an electoral area is the number derived from dividing the total population of the country by the 290 constituencies and /or the total number of wards.

The number derived is the same for all. However, it can deviate from the average population as stipulated in Article 89(6) in the following ways:

- (i) For cities, it is plus 40% from the average population quota.
- (ii) Minus 40% from the population quota for sparsely populated areas.
- (iii) Plus 30% from the population quota.
- (iv) For all other areas it is minus 30% from the population quota.

25.0. What does the term ‘Protected Constituency’ mean?

This is a constituency that existed during the first review and did not meet the minimum threshold criteria set out in the Constitution for setting up a constituency. This only existed in the first review under the Constitution of Kenya, 1963 and their protection has elapsed as per the Constitution of Kenya, 2010.

26.0. How will the public be informed about Boundary Delimitation?

The IEBC will undertake Civic education on electoral boundary delimitation exercise for all Kenyans residing in and outside Kenya.

27.0. Who will be engaged in boundary delimitation?

All parties interested in boundaries delimitation.

28.0. When will they be informed, involved and engaged?

When the Commission releases a schedule of nationwide consultations and deliberations on the boundaries delimitation process.

29.0. Why is review of boundaries of Constituencies and CAWs necessary?

It is meant to ensure:

- (i) Equality of the vote.
- (ii) Fair representation.

30.0. Who will make the decisions on the final review report on boundary delimitation?

The Commission through the Chairperson, has the sole mandate to make determinations on the delimitation of boundaries of constituencies and wards.

31.0. What does the IEBC Chairperson do after receiving the report of the second review of the Constituencies and County Assembly Wards?

- (i) Gazettes the descriptions and details of the Second Review.
- (ii) Forwards the report to the Speakers of Parliament and to the President simultaneously.
- (iii) Publicises the Report, the Gazette and Maps of the Review in the Kenya gazette and daily newspapers.

32.0. Where can I seek assistance if I am dissatisfied with the decision of the Commission regarding boundary review?

You can submit a petition to the High Court for a review of the decision of the Commission within 30 days after publication of the decision in Kenya Gazette.

33.0. How long does it take the high court to determine boundary review petitions?

Boundary review petitions are determined within three months.

34.0. When does the report of the second review of boundaries of Constituencies and Wards come into effect?

The boundaries of constituencies and wards come into effect upon the dissolution of the parliament preceding the gazettement.

If the boundary review is completed within twelve months to the next general election, the new boundaries shall not take effect for purposes of that general election.

35.0. Where can I get electoral boundary maps?

At the IEBC headquarters at a fee.



During the 2021 Annual Voter Education Week (AVEW), the Commission will listen and address issues arising from the 2017 General Elections as well as increasing awareness among members of the public on all electoral processes.



**FREQUENTLY ASKED
QUESTIONS ON
ELECTION OPERATIONS**



The Electoral Cycle



1.0. What is an election cycle?

An election cycle is a series of electoral activities that happen in a systematic manner between one general election and the next one.

2.0. What are the phases of the election cycle?

The election cycle is made up of three phases namely:

- (i) Pre-Election (Preparation).
- (ii) Election(Operation).
- (iii) Post-election (Strategy).

3.0. What does IEBC do in the pre-election phase?

Review of electoral laws:

- (i) Review of electoral boundaries, where applicable.
- (ii) Drawing of electoral calendar.
- (iii) Drawing of election budgets.
- (iv) Procurement of election materials and services.
- (v) Warehousing of election materials.
- (vi) Recruiting, training and deployment of election officials.
- (viii) Voter education, information and public outreach.
- (vii) Stakeholder engagement.
- (viii) Partner coordination.
- (ix) Accreditation of voter education providers and election observers.
- (x) Registration of voters and update of the roll of voters.
- (xiii) Verification and inspection of the register of voters.
- (xi) Certification and publication of the register of voters.
- (xii) Procurement and testing of electoral technologies.

4.0. What does IEBC do in the election phase?

- (i) Monitoring political party primaries.
- (ii) Receiving party lists from political parties.
- (iii) Registration of political party and independent candidates for elections.
- (iv) Monitoring campaigns and enforcing of the Election Campaign Schedules.
- (v) Enforcement of electoral laws and code of conduct.
- (vi) Monitoring and enforcing campaign financing.
- (vii) Accreditation of voter education providers and election.
- (viii) Observers.
- (ix) Voter education and information.
- (x) Stakeholder engagement.
- (xi) Partner coordination.
- (xii) Conducting elections.
- (xiii) Tallying and announcement election results.
- (xiv) Declaration and gazettement of election results.
- (xv) Dealing with election petition and appeals.

5.0. What does IEBC do in the post-election phase?

- (i) Post-election evaluation.
- (ii) Voter education and information.
- (iii) Stakeholder engagement.
- (iv) Development partner coordination.
- (v) Auditing and evaluation of processes and systems.
- (vi) Documentation and archiving of election results and other records.
- (vii) Review of electoral laws.
- (viii) Upgrade or reuse of electoral technology.
- (ix) Institutional strengthening.
- (x) Professional development of staff.
- (xi) Review of manuals and other IEC materials.

