

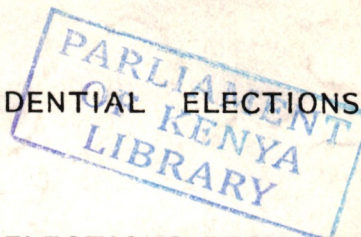


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LEGAL NOTICE NO.

THE NATIONAL ASSEMBLY AND PRESIDENTIAL ELECTIONS ACT
(Cap.7)



THE PRESIDENTIAL AND PARLIAMENTARY ELECTIONS REGULATIONS, 1992
ARRANGEMENT OF REGULATIONS

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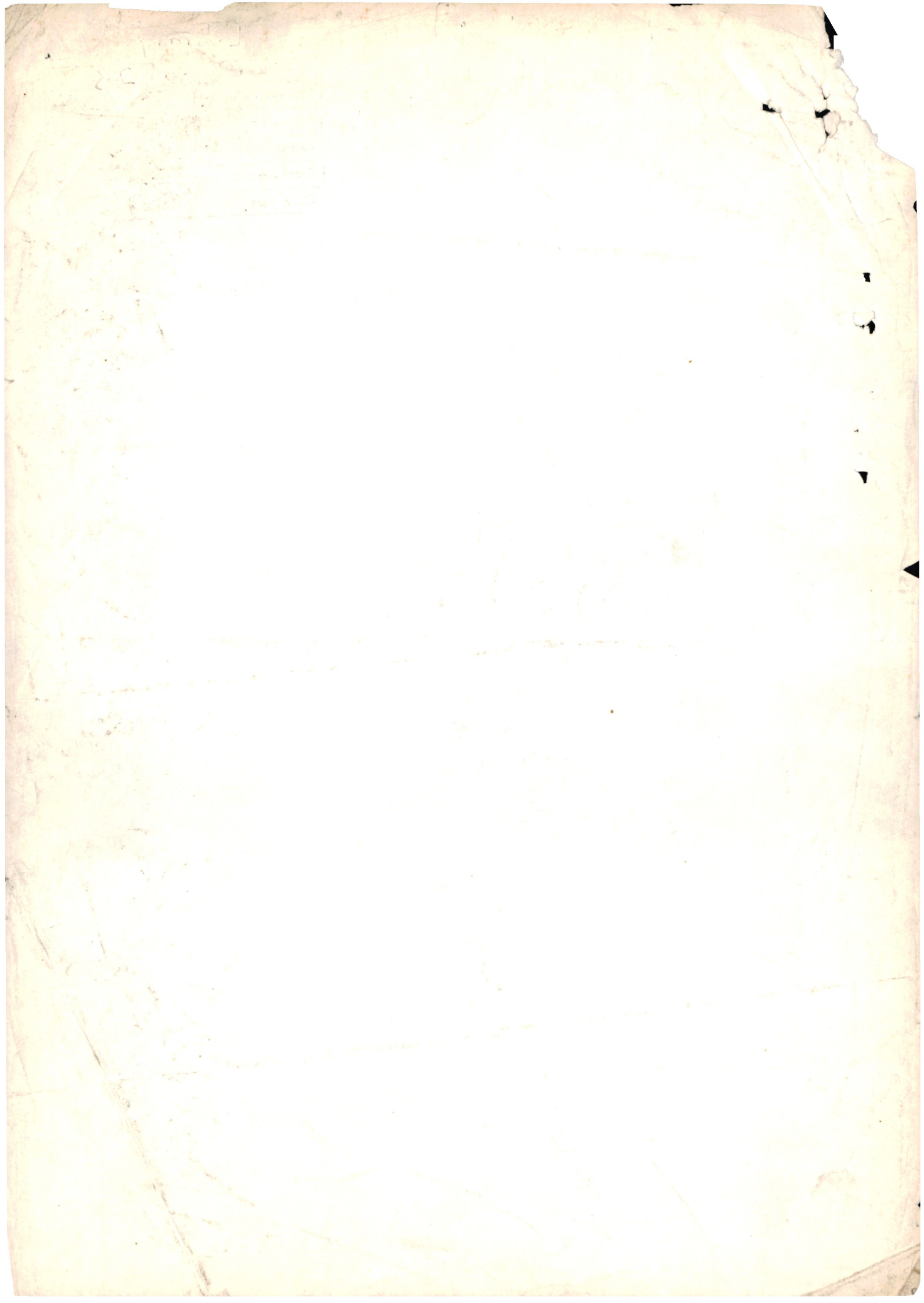
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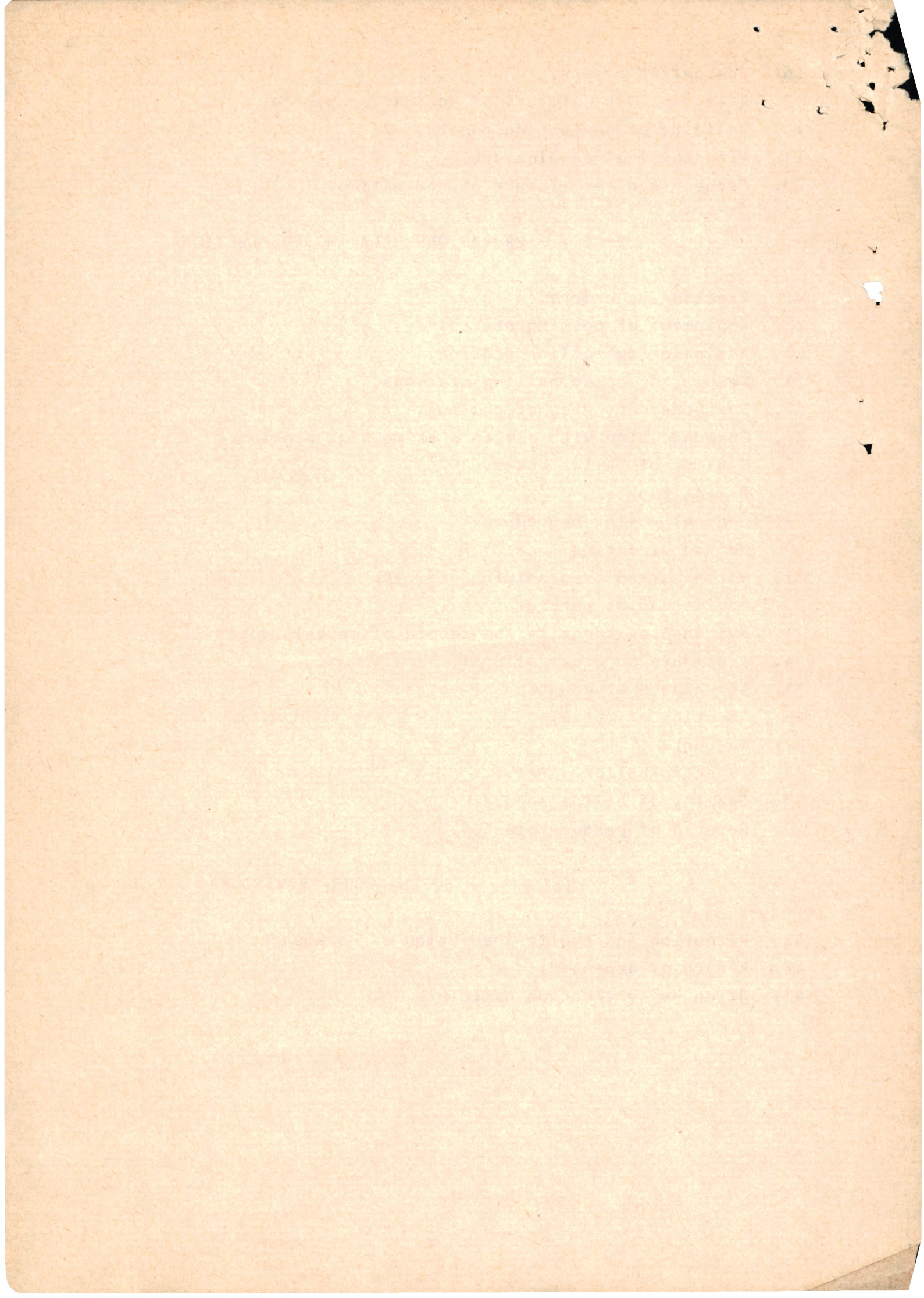
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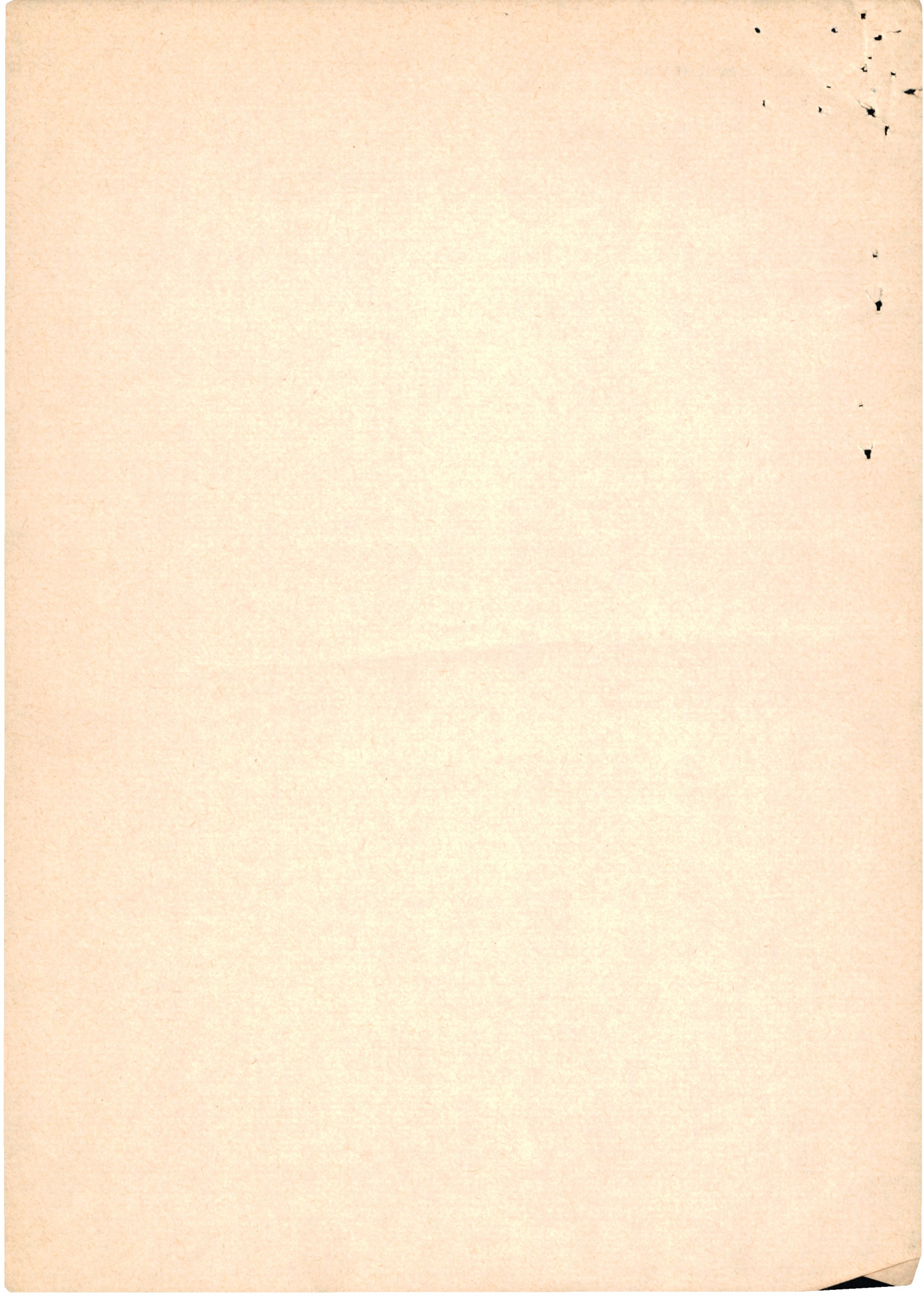
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THE NATIONAL ASSEMBLY AND PRESIDENTIAL ELECTIONS ACT

(Cap.7)

IN EXERCISE of the powers conferred by section 34 of the National Assembly and Presidential Elections Act, the Attorney General makes the following Regulations :-

THE PRESIDENTIAL AND PARLIAMENTARY ELECTIONS REGULATIONS, 1992

PART I - PRELIMINARY

Citation. 1. These Regulations may be cited as the Presidential and Parliamentary Elections Regulations, 1992.

Interpretation. 2. In these Regulations, unless the context otherwise requires -

"agent" means a person duly appointed by a candidate for the purposes of these Regulations; and includes counting agent;

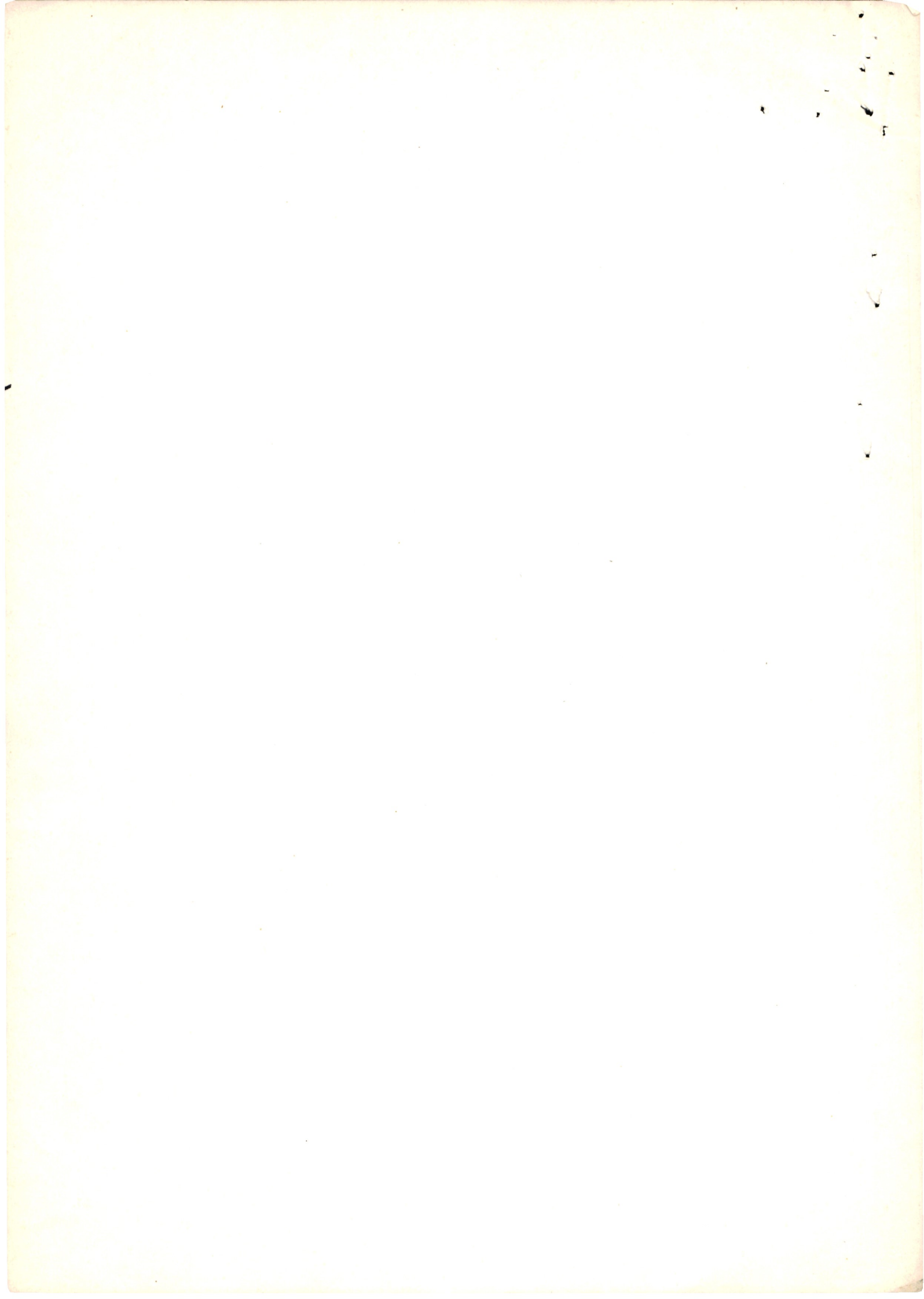
"close of nominations" means noon on nomination day;

"copy register" means the copy of the register of voters or part thereof supplied to a polling station under regulation 22(3)(d);

"counting agent" means an agent of a candidate authorised in accordance with regulation 35 (2) to be present at the counting of votes in an election;

"election" means a presidential election and a parliamentary election;

"election officer" means a returning officer, presiding officer and any other person appointed by the Electoral Commission to assist in the conducting of an election under these Regulations;



"electoral number", in relation to an elector, means the number shown against the name of that elector in the register of electors for his constituency;

"Form" means a form which is substantially the same as the appropriately numbered form in the First Schedule;

"joint election" means a presidential election and a parliamentary election held together in a general election;

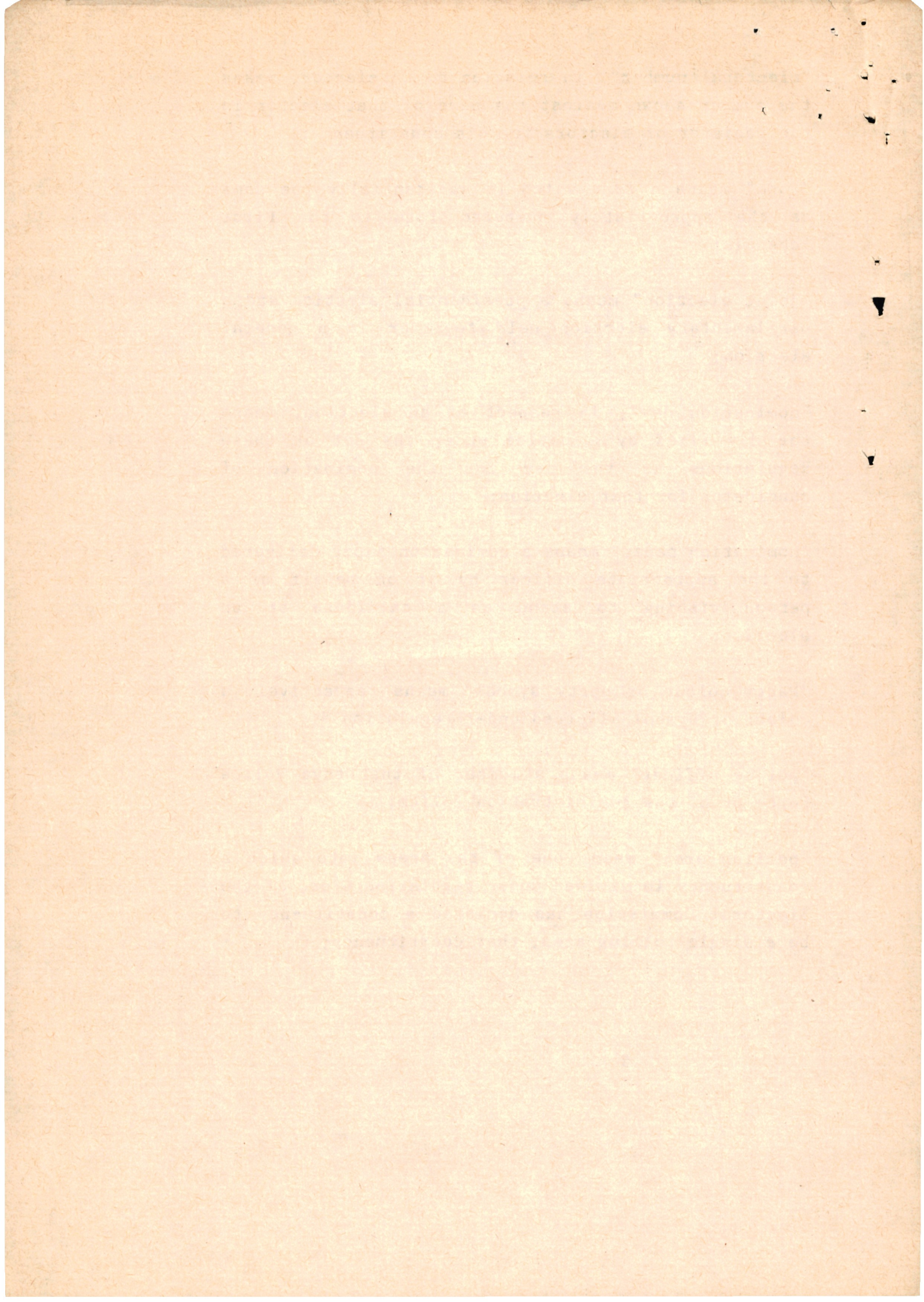
"nomination day", in respect of an election, means the day fixed by a notice under the Act or these Regulations as the day for the nomination of candidates for that election;

"nomination paper" means a nomination paper delivered to the appropriate officer by or on behalf of a person wishing to stand as a candidate at an election;

"Party colour or party symbol" means respectively a colour or symbol allotted under regulation 5;

"police officer" means a member of the Kenya Police Force or of the Administration Police;

"polling area" means one of the areas into which a constituency is divided under regulation 4 or, if the Electoral Commission has declared a constituency to be a single polling area, that constituency;



"polling station" means any room, place, vehicle or vessel set apart and equipped for the casting of votes by electors at an election;

"presiding officer" means a person appointed under regulation 10 to preside at a polling station;

Sub.leg.

"registration unit" means any area into which a constituency has been divided for the purpose of preparing a register of electors under the National Assembly Elections (Registration of Voters) Regulations;

"rejected ballot paper" means a ballot paper which is void and not to be counted by virtue of any of the provisions of these Regulations;

"spoilt ballot paper" means a ballot paper delivered to a presiding officer under regulation 32 and accepted by him as a spoilt ballot paper;

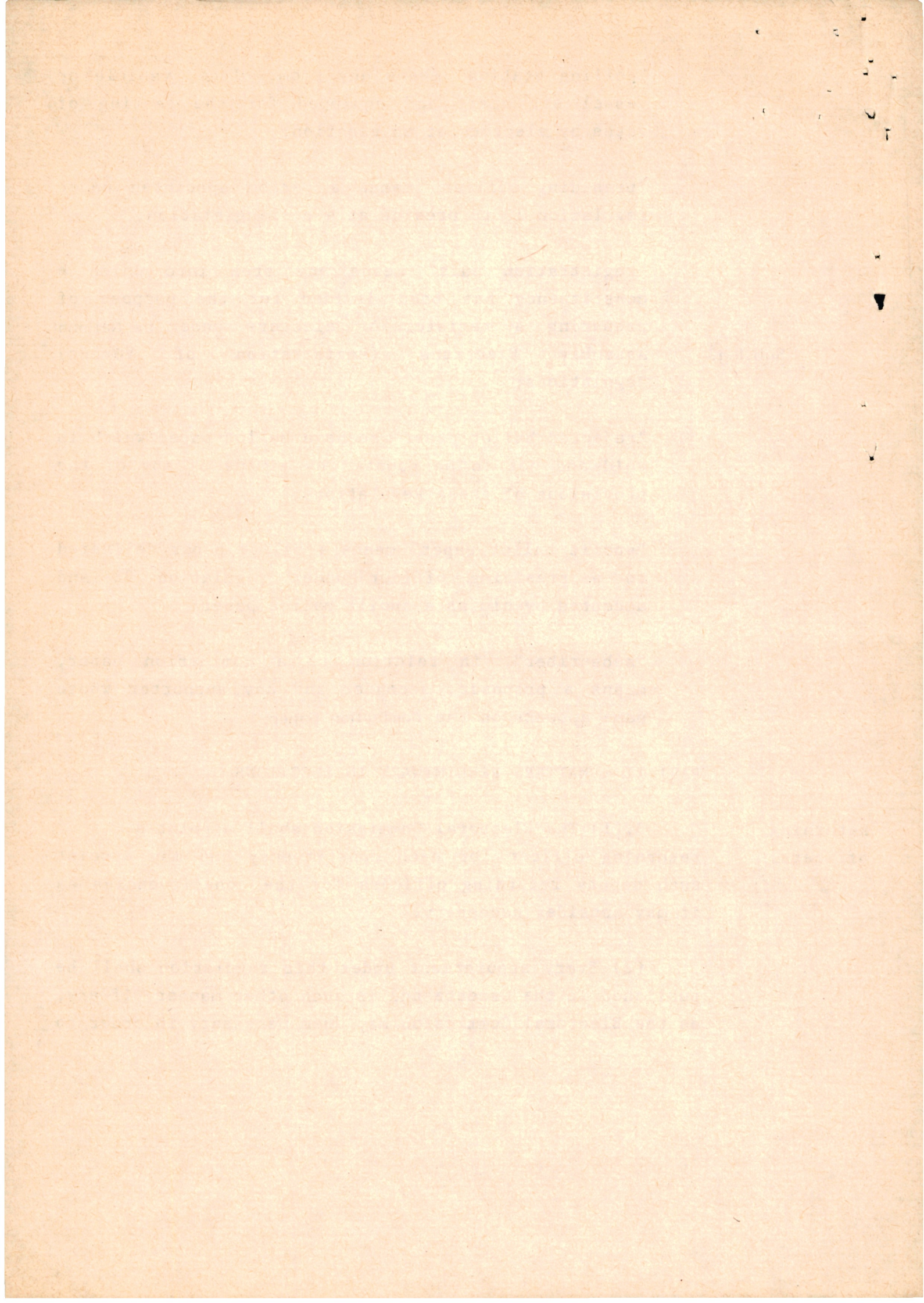
"subscriber", in relation to a nomination paper, means a proposer, seconder and any supporter whose name appears on the nomination paper.

PART II - MATTERS PRELIMINARY TO ELECTIONS

Returning officers.

3.(1) The Electoral Commission shall appoint a returning officer for each constituency and may appoint such deputy returning officers for the constituencies as it may consider necessary.

(2) Every appointment under this regulation shall be published in the Gazette and in such other manner, if any, as the Electoral Commission may deem necessary in order to



bring it to the attention of persons who may be affected thereby.

(3) A deputy returning officer shall, subject to the general direction and control of the returning officer to whom he is a deputy, have all the power, and may perform all the duties, of the returning officer under these Regulations.

Language tests.

4. For the purpose of ascertaining the qualification of a person for election as a member of the National Assembly, in respect of his proficiency in the English and Swahili languages, the provisions contained in the Second Schedule shall have effect.

Party symbol and colour.

5. (1) The Electoral Commission shall, by notice in the Gazette, allot to every political party a distinctive colour and a distinctive symbol for use at elections in accordance with the provisions of these Regulations.

(2) A party symbol shall be that chosen by the political party concerned unless the Electoral Commission considers that a symbol so chosen -

(a) is likely to be confused with a symbol previously allotted to another political party which has not been dissolved; or

(b) is obscene or likely to lead to public unrest,

in which case it may reject the symbol and require the political party concerned to submit a further choice.

Polling areas and polling

6.(1) The Electoral Commission shall -

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stations.

- (a) divide each constituency in which an election is to be held into polling areas or, if it thinks fit, declare any particular constituency to be a single polling area;
- (b) assign to each polling area a distinguishing number or letter or a combination of number and letter;
- (c) appoint a place or places at which the polling station or stations for each polling area shall be established; and
- (d) publish in the Gazette a notice specifying -
 - (i) the polling areas established for each constituency, which may be done by specifying the registration units which they respectively comprise;
 - (ii) the distinguishing number or letter, or combination thereof, assigned to each polling area; and
 - (iii) the place or places appointed for the establishment of a polling station or stations for each polling area.

(2) In determining the boundaries of any polling area, the Electoral Commission shall have regard to geographical considerations and any other factors affecting the facility of communication between various places within the polling area.

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(2) Immediately after receipt of a writ under section 13(3) of the Act, a returning officer shall notify the day or days on which each political party shall nominate candidates to contest parliamentary elections, and the holding of parliamentary elections, in Form 6, which shall specify the place at which, and the times during which, nomination papers for parliamentary elections may be obtained.