**FREQUENTLY ASKED
QUESTIONS ON
REFERENDUM PROCESS**



YES!



NO!

1.0. What is a referendum?

Referendum is a form of direct democracy where the people in a country or an area are asked to give their opinion about or decide an important question or questions.

Referendum is an election where citizens vote for or against an issue or issues.

2.0. Does the Constitution of Kenya provide for conditions for a referendum?

Yes, it does.

3.0. What can warrant a Constitutional amendment through referendum?

A proposed amendment to the constitution shall be enacted in accordance with Articles 255, 256 and 257 and approved in accordance with Clause (2) by a referendum, if the amendment relates to any of the following matters:

- (a) The supremacy of this Constitution.
- (b) The territory of Kenya.
- (c) The sovereignty of the people.
- (d) The following national values and Principles of Governance as listed below.
 - (i) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people.
 - (ii) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised.

- (iii) Good governance, integrity, transparency and accountability.
- (iv) Sustainable development.
- (e) The Bill of Rights.
- (f) The term of office of the President.
- (g) The independence of the Judiciary and the following. Commissions and independent offices to which chapter 15 applies to are:

(i) The Commissions

- The Kenya National Human Rights and Equality Commission.
- The National Land Commission.
- The Independent Electoral and Boundaries Commission.
- The Parliamentary Service Commission.
- The Judicial Service Commission.
- The Commission on Revenue Allocation.
- The Public Service Commission.
- The Salaries and Remuneration Commission.
- The Teachers Service Commission.
- The National Police Service Commission.

(ii) The Independent Offices

- The Auditor-General.
- The Controller of Budget.
- (h) The functions of Parliament.
- (i) The objects, principles and structure of devolved government.
- (j) The provisions of this chapter.

4.0. How is a referendum initiated?

- By popular initiative process:
 - Kenyan citizens, as individuals or as an organised group can seek referenda on any issue affecting their rights and entitlements under the Constitution.
- Through parliamentary initiative:
 - A bill is introduced in parliament seeking to amend the Constitution.

5.0. What is the procedure for conducting a referendum through a popular initiative?

- (i) Initiator(s) collect one million signatures from among the registered voters.
- (ii) The initiators present their proposed amendment either as general suggestion, or a draft bill.
- (iii) In case, the initiative is in the form of a general suggestion, the initiator(s) formulate it into a draft bill.
- (iv) The initiators of a popular initiative deliver the draft bill and the supporting signatures to IEBC for verification that the bill is supported by at least one million registered voters.
- (v) If IEBC is satisfied that the initiative meets the requirements, the Commission submits the draft bill to each county assembly for consideration within three months after the date it was submitted by the Commission.
- (vi) If the county assembly approves the draft bill within three months from the date it was submitted by the Commission, the speaker of the county assembly shall deliver a copy of the draft bill jointly to the Speakers of the two Houses of Parliament, with a certificate that the county assembly has approved it.

- (vii) If a draft bill has been approved by a majority of the county assemblies, it shall be introduced in Parliament without delay.
- (viii) The amendment bill is passed, if it is supported by a majority of the members of each House.
- (ix) If the bill is passed by Parliament, it is submitted to the President for assent, and no Referendum is held.
- (x) However, if either House of Parliament fails to pass the bill or the bill relates to a matter that must be subjected to a referendum, the proposed amendment shall be submitted to the people in a referendum.
- (xi) This means that if the issue is not among the ones mentioned in Art. 255 then the process ends at the parliament houses. However, if it is on any issue of the Art. 255 then it is subjected to referendum before the President assents his signature.

6.0 Are there candidates in a referendum?

No. In a referendum, people vote for or against an issue or issues framed as a referendum question or questions.

7.0. What is a referendum question?

A question formulated by IEBC that will guide the voters to vote for or against an issue.

8.0. Who is responsible for conducting referenda?

IEBC is responsible for conducting referenda in Kenya.

9.0. Who is a referendum officer?

This is a person appointed by the Commission for the purpose of conducting a referendum.

10.0. Who pays for the referendum costs?

The Government of Kenya.

11.0. Who campaigns for or against an issue in a referendum?

Referendum Committees rally voters to vote for or against the referendum question(s).

12.0. What is a referendum committee?

It is a national or a parliamentary or constituency committee comprising of persons intending to support or oppose a referendum question.

13.0. How are referendum committees accredited?

- Each referendum committee is required to apply to IEBC for registration in a prescribed form.
- IEBC verifies and ascertains that the applicant adequately represents persons campaigning for or against the referendum question.
- If the Commission is satisfied that the information given by the applicants is adequate, then the referendum committee is registered.
- The National Referendum Committee shall control and regulate the constituency referendum committees.