(3) Notifications under this regulation shall be made by the publication of the relevant Form in such manner, in such languages, and at such places within the constituency, as the returning officer deems necessary for the information of as many electors in the constituency as possible.

Presiding officer
and agents.

10(1) Whenever an election is to be held in a constituency, the returning officer in consultation with the Electoral Commission shall appoint a presiding officer to preside at each polling station, and such deputy presiding officers as he may consider necessary; but no person shall be so appointed if he has been employed by or on behalf of, or has in any manner whatsoever assisted, any candidate in or about that election.

(2) A returning officer may preside at a polling station and in that case he shall, for the purposes of these Regulations, be deemed to be the presiding officer of that station.

(3) A deputy presiding officer may perform any act (including the asking of any question) which his presiding officer is required or authorised to perform by these Regulations; but no deputy presiding officer shall have



power to order the arrest of any person, or the exclusion or removal of any person from a polling station.

(4) The returning officer shall require every presiding officer, deputy presiding officer, clerk, interpreter and agent authorised to attend at polling stations, as ^{soon} as he has made the oath of secrecy prescribed by the Election Offences Act, to make before the returning officer a declaration that the officer making the declaration understands that he must not prompt any elector whom he is empowered by these Regulations to assist, and must strictly follow the provisions of these Regulations, and any instructions which may lawfully be given to him, relating to the election concerned.

(5) Every agent appointed by a candidate for the purposes of these Regulations shall at all times during the performance of the duties authorised by the candidate wear the official badge or uniform of the political party sponsoring the candidature of the candidate at the election.

PART III - NOMINATION OF PRESIDENTIAL CANDIDATES

11.(1) For the purposes of section 5 of the Constitution, a candidate at a Presidential election shall be nominated by a political party by delivery to the Electoral Commission, between the hours of eight o'clock in the morning and noon on the day fixed for the nomination of candidates at that election of a nomination paper in Form 7.

(2) A nomination paper under this regulation shall -

- (a) be signed by the candidate, and by a proposer and seconder who shall be electors who are also national officials of the political party concerned;
- (b) contain such description of the candidate as is, in the opinion of the Electoral Commission, sufficient adequately to identify the candidate;

(c) show the constituencies and electoral number of the proposer and the seconder; and

(d) be delivered to the Electoral Commission personally by the candidate himself or by his proposer or seconder.

Supporters.

12. The person delivering a nomination under regulation II shall at the same time deliver to the Electoral Commission at least forty standards sheets of foolscap paper, serially numbered, each having at the top, in typescript, the wording in Form 8 and each bearing the signatures of twenty-five electors and their respective electoral numbers.

Declaration of no contest.

13. If at the close of nominations for a presidential election only one candidate is validly nominated, the Electoral Commission shall publish a notice in the Gazette showing the name of the candidate so nominated and stating that the presidential election shall not be held, and -

(a) in the case of a presidential election held otherwise than at a general election; or

(b) in the case of a general election where the candidate is also the only candidate validly nominated in his constituency in the parliamentary election,

shall declare the candidate duly elected as President.

PART IV - NOMINATION OF CANDIDATES FOR PARLIAMENTARY ELECTIONS

Notice of nomination.

14. A notice published by the Electoral Commission under subsection (3) of section 13 of the Act shall



specify the day for the nomination of candidates by each political party taking part in the parliamentary elections which shall be not less than twenty-one days before the date fixed by such notice for the holding of the parliamentary elections.

Nomination of candidates.

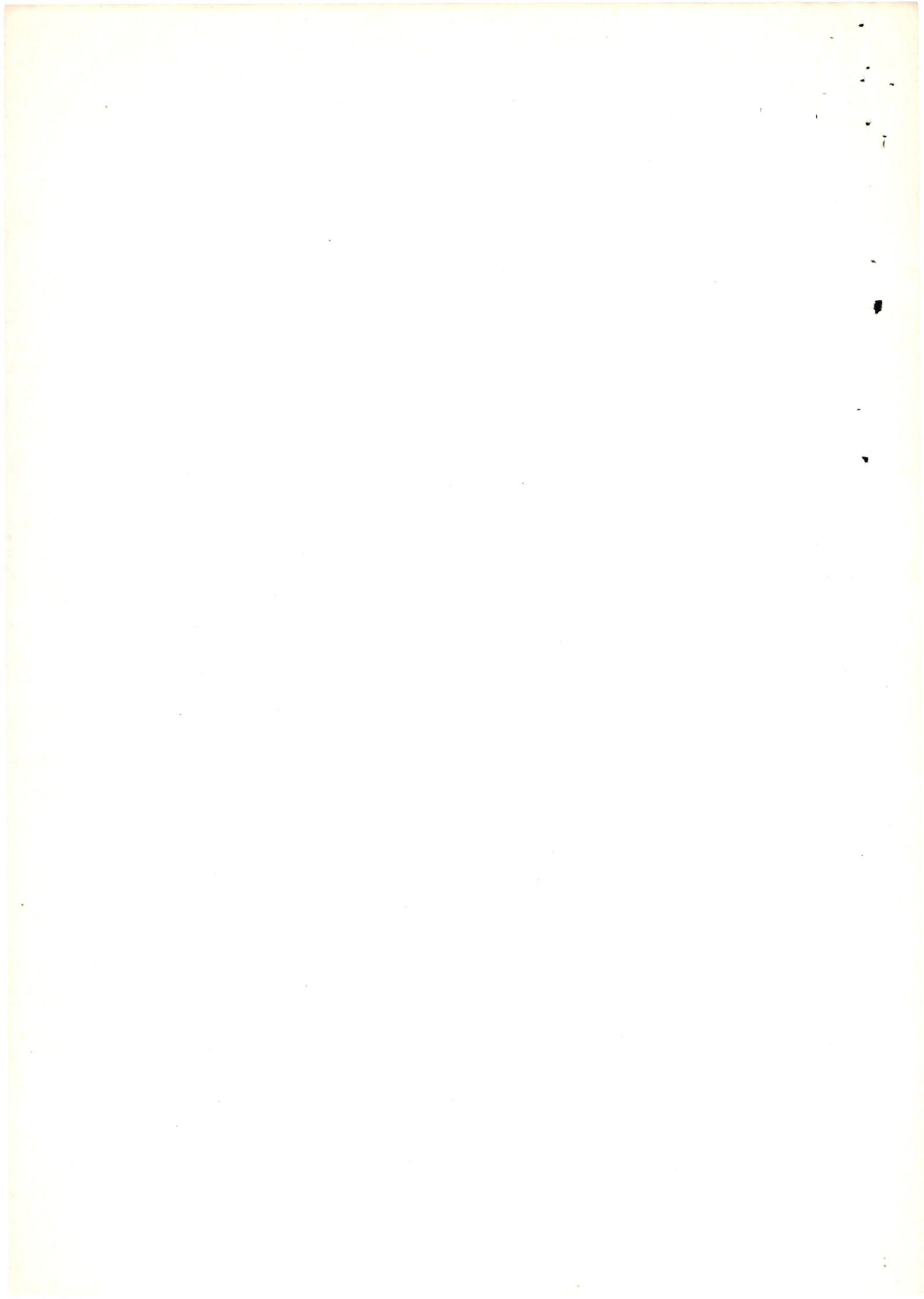
15. (1) For the purposes of nomination of candidates at a parliamentary election every candidate shall be -

- (a) proposed and seconded and supported by not less than seven and not more than eighteen persons other than the proposer and seconder; and
- (b) nominated by the delivery by the candidate to the returning officer of the constituency between the hours of eight o'clock in the morning and noon on the nomination day for that election of a nomination paper in Form 9.

(2) There shall be delivered to the returning officer together with the nomination paper a statutory declaration in Form 10 made not earlier than one month before the nomination day.

(3) The subscribers to a nomination paper shall all be persons who are registered as electors for the constituency concerned and who are members of the political party whose endorsement the candidate is seeking.

(4) Every application for nomination for candidature at a parliamentary election shall be accompanied by a nomination fee of five thousand shillings in cash or banker's draft, which fee shall be refunded to the candidate -



- (a) where the returning officer holds a nomination paper invalid under regulation 18; or
- (b) where the candidate withdraws his candidature under regulation 19,

but not otherwise.

(5) If a person stands nominated as a candidate in more than one constituency all the nominations of that candidate shall be null and void.

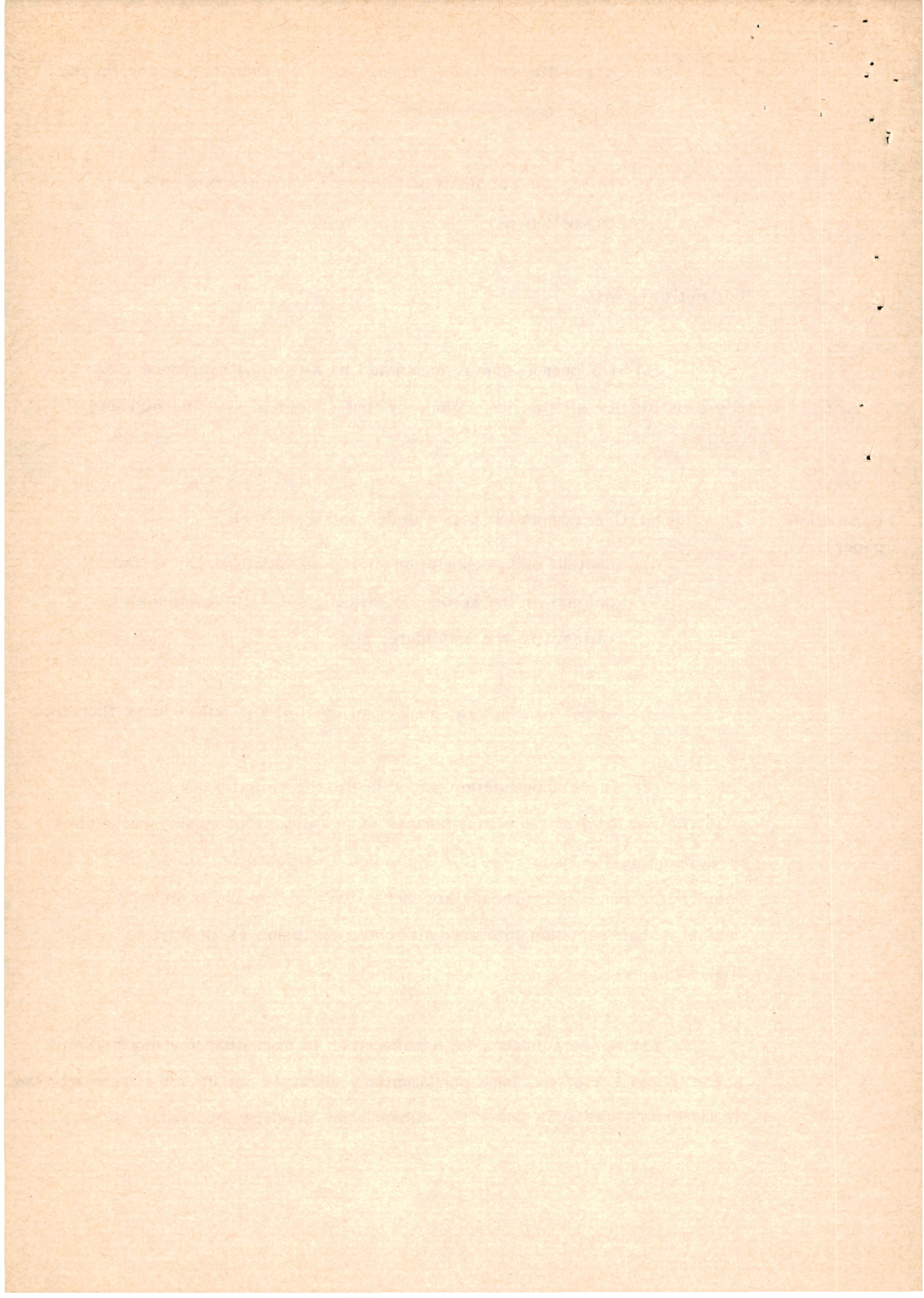
Nomination
papers.

16.(1) A nomination paper under this Part shall -

- (a) contain such description of the candidate as is, in the opinion of the returning officer, sufficient adequately to identify the candidate; and
- (b) show the electoral number of each of the subscribers thereto.

(2) Where a nomination paper bears the signatures of more than the required or permitted number of persons as proposing, seconding or supporting the candidate, the signature or signatures, up to the required or permitted number, appearing first on the paper in each category shall be taken into account to the exclusion of all others in that category.

(3) No person shall be a subscriber to more than one nomination paper in respect of the same parliamentary elections and if any person subscribes to more than one such paper his subscription shall be inoperative on all



such papers other than the one first delivered to the returning officer:

Provided that this paragraph shall not apply to the subscription of a person by reason only of his having subscribed a nomination paper of a candidate who has died or who has withdrawn his candidature before a second nomination paper subscribed by that person has been delivered to the returning officer.

(4) When a nomination paper has been delivered to a returning officer no further nomination paper shall be accepted in respect of the same candidate unless the first paper has been declared invalid under regulation 18.

(5) A returning officer shall supply free of charge to any elector of his constituency a form of nomination paper upon a request made in that behalf at such place and time as is specified in a notification under regulation 9(2), but it shall not be necessary for a nomination form to be on a form so supplied so long as it otherwise complies with the requirements of these Regulations.

Attendance at
delivery of
nomination
papers.

17.(1) Except for the purpose of assisting the returning officer, and at his request, no person shall be entitled to attend the proceedings taking place during the time fixed for the delivery of nomination papers unless he is a candidate or the agent or the proposer or seconder of a candidate; but only two such persons shall be entitled so to attend at any one time in respect of any one candidate, whether one of those two is the candidate himself or not.

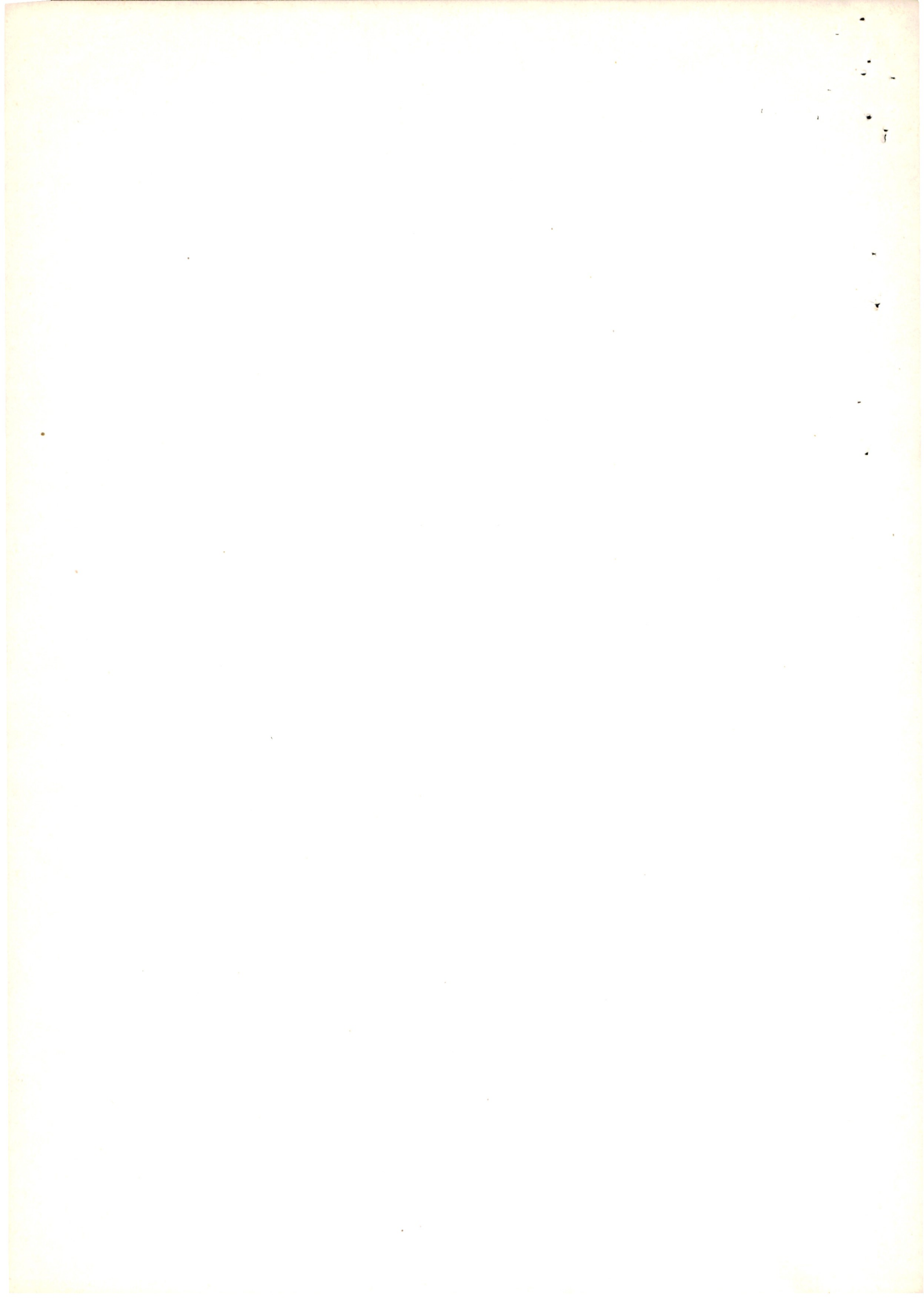
(2) A person entitled to attend proceedings under this regulation shall also be entitled to inspect, and to object to the validity of, any nomination paper delivered in his presence.

Validity of
nomination papers.

18. (1) Where an application has been made in accordance with regulation 15 then, unless the returning officer holds a nomination paper invalid under paragraph (2) of this regulation, or the candidate withdraws his candidature under regulation 19, the candidate named therein shall stand validly nominated.

(2) A returning officer shall be entitled to hold a nomination paper invalid on any of the following grounds, but not otherwise -

- (a) that the particulars of the candidate or subscribers contained in the paper are not as required by these Regulations;
- (b) that the paper is not subscribed as required by these Regulations;
- (c) that the candidate is not qualified, or is disqualified by law from being nominated, or for being elected as an elected member of the National Assembly; or
- (d) that the proposer or seconder, or so many of the supporters as would reduce the number of qualified supporters to less than seven are not qualified to be subscribers.



(3) A returning officer shall give his decision on an objection to a nomination paper as soon as practicable after the objection is made.

(4) Where a returning officer decides that a nomination paper is invalid he shall record that decision and the reasons therefor on the paper and add his signature thereto.

Withdrawal of candidature. 19. At any time before the close of nominations, but not later, a candidate whose nomination paper has been delivered to the returning officer may, by notice in writing signed by him and delivered to the returning officer, withdraw his candidature.

Procedure after closure of nomination.

20.(1) If, after the closure of nomination no person stands validly nominated, the returning officer shall -

- (a) certify accordingly to the Electoral Commission in Form 11; and
- (b) publish a statement counter-manding the holding of the election concerned.

(2) If, after the close of nominations, only one candidate stands validly nominated, the returning officer shall -

- (a) declare the candidate to be nominated; and
- (b) certify accordingly to the Electoral Commission in Form 12.

(3) Upon receipt of a certificate under paragraph (1) or (2), the Electoral Commission shall publish a notice in

(1) A person who is not a citizen of the United States shall not be eligible for election to the office of Governor of this State.

(2) There shall be no limit on the number of terms for which a person may be elected Governor of this State.

(3) If any candidate for the office of Governor of this State is found to be ineligible for election to that office, the election shall be held on the day specified in the constitution of this State.

(4) If any candidate for the office of Governor of this State is found to be ineligible for election to that office, the election shall be held on the day specified in the constitution of this State.

(5) If any candidate for the office of Governor of this State is found to be ineligible for election to that office, the election shall be held on the day specified in the constitution of this State.

(6) If any candidate for the office of Governor of this State is found to be ineligible for election to that office, the election shall be held on the day specified in the constitution of this State.

(7) If any candidate for the office of Governor of this State is found to be ineligible for election to that office, the election shall be held on the day specified in the constitution of this State.

the Gazette in appropriate terms and, where two or more certificates are received at substantially the same time, such notice may be a composite one.

(4) If, after the close of nominations, two or more candidates stand validly nominated, the returning officer shall publish a statement in Form 13 stating -

- (a) the names, in alphabetical order of surnames, addresses and occupations or descriptions of such candidates as given in their nomination papers;
- (b) the names of the subscribers to the nomination papers;
- (c) the day or days upon which, and the hours during which the poll will be taken; and
- (d) the situation of each polling station and the description of the electors entitled to vote at each such station.

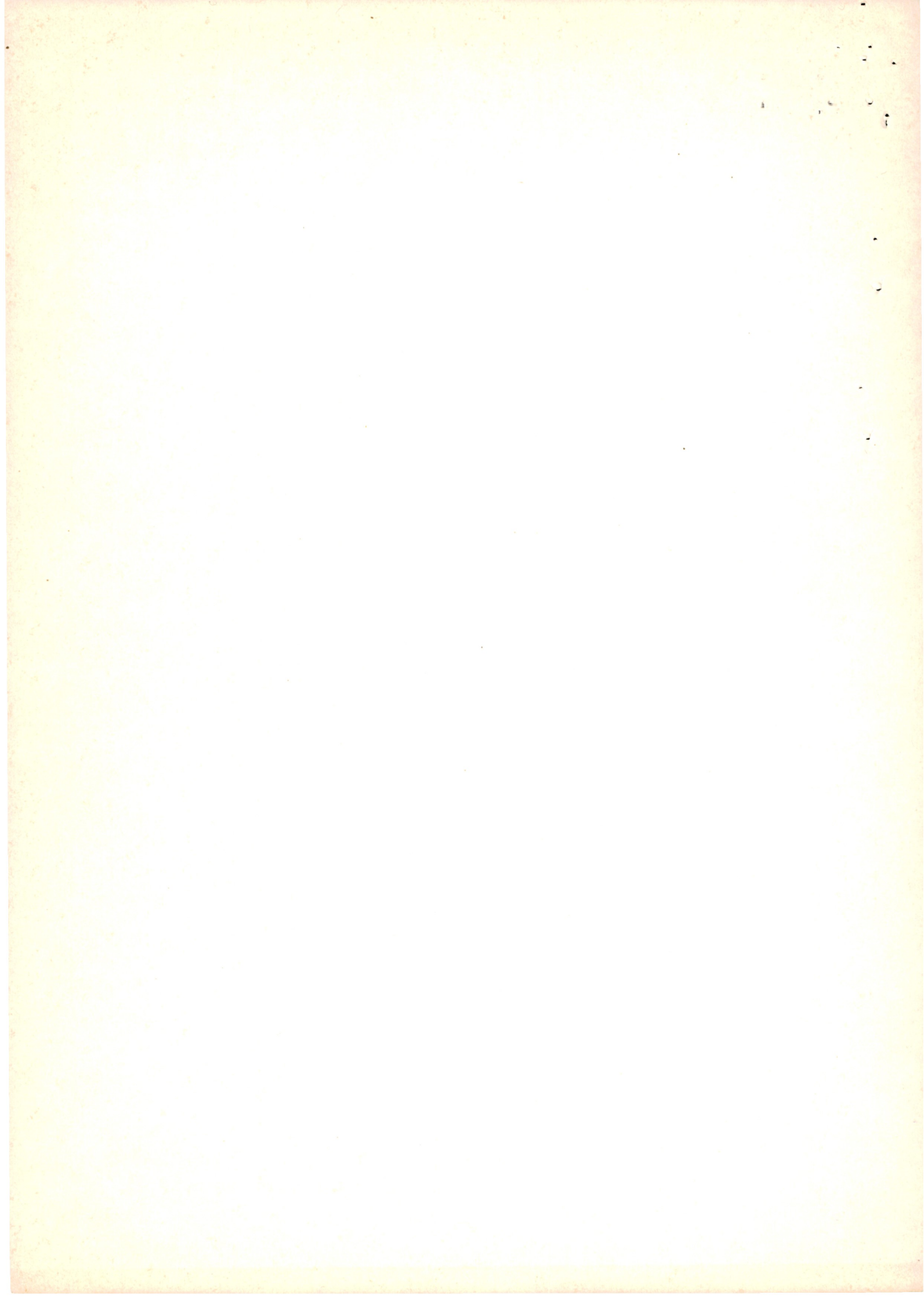
PART V _ PROVISIONS RELATING TO ELECTIONS

Election
procedure.

21.(1) Every election shall be by ballot wherein the votes of electors shall consist of ballot papers, and shall be held in accordance with the provisions of these Regulations applicable to the class of election concerned.

(2) No person shall vote in a constituency other than that in respect of which he is registered as an elector.

(3) No person shall cast more than one vote at any particular election.



Equipment of polling stations. 22.(1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as the returning officer considers necessary for the effective carrying out of the provisions of these Regulations relating to the election concerned, and in the case of a joint election shall ensure that the ballot boxes relating to the presidential election and the parliamentary election are separately and clearly identified and placed as far away as possible from each other in the same room.

(2) Every ballot box shall be constructed -

- (a) with an aperture which is large enough to receive a ballot paper but which is no larger; and
- (b) so as to be capable of being sealed so that ballot papers cannot be taken out of the box so long as the seal is unbroken.

(3) The returning officer shall provide each polling station with -

- (a) materials to enable electors to mark their ballot papers in elections where marking is necessary;
- (b) instruments for stamping the official mark on ballot papers;
- (c) an inked pad suitable for the purposes of regulation 29(2);

Equipment of 17. (1) The returning officer shall provide the
polling stations with such number of ballot boxes and
ballot papers as the returning officer may require for the
election. The returning officer shall also provide for the
election a sufficient number of ballot boxes and ballot
papers to be used in the event of a joint election being
held in the same room.

(2) Every ballot box shall be constructed

(a) with an aperture which is large enough to
receive a ballot paper but which is so large
and

(b) so as to be capable of being sealed so that
no ballot paper can be taken out of the box
long as the seal is unbroken.

(3) The returning officer shall provide each polling
station with

(a) materials to enable electors to mark their
ballot papers in election which are necessary
and

(b) instrument for stamping the official mark on
ballot papers.

(c) an inked and suitable for the purposes of
regulation 17(2).

- (d) a copy of the register of electors or such part thereof as contains the names of the electors entitled to vote at that polling station; and
- (e) a sufficient number of compartments in which electors can mark their votes screened from observation.

Admission to
polling
station.

23.(1) The presiding officer shall regulate the number of electors to be admitted to the polling station at the same time, and shall exclude all other persons except -

- (a) the candidates and their agents;
- (b) election officers on duty;
- (c) police officers on duty; and
- (d) persons necessarily assisting blind or incapacitated voters.

(2) The presiding officer shall admit to the polling station not less than two agents for each candidate, but he may refuse admission to a person claiming to be an agent for a candidate if that person does not produce a letter of appointment as agent signed by that candidate.

(3) No person shall be admitted to vote at any polling station other than that allotted to him under regulation 20(4)(d).

Keeping order 24. (1) It shall be the duty of the presiding officer at polling stations to keep order at his polling stations.

... of the number of electors or non-voters
... contains the names of the electors
... to vote at the polling station; and

... sufficient number of constables in which
... electors can mark their votes according to
... instructions.

... (1) The returning officer shall examine the
... of electors as admitted to the polling station
... of the electors, and shall exclude all other persons

(a) the candidates and their agents;

(b) election officers on duty;

(c) police officers on duty; and

(d) persons, necessarily assisting blind or
... incapacitated voters.

(5) The returning officer shall admit to the polling
station not less than two agents for each candidate, but
he may refuse admission to a person claiming to be an
agent for a candidate if that person does not produce a
letter of appointment as agent signed by that candidate.

(6) No person shall be admitted to vote at any
polling station other than that allotted to him under
regulation 20(1).

Keeping order. 2A (1) It shall be the duty of the presiding officer
at polling to keep order at the polling station.
stations.