14.0. What are the rules for the referendum committee?

- A referendum committee shall not be registered in the name or logo of a political party.
- The registration of a referendum committee for the purposes of a referendum is valid only for that referendum.

15.0. Who funds the referendum campaign committees?

Each referendum committee bears its own cost.

16.0. Who are referendum agents?

These are persons appointed by referendum committees and include Chief agents and polling station agents for purposes of that referendum.

17.0. When does IEBC give a notice of holding a referendum?

The Commission shall, within fourteen days after publication of the referendum question publish a notice of the holding of the referendum and the details, thereof, in the Gazette, electronic and print media of national circulation.

18.0. What shall the notice of referendum specify?

The notice shall specify the:

- (i) Referendum question or questions and the option of the answer or answers;
- (ii) Symbols assigned for the answers to the referendum question;
- (iii) Day on which the referendum is to be held which shall not be less than twenty-one days after the date of the publication of the notice;
- (iv) Polling time of the referendum;
- (v) Day by which the referendum committees shall have registered with the Commission; and
- (vi) Day and time by which campaign in support of or in opposition to the referendum question shall start and cease.

19.0 What are the thresholds for a Proposer to get a win at a referendum?

The proposed amendment is approved if:

- (i) At least twenty per cent of the registered voters in each of at least half of the counties should vote in the referendum; and
- (ii) The referendum question is supported by a simple majority-We don't need this (at least 50% of the votes plus one vote) of the citizens voting in the referendum.

**FREQUENTLY ASKED
QUESTIONS ON
ELECTION OBSERVATION**



1.0 What is election observation?

It is an impartial assessment of the various stages of the electoral process in an electoral cycle. It involves the accurate gathering of information concerning how an election is managed, whether the laws allow free and fair elections and the general political environment in which the election is held is conducive.

2.0 Who is an election observer?

Election observers are mostly volunteers who may be nominated to take part in the assessment of an electoral process primarily organised by a mission. There are generally two main categories of observers:

- Domestic.
- International.

3.0 What do long-term and short-term election observers do?

- Long term observers are usually deployed at least six months before, during and after a general election. Teams are deployed to various locations throughout the country to analyse: Election laws and assess voter registration, election preparations, voter education efforts, and the openness of campaigns. The collected information is then shared with the Electoral Commission and other stakeholders in elections.
- Short-term observers are usually sent around a country to observe balloting and vote tabulation during election day.
- International missions usually send high-level delegations comprised of former elected officials.

4.0 What is the goal of election observation?

Election observation is considered as best practice in the management of elections. It :

- Strengthens an electoral process by reassuring voters they can safely and secretly cast their ballots and electoral fraud will be detected;
- Provides an impartial assessment of the electoral process and recommend ways to improve the process in future elections;
- Assists election administrators, political parties, and civil society groups in developing tools and skills to peacefully resolve conflicts and discourage violence related to the electoral process;
- Shows that international community is interested in supporting elections that meet international standards as reflected in a variety of international documents and statements;
- Reinforces the efforts of civil society and domestic monitoring organizations in the electoral process and increases the credibility of their work; and
- Adds credibility to the electoral process.

5.0 Who can observe elections in Kenya?

(Sometimes including former Presidents, eminent persons, scholars, and elections experts).

An individual, a group or an organisation accredited by the Commission to observe an election or referendum.

For purposes of a general election, the IEBC sends out notice inviting applications from suitably qualified domestic and international organisations/groups who wish to be accredited as observers. The notice is issued by way of an official letter or through newspaper/website advert.

6.0 Are there criteria established by IEBC in assessing eligibility for accreditation?

Yes. The IEBC assesses eligibility of a mission/organisation against the following parameters:

- Must be a registered organisation or entity in Kenya or country of origin.
- Must present a certified copy of the organisations constitution.
- Must provide organisations profile.
- Must submit a deployment plan of the observer mission.
- Must submit a signed authorisation form from two contact persons preferably officials, as well as copies of their IDs/ passports and cell phone numbers of each observer in the mission.
- Must submit a signed declaration form of each of the observer with attached copy of id/passport.
- Must submit soft copies of passport sized photographs (1.5cm by 2 cm) well labeled with name and id/passport number.
- Must give an undertaking and firm commitment that the organisation will abide by the signed code of conduct.

7.0 What is the responsibility /roles of the Commission towards accrediting observer missions?

- Establishing an election observer's accreditation center.
- Accrediting observers within a reasonable time to facilitate their planning.
- Providing observers with requisite information, e.g, list of polling stations, maps.
- Guaranteeing unimpeded access, within the law, to observers to stages and processes of elections.
- Ensuring all IEBC staff act within the limits of their powers and authority.

8.0 What is the mandate of an accredited observer?

The mandate of the observer is to observe and report on conduct of elections, whilst maintaining strict independence, impartiality and professionalism. In no way can the observer interfere in the electoral process.

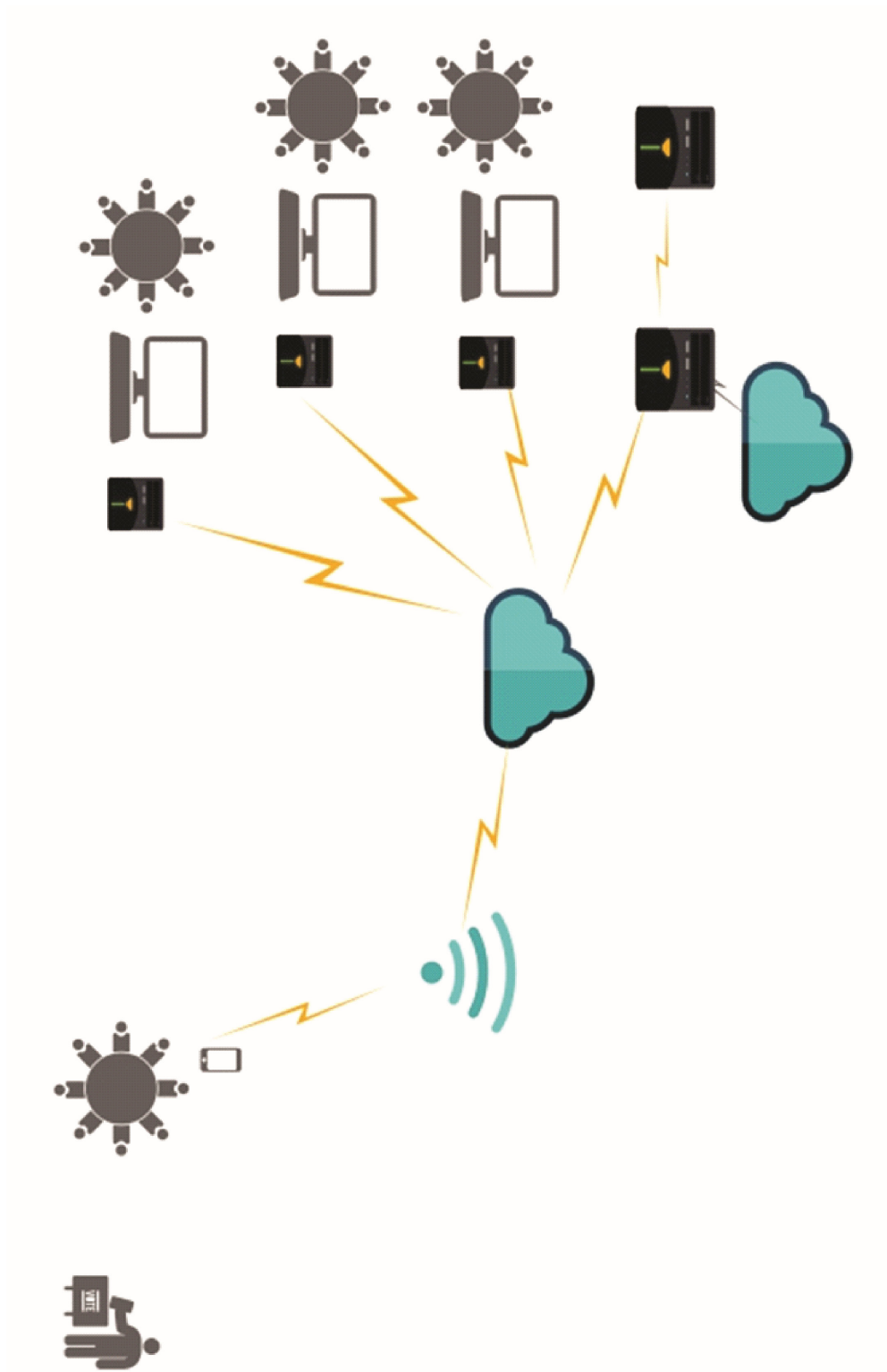
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**On election day, observers
enhance trust in
an elections by reassuring voters
that they can safely and
secretly vote.**

”

**FREQUENTLY ASKED
QUESTIONS ON ELECTORAL
TECHNOLOGIES**





1.0. What is the legal framework for the use of information communication and technology in elections?

The legal framework for Kenya's electoral system is contained in Articles 81 and 86 of the Constitution.

In regards to the above, the technology that is used in election is an integrated management system that incorporates Voter Registration (BVR), Candidate Registration System (CRMS), Voter Identification (EVI) and Results Transmission (RTS) and all this forms the Kenya Integrated Management System (KIEMS).

2.0. What is a 'server'?

A server is a computer that runs services to serve the needs of other computers or users. The purpose is to share computing resources, data and to distribute computer work across private or public networks. For example, print server makes central printing capability available to users. While file server provides access to shared files and computer programs. During general election the IEBC uses results server to allow anyone to access the election results of any elective positions.

In the Kenya Electoral System, the voting procedure is defined in Section 69 and Section 70 of the Elections (General) Regulations.