(2) If any person misconducts himself in a polling station, or fails to obey the lawful instructions or orders of the presiding officer, he may immediately be removed, by order of the presiding officer, from the polling station by a police officer, and a person so removed shall not re-enter the polling station during the continuance of the poll without the permission of the presiding officer.

(3) A person removed from a polling station under paragraph (2) may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody for an offence by a police officer without a warrant.

(4) The presiding officer may order the dispersal of any gathering of persons which appears to him to be preventing free ingress to, or egress from, the polling station or to be intimidating or interfering with electors, and any such order shall be sufficient authority for a police officer, or any other person authorised by the order, to effect the dispersal.

(5) The powers conferred by this regulation shall not be exercised so as to prevent an elector who is entitled to vote at the polling station from having an opportunity of peaceably voting thereat.

Postponement,
etc., of
polling.

25.(1) Notwithstanding the terms of any writ or notice issued under the Act or these Regulations, a presiding officer may postpone or adjourn the proceedings at his polling station where they are interrupted by a riot, open violence, flood, natural catastrophe or other cause, but where he does so he shall start or re-start the proceedings at the earliest practicable moment.

(2) The discretionary powers of a presiding officer under paragraph (1) shall include a power in the circumstances therein mentioned to transfer the proceedings to another polling station in the same constituency, and where he does so -

(a) he shall advertise the fact in such manner as he thinks sufficient to bring it to the notice of electors; and

(b) the polling area for the polling station from which the proceedings are transferred shall, for all the purposes of these Regulations, be deemed to be part of the polling area of the polling station to which the proceedings are transferred.

(3) A presiding officer may extend the hours of polling at his polling station where polling has been interrupted under this regulation or for other good cause, and shall, where polling in that polling station has started late, extend the hours of polling by the amount of time which was lost in so starting late.

Communication
with electors
at polling
station.

26. No person other than an election officer or police officer on duty shall, except with the authority of the presiding officer, have any communication whatsoever with an elector who is in, or in the immediate precincts of, a polling station for the purpose of voting; but this regulation shall not prevent the companion of a blind or incapacitated elector from communicating with that elector.

Sealing of
ballot boxes.

27.(1) Immediately before the commencement of the poll, the presiding officer shall show the ballot box or

(1) The returning officer of a polling station shall, in the exercise of his powers, be deemed to have done so in the manner in which he has acted, unless it is proved to the contrary. The provisions of this section shall apply to any person acting as a returning officer in the exercise of his powers, and where he does so -

(a) he shall abstain from doing anything which he has no authority to do, and

(b) the proceedings at a polling station shall, for all the purposes of these Regulations, be deemed to be part of the proceedings at that polling station, and the proceedings at any other polling station shall, for all the purposes of these Regulations, be deemed to be part of the proceedings at that polling station.

(3) A returning officer may extend the hours of polling at his polling station where polling has been interrupted under this regulation or for other good cause, and shall, where polling at that polling station has started later, extend the hours of polling by the amount of time which has been lost in so extending the same.

(4) No person other than an election officer or a police officer on duty shall, except with the authority of the returning officer, have any communication whatsoever with an elector who is in or in the immediate vicinity of a polling station for the purpose of voting; but this regulation shall not prevent the conclusion of a blind or incapacitated elector from communicating with that elector.

(5) Immediately before the commencement of the poll, the returning officer shall show the ballot box to the electors.

ballot boxes to those persons lawfully present in the polling station, and shall allow those of the candidates and their agents as may wish to do so to ascertain that the box or boxes are empty, and shall thereupon close the box or boxes so that they may not be opened without breaking the seal.

(2) After a ballot box is sealed under paragraph (1) the presiding officer shall cause it to be so placed in the polling station that it can at all times be in the view of himself or a deputy presiding officer and of the candidates or their agents.

(3) On the adjournment of the poll in a polling station to another day, or on the close of the poll at one station with a view to transferring a ballot box to another station, and at any other time when a ballot box is not in use for the purpose of receiving ballot papers, the presiding officer shall close up the aperture used for the insertion of the ballot papers into the box and place his seal on it in such a manner as to prevent the insertion of ballot papers without breaking the seal.

(4) After a box has been sealed under paragraph (3), the seal shall not be broken or the aperture opened until broken and opened in the presence of those persons lawfully present in the polling station where polling is about to re-commence.

(5) Where a presiding officer affixes his seal on a ballot box or aperture thereof under this regulation he shall permit any candidate or agent of a candidate who so wishes to affix his seal on the box or aperture.

Ballot papers. 28.(1) Ballot papers -

(a) for use at a presidential election shall be in Form 14, and where the election forms part of a joint election shall be printed on paper of a different colour from those for use in the parliamentary election;

(b) for use at a parliamentary election shall be in Form 15.

(2) The persons validly nominated under regulation 11 or regulation 18, as the case may be, and no other, shall have their names inserted in the ballot papers for an election.

(3) Every ballot paper for use at an election shall -

(a) contain the names and party symbols of the persons entitled to have their names inserted therein;

(b) be capable of being folded up;

(c) have a number, or combination of letter and number, printed on the front; and

(d) have attached a counterfoil with the same number or combination printed thereon.

(4) The presiding officer shall allow those candidates or their agents who are present at the polling station before polling commences to inspect the ballot papers provided for use at that polling station and note the serial numbers thereon.

(1) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(2) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(3) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(4) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(5) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(6) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(7) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(8) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

(9) The purpose of this section shall be to provide for the election of a member of the Board of Directors of the Corporation for a term of one year, and the election shall be held on or before the first day of January of each year in the year in which the term of the member expires.

General
voting
procedure.

29.(1) Before the delivery of a ballot paper to an elector -

- (a) the ballot paper shall be stamped with the official mark;
- (b) the number and name of the elector as stated in the copy register shall be called out;
- (c) the electoral number of the elector shall be marked on the counterfoil of the ballot paper;
- (d) a mark shall be placed in the copy register against the electoral number of the elector to denote that a ballot paper has been delivered but without showing any particulars of the paper; and
- (e) the elector's card of the elector shall be marked to show that a ballot paper has been delivered to him.

(2) Upon receiving a ballot paper, an elector shall submit to having a particular one of his thumbs or fingers pressed upon a pad impregnated with ink which, so far as is possible, is sufficiently indelible to leave a mark for the period of the election.

(3) After receiving a ballot paper an elector shall cast his vote in accordance with regulation 30 without undue delay and shall then immediately leave the polling station.

(4) A person who knowingly fails to place a ballot paper issued to him (not being a spoilt ballot paper) into

1. The person who has been named in the ballot paper shall be deemed to have been elected unless he has been declared to be ineligible by the returning officer.

(2) The ballot paper shall be signed with the name of the elector.

(3) The ballot paper shall be placed in a ballot box and the box shall be sealed and the key shall be handed to the returning officer.

(4) The elector shall mark his ballot paper by marking on the envelope of the ballot paper the name of the candidate to whom he wishes to give his vote.

(5) The elector shall be allowed to see the names of the candidates on the ballot paper and to mark his ballot paper in private. The returning officer shall see that the elector marks his ballot paper in private and shall see that the ballot paper is put into the ballot box.

(6) The returning officer shall see that the ballot paper is put into the ballot box and shall see that the ballot box is sealed. He shall also see that the key is handed to him.

(7) The returning officer shall see that the ballot paper is put into the ballot box and shall see that the ballot box is sealed. He shall also see that the key is handed to him.

(8) The returning officer shall see that the ballot paper is put into the ballot box and shall see that the ballot box is sealed. He shall also see that the key is handed to him.

(9) The returning officer shall see that the ballot paper is put into the ballot box and shall see that the ballot box is sealed. He shall also see that the key is handed to him.

a ballot box before leaving the place where the box is situated, shall be guilty of an offence and liable to a fine not exceeding fifty thousand shillings.

Method of voting.

30. (1) An elector shall, upon compliance with regulation 29, go immediately into one of the compartments of the polling station and there secretly mark his ballot paper and fold it up so as to conceal his vote, and shall then put the ballot paper into the ballot box in the presence of the presiding officer.

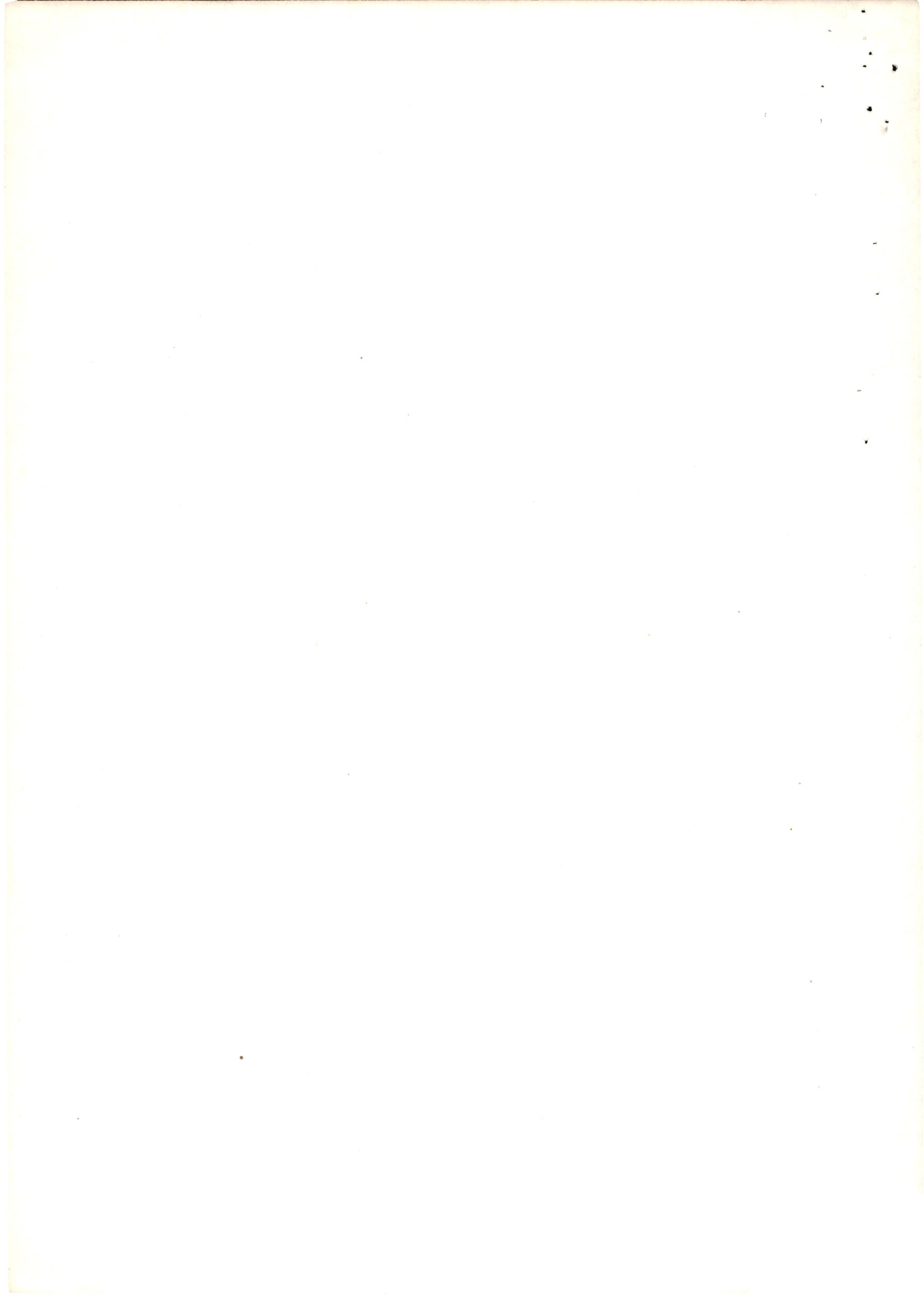
(2) In the case of a joint election the elector shall follow the procedure set out in paragraph (1) with regard to both ballots and shall put each ballot paper into the ballot box provided for the ballot concerned.

(3) No person other than a person acting under regulation 31 shall be present in a compartment of a polling station while an elector is therein for the purpose of marking his ballot paper and any person who contravenes this paragraph shall be guilty of an offence and liable to a fine not exceeding fifty thousand shillings.

Votes marked by presiding officer.

31. A presiding officer, on the application at the polling station of -

- (a) an elector who is incapacitated by blindness or other physical cause from voting in accordance with the procedure prescribed by these Regulations; or
- (b) an elector who declares orally that he is unable to read or otherwise requests the assistance of the presiding officer,



may, with the assent of the elector, cause the vote of the elector to be cast on his behalf and as he may direct, and shall thereupon record in the copy register, by means of a symbol placed opposite the name of the elector, the fact that the vote was so cast and the reason therefor; and the presiding officer shall allow one representative of each candidate to witness the marking of the vote under this regulation.

Spoilt ballot papers.

32. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to the satisfaction of such officer the fact of the inadvertence, obtain another ballot paper in the place of the paper so delivered, and the spoilt ballot paper shall be immediately cancelled and the counterfoil thereof marked accordingly.

Evidence of identity and record of certain votes.
Cap.107.

33.(1) A presiding officer shall require a person applying for a ballot paper to produce his identity card issued under the Registration of Persons Act.

(2) If a person representing himself to be a particular elector applies for a ballot paper and produces an elector's card purporting to be issued in his name which has not been marked under regulation 29(1)(e) and either -

(a) some other person has already been issued with a ballot paper in the name of that elector and the person so applying produces satisfactory evidence of his identity as that elector; or

(b) the presiding officer is satisfied that the person duly applied for registration as an elector and was qualified for registration but that his name was omitted from the register of electors by mistake; or

(c) that person does not produce to the presiding officer evidence satisfactory to the officer of his identity when so requested under paragraph (1), but produces a written declaration, in a form acceptable to the presiding officer, as to his identity,

the presiding officer shall allow that person to vote, but shall record a statement of the particulars of the case.

Procedure on
close of
poll.

34.(1) Immediately after the close of the poll at his polling station the presiding officer shall make a written statement of -

(a) the number of ballot papers issued to him under regulation 22(1);

(b) the number of ballot papers, other than spoilt ballot papers, issued;

(c) the number of spoilt ballot papers;

(d) the number of ballot papers remaining unused.