This entails a manual process where a voter:

- (i) Presents him/herself to the polling station.
- (ii) Is identified biometrically through the KIEMS kit.
- (iii) Is given a ballot paper.
- (iv) Marks the ballot paper.
- (v) Casts his or her vote.

Once the polling/voting closes:

- (i) Counting of votes begins.
- (ii) The Presiding Officer (PO) fills in the respective election result FORM A.
- (iii) The Presiding Officer (PO) announces the result of each election as indicated in FORM A.
- (iv) The respective original Form A is usually taken to the Returning Officer (RO) by the PO.
- (v) A copy of the respective Form A is given to the agents present.
- (vi) Another copy is posted on the door of the polling station and Another copy is placed inside the ballot box.
- (vii) The PO using the KIEMS then scans the original form A and sends it to a public portal referred to as the server.

3.0 What is the purpose of the server in election result management?

The server only acts as a storage location/place for the scanned copies of original election result forms.

4.0. Did the candidates/political party agents and the media have access to the IEBC server in the last General Election?

- (i) Yes! The media and political candidates had access to the IEBC server using the internet address [https:// forms.iebc.or.ke/](https://forms.iebc.or.ke/) where they monitored the elections results as they streamed from the polling station.
- (ii) They were also allowed a read only access to the same server as directed by the Supreme Court of Kenya during the Presidential Election Petition.



The technology used in elections is an Integrated Management System that incorporates Voter Registration (BVR), Candidate Registration System (CRMS), Voter Identification (EVI) and Results Transmission (RTS) and all this forms the Kenya Integrated Management System (KIEMS).



FREQUENTLY ASKED QUESTIONS ON VOTER REGISTRATION



1.0 Where and how can I register as a voter?

Registration of voters is carried out at gazetted registration centres in constituencies and County assembly Wards (CAWS) by gazetted Registration Officers. Most public primary schools, water points in ASAL areas are designated as registration centres in order to improve access to registration exercise.

Registration of voters is continuous except General Elections, by-elections and electoral areas with petitions.

In an election year, the Commission enhances continuous registration of voters (CVR) through mass voter registration (MVR).

2.0 What are my rights as a voter?

Exercise the right to vote or choose a candidate of your choice in a free and fair election which are:

- By secret ballot.
- Free from violence, intimidation, improper influence or corruption.
- Conducted by an independent body.
- Transparent.
- Administered in an impartial, neutral, efficient, accurate and accountable manner.

3.0 How can I check my registration status?

A voter can check registration status by inspecting the register of voters at the constituency office where he/she is registered or Commission headquarters. Commission also activates a short messaging services (SMS) code on which voters can send their ID or passport number to check their registration status.

4.0 How can I de-register?

A voter can apply to the Commission to de-register. Citizens are, however, encouraged to register as voters as a way of exercising their sovereign power either directly or through their democratically elected representatives.

5.0 How to change my voting station?

Visit the Constituency office where you want to transfer your vote and fill transfer Form C: Application for transfer of registration in area which a person is registered. The transfer will be processed and transfer effected in the register of voters.

6.0 When will Continuous Voter Registration (CVR) exercise end?

Continuous voter registration continues except when it is suspended through a gazette notice due to a General Election, by-election, petition in an electoral area or any other reason by the Commission.

7.0 Will I register again to vote for 2022 General Elections?

The Commission will communicate to the public whether or not fresh registration will be required for 2022 General Elections in view of the anticipated boundaries delimitation.

8.0 How many registers does IEBC have?

The Commission has one Register of voters which comprises of:

- (i) A poll register in respect of every polling station.
- (ii) A ward register in respect of every ward.
- (iii) Constituency register in respect of every constituency.

- (iv) A county register in respect of every county.
- (v) A register of voters residing outside Kenya.

The Commission shall compile and maintain the Register of voters which shall contain such information as shall be prescribed by the Commission.

9.0 Do prisoners register as voters?

Prisoners register as voters at designated prison facilities where they are held. They vote at the same facility only vote in presidential elections.

10.0 Where can I register as a voter outside Kenya?

Kenyan citizen residing outside Kenya, may register as voters in designated Kenyan Embassies, High Commissions and Consulates when the Commission announces time to do so. All requirements for registration as a voter in Kenya still stand during registration in diaspora, except for the identification document which is a valid Kenyan passport.

11.0 Where can I get the number of registered voters per constituency?

Commission website has all the voter statistics per county, constituency, polling stations, prisons and diaspora. You can also get more information about the commission. Please visit. <https://www.iebc.or.ke/>

**FREQUENTLY ASKED
QUESTIONS ON
VOTER INFORMATION,
EDUCATION AND
COMMUNICATION MATERIALS**



1.0 Where can I watch videos, photos and download IEBC voter education materials?

- (i) <https://www.iebc.or.ke/resources/publications>.
- (ii) Photos, videos and articles of Commissions activities and events are shared on our social media pages.

2.0 What are your social media pages?

- (i) Facebook: [Facebook.com/IEBCKenya](https://www.facebook.com/IEBCKenya)
- (ii) Twitter: [@IEBCKenya](https://twitter.com/IEBCKenya)
- (iii) Instagram: [@IEBCKenya](https://www.instagram.com/IEBCKenya)
- (iv) YouTube: [youtube.com/IEBCpage](https://www.youtube.com/IEBCpage)

3.0 How can I send my feedback on issues and concerns?

Feedback and concerns can be sent to our social media pages on Facebook, Twitter and Instagram.

4.0 How can I get IEBC news?

<https://www.iebc.or.ke/news/>

5.0 Where do I get IEBC Publications/PEE report?

<https://www.iebc.or.ke/resources/publications>.

**FREQUENTLY ASKED
QUESTIONS ON LEGAL
ISSUES ON ELECTIONS**



- THE CONSTITUTION OF KENYA, 2010
- THE ELECTIONS ACT, 2011
- THE ELECTION LAWS (AMENDMENT) ACT, 2017
- THE ELECTION LAWS (AMENDMENT) ACT, 2016
- THE POLITICAL PARTIES OF ACT, 2011
- ELECTIONS (GENERAL) REGULATIONS, 2012

1.0 What are the qualifications and requirements for nomination of candidates for the different elective positions?

A. Candidate for Presidential Election (and Running Mate)

Qualifications:

- Must be a Kenyan citizen by birth.
- Is qualified to stand for election as a member of Parliament.
- Must not owe allegiance to a foreign state.
- Must be a registered voter.
- Is a holder of a degree from a University recognised in Kenya.
- Is nominated by a political party or is an independent candidate.
- Must not be a public officer or acting in any state of public office other than, President, Deputy President or Member of Parliament.
- Must meet the moral and ethical requirements under the Leadership and Integrity Act.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.

- Must not be a person of unsound mind.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.
- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

(All requirement for President apply to the Deputy President and there shall be no separate nomination for the deputy)

Requirements:

The Candidate must submit the following documents to the Commission during the Commission Nomination:

- Certified copies of educational qualification certificates, including a Degree Certificate in accordance with Section 22 of the Elections Act, 2011 and Regulation 47 of Elections (General) Regulations, 2012.

Where the body that issued the Degree Certificate is not based in Kenya, a certified copy of the certificate must be submitted which must be authenticated and or equated by the Commission for University Education. Degree Certificates issued by Kenyan Institutions shall be certified by the issuing institution.

- A copy of a National Identity Card/valid Passport (the document used by the candidate to register as a voter)

- A passport size photograph with white background submitted in hard and soft copy.
- If a party candidate, a nomination certificate from a fully registered political party nominating the candidate, duly dated and signed by an authorised official of the party.
- A duly signed and dated Code of Conduct (Second Schedule of the Elections Act, 2011).
- A duly filled Commission Nomination Form, including:
 - An original Statutory Declaration Form for purposes of nomination (Regulation 18(3) Elections (General) Regulations, 2012 and an original Self-Declaration Form (Regulation 46 of Elections (General) Regulations, 2012).
 - For Political Party candidates and independent candidates, an electronic version and the duly filled list of at least 2000 supporters from each of the majority of the counties in the prescribed form, submitted to the Commission.
 - Be accompanied by copies of the identity cards of the supporters.

Nomination fees in a Banker's Cheque payable to IEBC:

- 200,000 for candidates.
- 100,000 for a candidate who is a youth, a woman or a person with a disability.

For an Independent Candidate

- A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; that is as at 7th May, 2017 (Regulation 15(a) (General) Regulations, 2012).

- An electronic version and the duly filled list of at least 2000 supporters from each of the majority of the counties in the prescribed form, submitted to the Commission.
- Be accompanied by copies of the identity cards of the supporters.
- A duly filled Form of Intention to Contest, prescribed by the Commission.
- A symbol the candidate intends to use during the election, which has been approved by the Commission 21 days before Nomination day.
- Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission at least 45 days before the elections. The address, including the physical address of the office must be communicated to the Commission.

B. Candidate for Governor Election (and Running Mate)

Qualifications:

- Must be a Kenyan citizen for at least 10 years before the election.
- Must not owe allegiance to a foreign state.
- Must be eligible for election as a member of the county assembly.
- Must be a registered voter.
- Is a holder of a degree from a University recognised in Kenya.
- Is nominated by a Political Party or is an independent candidate.

- Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act.
- Must have been Kenyan citizens for at least 10 years.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.
- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

(All requirement for County Governor shall apply to the Deputy County Governor and there shall be no separate nomination for the deputy)

Requirements:

The Candidate must submit the following documents to the Commission during the Commission Nomination:

- Certified copies of educational qualification certificates, including a Degree Certificate in accordance with Section 22 of the Elections Act, 2011 and Regulation 47 of Elections (General) Regulations, 2012.