(2) Immediately after the completion of the statement under paragraph (1), the presiding officer, in the presence of those candidates or their agents as are then present with him, shall make up into separate packets -

(b) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

(c) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

(d) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

(e) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

(f) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

(g) The preceding section shall not apply to any person who is a member of the family of the person who is the subject of the investigation.

- (a) the spoilt papers, if any;
- (b) the marked copy register;
- (c) the counterfoils of the used ballot papers; and
- (d) the aforesaid statement and any statement recorded under regulation (2),

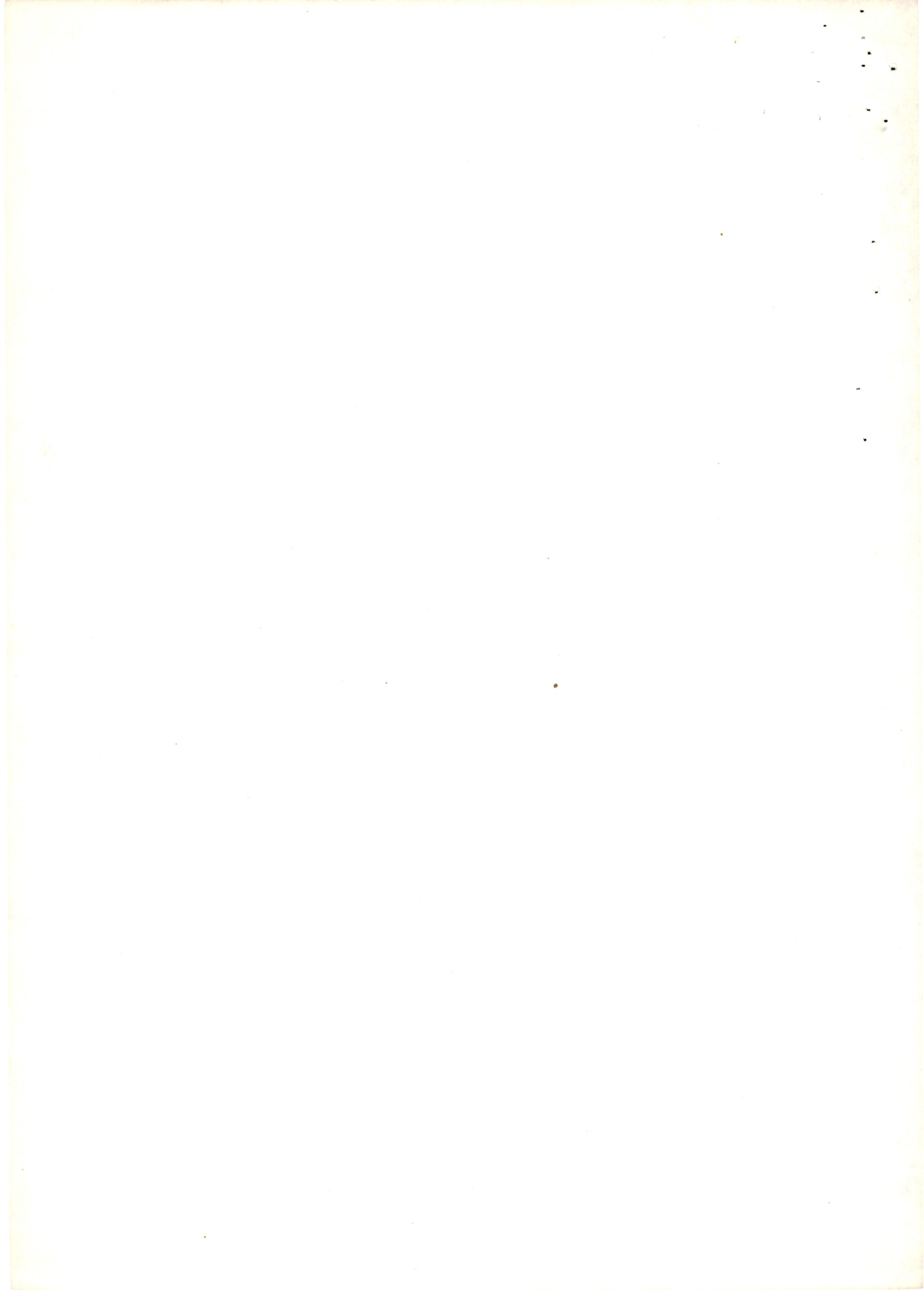
and shall seal with his own seal each of the packets, and shall so seal each of the ballot boxes in use at the polling station in such a manner as to prevent the introduction of any matter into the boxes or the opening thereof, and shall allow any candidate or agent who may so desire to affix his seal to the packet or box.

(3) After complying with the provisions of this regulation, the presiding officer shall, as soon as practicable, deliver the ballot boxes, with keys (if any) attached, and the sealed packets to the returning officer who shall take charge thereof, and the presiding officer shall permit candidates or their agents to accompany the ballot boxes and sealed packets in the course of delivery to the returning officer.

Attendance at
counting of
votes.

35.(1) The returning officer shall make arrangements for the counting, in the presence of the candidates and their counting agents if they so desire, of the votes cast in an election.

(2) No agent of a candidate shall be deemed to be a counting agent unless, at least thirty-six hours before the close of the poll in that election, the name and address of the agent and his appointment as such by the candidate has been transmitted to the returning officer,



and a returning officer shall not allow a person whose name, address and authorization has not been so transmitted to attend at a counting of votes notwithstanding that the appointment of that person is otherwise in order.

(3) The returning officer shall take such steps as he deems reasonable to give to the candidates and their counting agents notice of the time and place at which he will begin to count the votes.

(4) Notwithstanding the provisions of this regulation, a returning officer shall not be obliged to admit more than two counting agents of any one candidate to the counting of votes.

Counting of votes. 36.(1) At the counting of votes at an election any ballot paper -

- (a) which does not bear the official mark; or
- (b) on which votes are given for more than one candidate; or
- (c) on which anything is written or so marked as to be uncertain for whom the vote has been cast,

shall, subject to paragraph (2), be void and shall not be counted.

(2) A ballot paper on which a vote is marked -

- (a) elsewhere than in the proper place; or
- (b) otherwise than by means of a cross; or

and a returning officer shall not allow a person whose name, address and qualification has not been transmitted to attend and a counting of votes notwithstanding that the appointment of that person is otherwise in order.

(11) The returning officer shall take such steps as he thinks reasonable to give to the candidates and their counting agents notice of the time and place at which he will begin to count the votes.

(12) Notwithstanding the provisions of this regulation, a returning officer shall not be obliged to admit more than two counting agents of any one candidate to the counting of votes.

Counting of votes. 35(1) At the counting of votes at an election any ballot paper

- (a) which does not bear the official mark or
- (b) on which votes are given for more than one candidate; or
- (c) on which anything is written or so marked as to be uncertain for whom the vote has been cast, shall, subject to paragraph (2), be void and shall not be counted.

(2) A ballot paper on which a vote is marked

- (a) elsewhere than in the ballot paper; or
- (b) otherwise than by means of a cross, or

(c) by more than one mark,

shall not by reason only thereof be void if an intention that the vote shall be for one or other of the candidates clearly appears, and the manner in which the paper is marked does not itself identify the elector and it is not shown that the elector can be identified thereby.

(3) In a joint election the fact that a ballot paper has been placed in the wrong ballot box shall not of itself make the ballot paper void and the presiding officer shall, if it is otherwise valid, cause that ballot paper to be counted together with others in the election to which it relates.

(4) A returning officer shall, so far as practicable proceed continuously with the counting of votes, allowing time only for refreshment.

(5) A returning officer shall not commence to count votes unless he is of opinion that he can conveniently complete the count, and any recount if it appears to him to be likely, without a break, but having commenced the count, he may if he considers it desirable and after consultation with such of the candidates or their counting agents as are present, exclude the hours between seven O'clock in the evening and nine O'clock in the following morning.

(3) During any time excluded under paragraph (6), the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of those of the candidates and their counting agents as may desire to affix their seals, and shall otherwise take all due and proper precautions for the security of such papers and documents.

Recount.

37.(1) A candidate or counting agent, if lawfully present when the counting or any recount of votes is completed, may require the returning officer to have the votes recounted or again recounted, or the returning officer may, on his own initiative, have the votes recounted or again recounted.

(2) No steps shall be taken on the completion of a count or recount of votes until the candidates and counting agents present at the completion have been given a reasonable opportunity to exercise the right given by this regulation.

Rejected
ballot
papers.

38.(1) Every rejected ballot paper shall be marked with the word "rejected" by the returning officer, and, if an objection is made by a candidate or counting agent to the rejection, the returning officer shall add the words "rejection objected to".

(2) After the counting of votes is finally concluded, the returning officer shall draw up a statement showing the number of rejected ballot papers under such of the following heads of rejection as may be applicable -

(a) want of official mark;

(b) voting for more than one candidate;

During the time of the election, the
returning officer shall place the ballot papers and
documents relating to the election under the seal and
the seal of the returning officer shall be placed
thereon. The returning officer shall also place
thereon the names of the candidates and the
names of the electors who have voted for the
candidates.

(1) A candidate or returning officer, in relation
to the election, shall be deemed to be
present when the returning officer has received
the ballot papers and documents relating to the
election and the returning officer has not
yet received the ballot papers and documents
relating to the election.

(2) No ballot shall be taken at the completion of
the count of the ballot papers and the returning
officer shall be deemed to be present when
the returning officer has received the ballot
papers and documents relating to the election
and the returning officer has not yet received
the ballot papers and documents relating to
the election.

(3) If the returning officer is not present
at the time when the ballot papers and
documents relating to the election are
received, the returning officer shall be
deemed to be present at that time.

(4) If the returning officer is not present
at the time when the ballot papers and
documents relating to the election are
received, the returning officer shall be
deemed to be present at that time.

(5) If the returning officer is not present
at the time when the ballot papers and
documents relating to the election are
received, the returning officer shall be
deemed to be present at that time.

(6) If the returning officer is not present
at the time when the ballot papers and
documents relating to the election are
received, the returning officer shall be
deemed to be present at that time.

(c) writing or mark by which the elector might be identified;

(d) unmarked or void for uncertainty,

and any candidate or counting agent shall, if he so desires, be allowed to copy that statement.

Sealing of
ballot
papers.

39. Upon the completion of a count (including any recount), the returning officer shall seal up in separate packets -

(a) the counted ballot papers; and

(b) the rejected ballot papers together with the statement relating thereto.

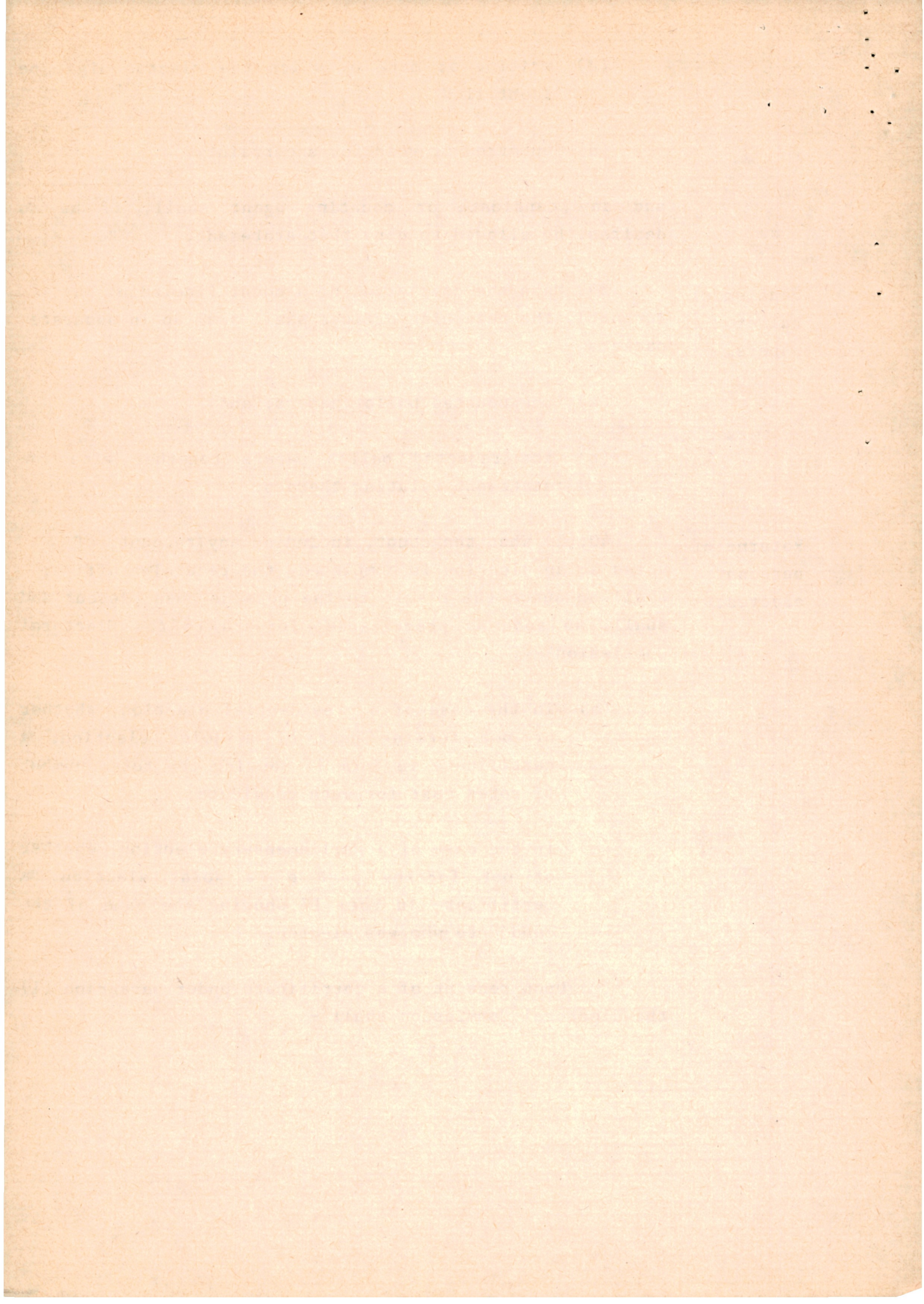
Returns of
persons
elected.