Where the body that issued the Degree Certificate is not based in Kenya, a certified copy of the certificate must be submitted which must be authenticated and or equated by the Commission for University Education. Degree Certificates issued by Kenyan Institutions shall be certified by the issuing institution.

- A copy of a National Identity Card/valid Passport (the document used by the candidate to register as a voter).
- A passport size photograph with white background submitted in hard and soft copy.
- If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed and dated by an authorised official of the party.
- A duly signed and dated Code of Conduct (Second Schedule of the Elections Act, 2011).
- A duly filled Commission Nomination Form, including an original Statutory Declaration Form for purposes of nomination (Regulation 18(3) Elections (General) Regulations, 2012) and an original Self-Declaration Form (Regulation 46 of Elections (General) Regulations, 2012).

Nomination fees in a Banker's Cheque payable to IEBC:

- 50, 000 for candidates.
- 25,000 for a candidate who is a youth, a woman or a person with a disability.

For an Independent Candidate:

- A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; (Regulation 15(a) (General) Regulations, 2012.
- An electronic version and the duly filled list of at least 500 supporters in the prescribed form, submitted to the Commission.
- Be accompanied by copies of the identity cards of the 500 supporters.
- A duly filled Form of Intention to Contest, prescribed by the Commission.
- A symbol the candidate intends to use during the election, which has been approved by the Commission.

Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission at least 45 days before the elections. The address, including the physical address of the office must be communicated to the Commission.

C. Candidate for Senate Election

Qualifications:

- Must be a Kenyan citizen for at least 10 years before the election.
- Must not owe allegiance to a foreign state.
- Must be a registered voter.
- Is nominated by a Political Party or is an independent candidate.

- Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act.
- Must have been Kenyan citizens for at least 10 years.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.
- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

Requirements:

The Candidate must submit the following documents to the Commission during the Commission Nomination:

- A copy of a National Identity Card/valid Passport (the document used by the candidate to register as a voter).
- A passport size photograph with white background submitted in hard and soft copy.
- If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorised official of the party.

- A duly signed and dated Code of Conduct (Second Schedule of the Elections Act, 2011).
- A duly filled Commission Nomination Form, including an original Statutory Declaration Form for purposes of nomination (Regulation 18(3) Elections (General) Regulations, 2012) and an original Self-Declaration Form (Regulation 46 of Elections (General) Regulations, 2012).

Nomination fees in a Banker's Cheque payable to IEBC:

- 50, 000 for candidates.
- 25,000 for a candidate who is a youth, a woman or a person with a disability.

For an Independent Candidate

- A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections;(Regulation 15(a) (General) Regulations, 2012.
- An electronic version and the duly filled list of at least 2000 supporters in the prescribed form, submitted to the Commission.
- Be accompanied by copies of the identity cards of the 2000 supporters.
- A duly filled Form of Intention to Contest submitted to the Commission in the prescribed form.
- A symbol the candidate intends to use during the election, which has been approved by the Commission.

- Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission at least 45 days before the elections. The address, including the physical address of the office must be communicated to the Commission.

D. Candidate for National Assembly Election (including Woman County Representative to the National Assembly)

Qualifications:

- Must be a Kenyan citizen for at least 10 years before the election.
- Must not hold allegiance to a foreign state.
- Must be a registered voter.
- Is nominated by a Political Party or is an independent candidate.
- Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act.
- Must have been Kenyan citizens for at least 10 years.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.

- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

Requirements:

The candidate must submit the following documents to the Commission during the Commission Nomination:

- A copy of a National Identity Card/valid Passport (the document used by the candidate to register as a voter).
- A passport size photograph with white background submitted in hard and soft copy.
- If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorised official of the party.
- A duly signed and dated Code of Conduct (Second Schedule of the Elections Act, 2011).
- A duly filled Commission Nomination Form, including an original Statutory Declaration Form for purposes of nomination (Regulation 18(3) Elections (General) Regulations, 2012) and an original Self-Declaration Form (Regulation 46 of Elections (General) Regulations, 2012).

Nomination fees in a Banker's Cheque payable to IEBC:

- 20,000 for candidates.
- 10,000 for a candidate who is a youth, a woman or a person with a disability.

For an Independent Candidate

- A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; (Regulation 15(a) (General) Regulations, 2012.
- An electronic version and the duly filled list of at least 1000 supporters in the prescribed form, submitted to the Commission.
- Be accompanied by copies of the identity cards of the 1000 supporters.
- A duly filled Form of Intention to Contest submitted to the Commission in the prescribed form.
- A symbol the candidate intends to use during the election, which has been approved by the Commission.
- Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission at least 45 days before the elections. The address, including the physical address of the office must be communicated to the Commission.

E. Candidate for Ward County Assembly Election

Qualifications:

- Must be a Kenyan citizen for at least 10 years before the election.
- Must be a registered voter.
- Must not owe allegiance to a foreign state.

- Is nominated by a Political Party or is an independent candidate.
- Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act.
- Must have been Kenyan citizens for at least 10 years.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.
- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

Requirements:

The Candidate must submit the following documents to the Commission during the Commission Nomination:

- A copy of a National Identity Card/valid Passport (the document used by the candidate to register as a voter).
- A passport size photograph with white background submitted in hard and soft copy.
- If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorised official of the party.

- A duly signed and dated Code of Conduct (Second Schedule of the Elections Act, 2011).
- A duly filled Commission Nomination Form, including an original Statutory Declaration Form for purposes of nomination (Regulation 18(3) Elections (General) Regulations, 2012) and an original Self-Declaration Form (Regulation 46 of Elections (General) Regulations, 2012).

Nomination fees in a Banker's Cheque payable to IEBC:

- 5,000 for candidates.
- 2,500 for a candidate who is a youth, a woman or a person with a disability.

For an Independent Candidate

- A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections;(Regulation 15(a) (General) Regulations, 2012.
- An electronic version and the duly filled list of at least 500 supporters in the prescribed form, submitted to the Commission.
- Be accompanied by copies of the identity cards of the 500.
- A duly filled Form of Intention to Contest in the prescribed form (Regulation 15(b) (General) Regulations, 2012.
- A symbol the candidate intends to use during the election, which has been approved by the Commission.

- Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission at least 45 days before the elections. The address, including the physical address of the office must be communicated to the Commission.

**F. General requirements for Independent Candidates
(Regulation 39 of the Election
(General) Regulations, 2012)**

A nomination paper submitted by an Independent Candidates to the Commission shall:

- Contain the candidate's name as it appears in the Register of Voters.
- Be signed by the candidate, proposer and seconded who shall be voters registered in the respective electoral area.
- The proposer and seconder shall not be members of any political party.
- Show the respective electoral area for the proposer and seconder.
- Be delivered to the returning officer personally the candidates himself or herself or by a person authorised by the candidates on the date set for nominations for that election.

Requirements

A nomination paper submitted by an Independent Candidates to the Commission shall:

- Contain the candidate's name as it appears in the Register of Voters.
- Be signed by the candidate, proposer and seconded who shall be voters registered in the respective electoral area.
- The Proposer and Seconded shall not be members of any political party.
- Show the respective electoral area for the proposer and seconded.
- Be delivered to the returning officer personally by the candidates himself or herself or by a person authorised by the candidates on the date set for nominations for that election.

G. Qualifications for Nominees of Party Lists under Articles 97(1) (c) and 98 (1) (b), (c) and (d), and for the Members of County Assemblies under Article 177 (1) (b) and (c)

- Nominee to the National Assembly.
- Nominee to the Senate.
- Youth Nominee to the Senate.
- Persons with Disability Nominee to the Senate.
- Marginalised Group Nominee to the County Assembly.
- Gender Special Seats Nominee to the County Assembly (For Gender Top Up).

Qualifications:

- Must be a Kenyan citizen for at least 10 years before the election.
- Must be a registered voter.
- Must not owe allegiance to a foreign state.

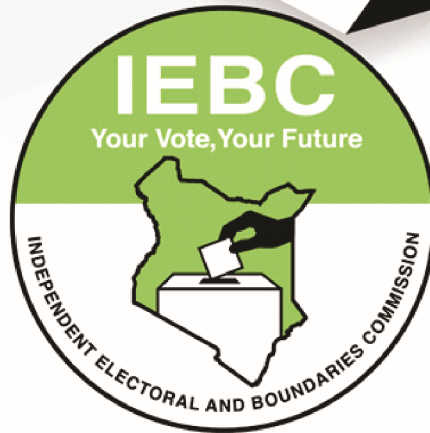
- Certification of Disability from the relevant institution as prescribed by the Commission.
- Must meet the statutory moral and ethical requirements under the Leadership and Integrity Act.
- Must have been Kenyan citizens for at least 10 years.
- Must not hold dual citizenship unless citizenship of the other country has been obtained by operation of law without capacity to opt out.
- Must not be an undischarged bankrupt.
- Must not be subject to a sentence of imprisonment of at least six months from the date of registration of candidates or date of elections.
- Must not have been found to have abused or misused state or public office or contravened Chapter Six of the Constitution.
- Must not have been dismissed or removed from public office for contravening the provisions of Articles 75, 76, 77 and 78 of the Constitution.

Requirements:

A Political Party must submit the following documents to the Commission during the Commission Nomination:

- Party lists containing nominees appointed in accordance with Articles 97(1)(c), 98(1)(b), (c) and 177(1)(c) and (c) of the Constitution in the manner prescribed by the Commission and authorised by signatories of the nominating Political Party.
- Duly signed copies of Letters of Acceptance of the Nominees.
- Party lists shall contain the name, address, age, sex,

disability and category of disability, phone number, occupation, identity card number or passport number and colored passport size photograph image, elective post sought and such other qualifications as are provided under the constitution and the Act in the prescribed Form 24B.



Your Vote, Your Future

Independent Electoral and Boundaries Commission

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