40.(1) When the count, including any recount, of votes at an election is completed, the returning officer shall announce the result to the persons then present and shall, as soon as practicable, forward to the Electoral Commission -

(a) in the case of a presidential election, whether or not forming part of a joint election, a certificate in Form 16 showing the total number of votes cast for each candidate;

(b) in the case of a parliamentary election, whether or not forming part of a joint election, a certificate in Form 17 showing the name of the candidate who was elected.

(2) Upon receipt of a certificate under paragraph (1) the Electoral Commission shall -



(a) in the case of a presidential election, whether or not forming part of a joint election, hold the certificate until the results of that election in every constituency have been received and thereafter publish a notice in the Gazette declaring the person who has received the greatest number of votes in the election, and who has also been elected as a member of the National Assembly, to have been elected President;

(b) in the case of a parliamentary election, whether or not forming part of a joint election, publish a notice in the Gazette, which may form part of a composite notice, showing the name or names of the person elected.

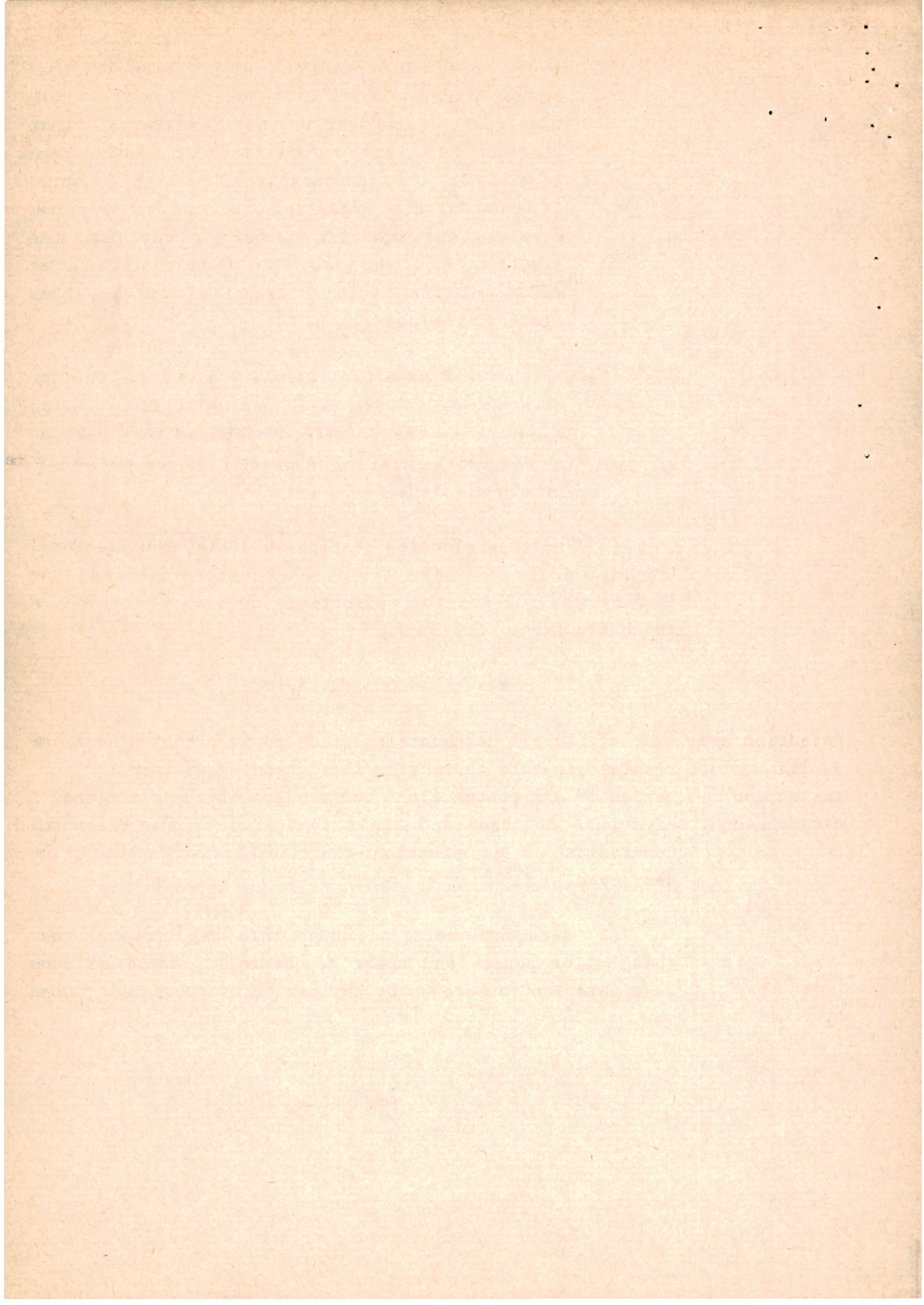
(3) Where an election results in a tie, the Electoral Commission shall notify the Speaker accordingly and the Speaker shall issue the appropriate notice or writ for a fresh election.

PART VII - MISCELLANEOUS PROVISIONS

Retention and public inspection of documents.

41.(1) All documents relating to an election shall be retained in safe custody by the returning officer for a period of six months after the results of the elections have been declared and shall then, unless the Electoral Commission or an election court otherwise directs, be destroyed.

(2) Documents retained under this regulation, other than ballot papers and their counterfoils, shall be made available for inspection by any member of the public, upon



a request made by him, at such time and subject to such conditions as may be decided by the returning officer.

(3) For the purpose of an inspection under paragraph (2), the returning officer shall unseal the documents concerned in the presence of a witness, who shall not be the person making the inspection and the returning officer and the witness shall keep the documents under their scrutiny until they are resealed by the returning officer, in the presence of the witness, after the inspection is completed.

Return of
expenses.

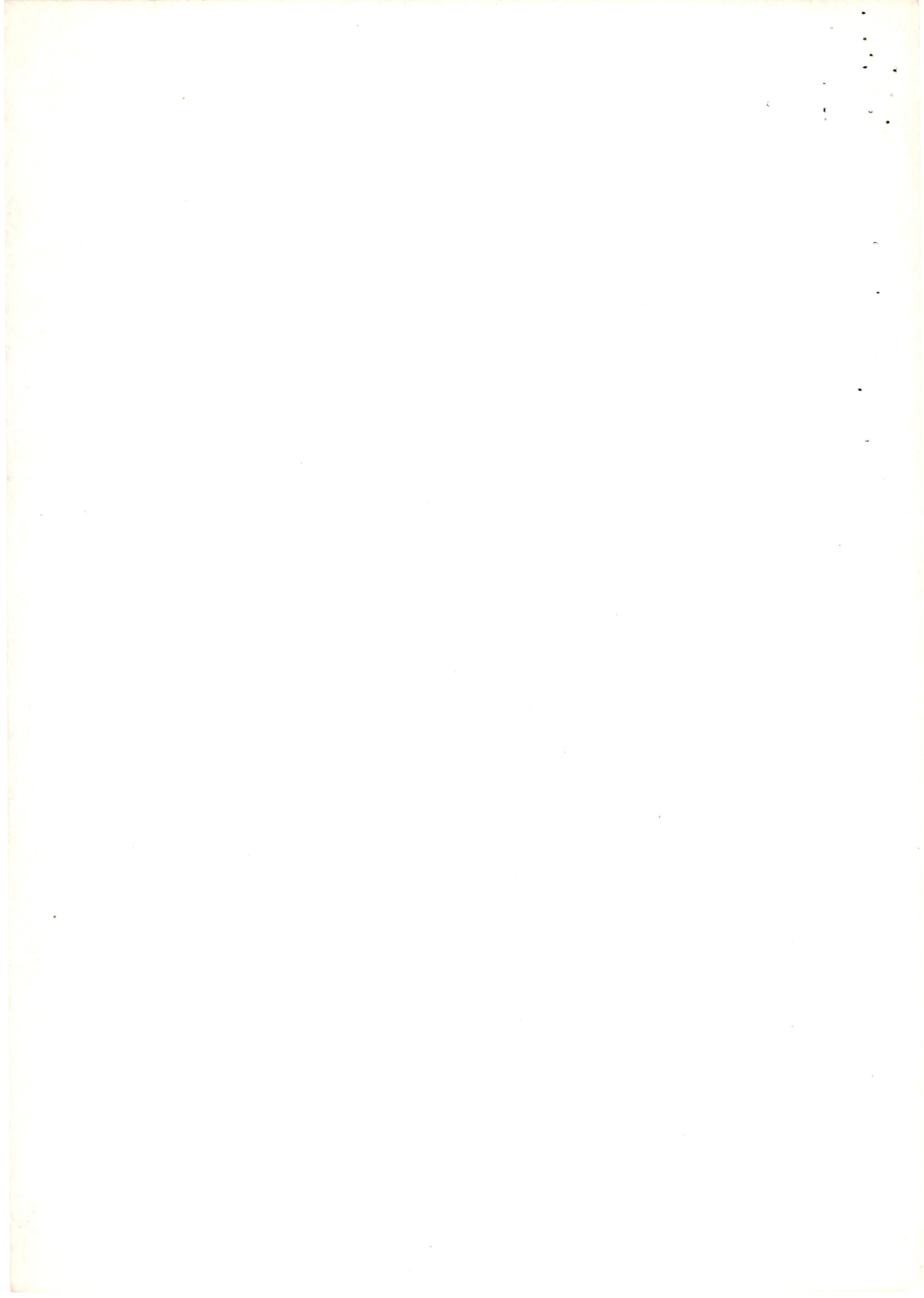
42. The return of expenses and statutory declaration referred to in section 181 shall be in Forms 18 and 19.

Offences by
election officials.

43. An officer, clerk or other person having a duty to perform under these Regulations is without reasonable cause guilty of an act or omission in breach of his official duty, shall be guilty of an offence and liable to the penalty specified under section 15 of the Elections Offences Act.

Revocation
Sub. Leg.

44. The Parliamentary and Presidential Elections Regulations are revoked.



NOTICE OF PRESIDENTIAL ELECTION

An election of a President of the Republic of Kenya is to be held otherwise than at a general election.

Nomination papers for the presidential election may be delivered by the candidate or his proposer or seconder to the Electoral Commission Nairobi, between the hours of eight o'clock in the morning and noon on the day of 19.....

If the presidential election is contested, the poll will take place on the day(s) of 19.....

Dated the, 19.....

.....

Chairman

Electoral Commission



FIRST SCHEDULE

FORMS

FORM I

(r.8(1))

NOTICE OF PRESIDENTIAL ELECTION

An election of a President of the Republic of Kenya is to be held at the forthcoming general election.

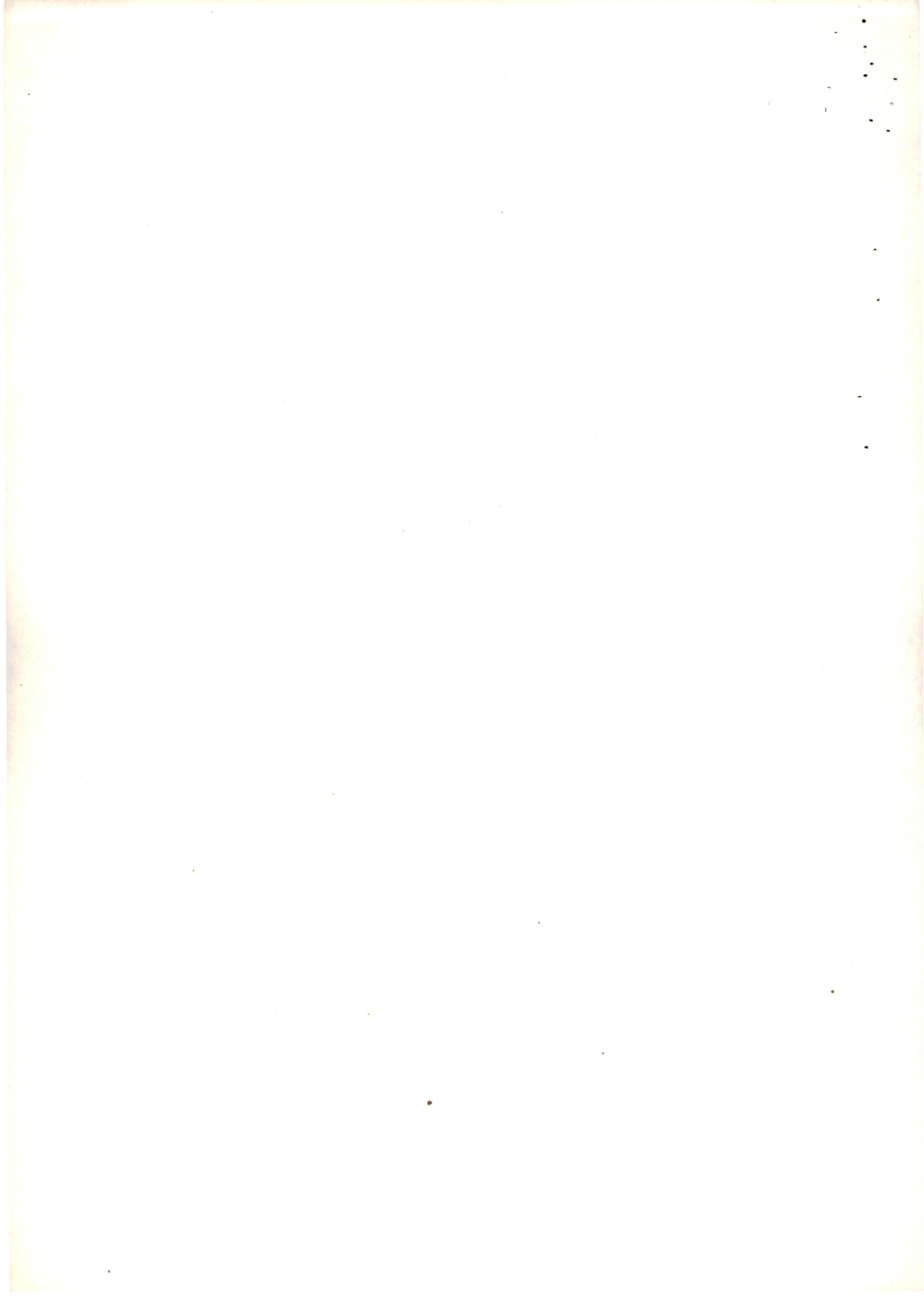
Nomination papers for the Presidential election may be delivered by the candidate or his proposer or seconder to the Electoral Commission Nairobi, between the hours of eight o'clock in the morning and noon on the day of, 19

Dated the, 19.....

.....

Chairman

Electoral Commission



WRIT

TO: THE RETURNING OFFICER,

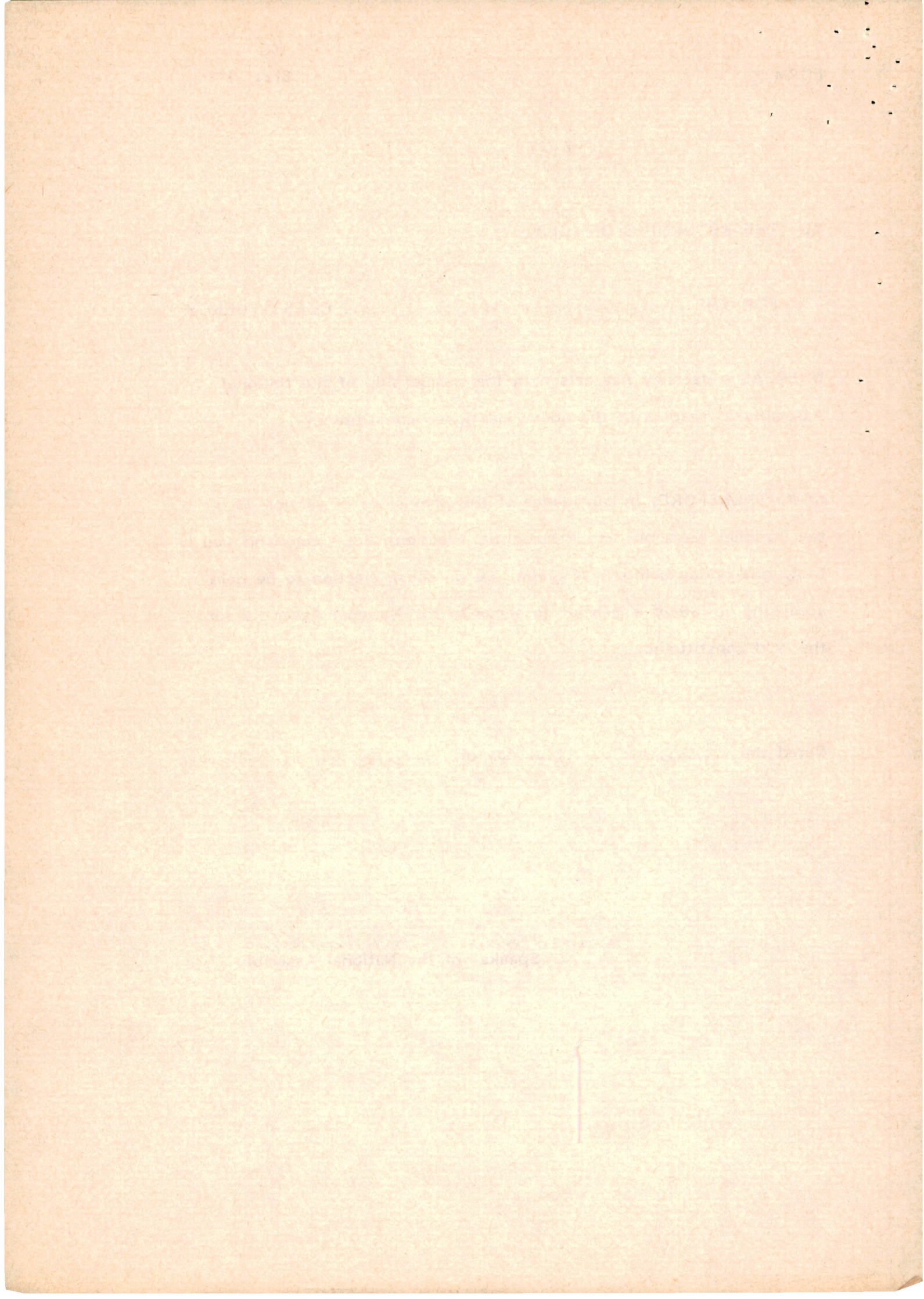
FOR THE CONSTITUENCY.

WHEREAS a vacancy has arisen in the membership of the National Assembly in respect of the above-mentioned constituency:

NOW, THEREFORE, in pursuance of the provisions of section 13 of the National Assembly and Presidential Elections Act I command you that, due notice being first given, you do cause election to be held according to law of a member to serve in the National Assembly for the said constituency.

Dated theday of.....19.....

.....
Speaker of the National Assembly



NOTICE OF ELECTION

An election is to be held of a member to serve in the National Assembly for the Constituency.

The day for nomination for the parliamentary election will be the 19 and nomination papers may be delivered by candidates to the returning officer at between the hours of eight o'clock in the morning and noon on the, 19....

If the parliamentary election is contested the poll will take place on the 19

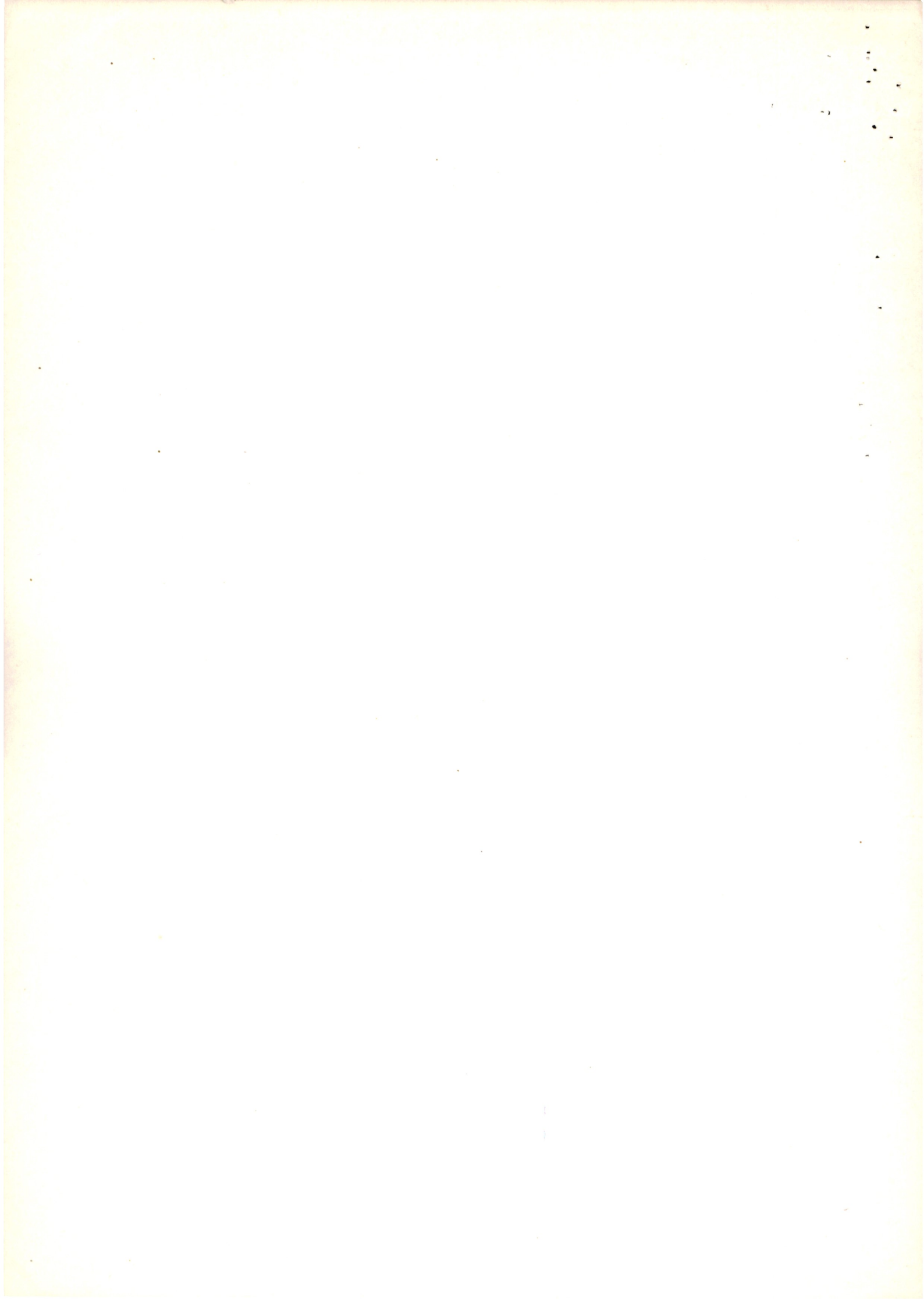
.....

Chairman

Electoral Commission

NOTES

1. The attention of candidates and persons subscribing nomination papers is drawn to the provision of Part IV of the Parliamentary and Presidential Election Regulation (Cap.7, Sub.Leg)
2. A person guilty of an election offence will be liable to the penalties imposed by the Election Offences Act (Cap.66), and to the disqualifications imposed by the National Assembly and Presidential Elections Act (Cap.7).



ELECTION OF PRESIDENT

There is to be an election of a President of the Republic of Kenya. Voting in this election will take place * at the ballot for the general election/on theday of 19

.....
Returning Officer

.....Constituency

* Delete as appropriate.

ELECTION OF MEMBER OF PARLIAMENT

There is to be an election of a member to serve in the National Assembly for the Constituency.

A parliamentary election will be held on the 19

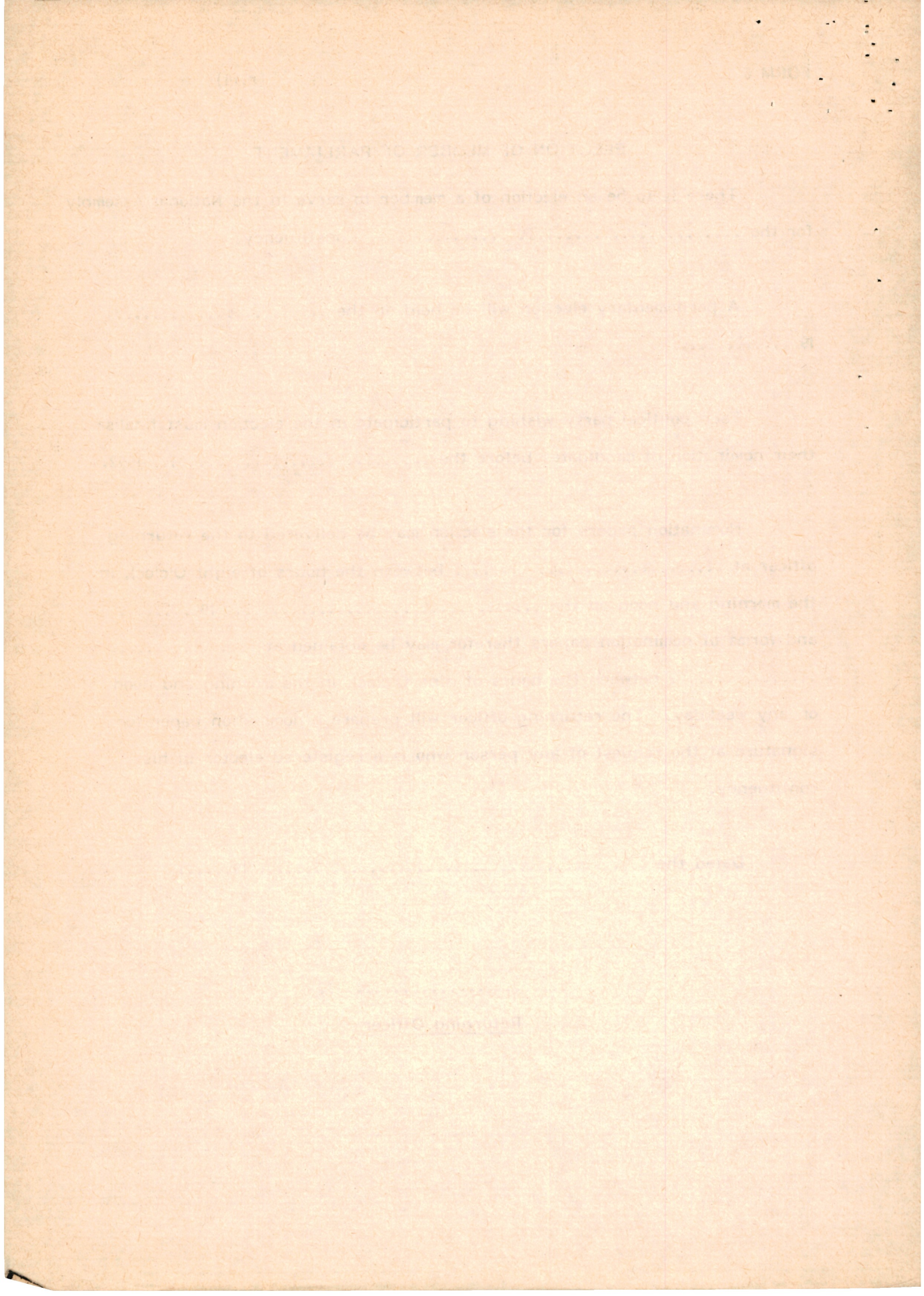
Each political party wishing to participate in the election must finalise their nomination of candidates before the 1992.

Nomination papers for the election may be delivered to the returning officer at between the hours of eight O'clock in the morning and noon on the 19 and forms of nomination papers therefor may be obtained at between the hours of nine O'clock in the morning and noon on any weekday. The returning officer will prepare a nomination paper for signature at the request of any person who is a registered elector in his constituency.

Dated the 19.....

.....

Returning Officer



NOMINATION PAPER FOR A PRESIDENTIAL ELECTION

Election of a President of the Republic of Kenya to be held on theday of19

We, the undersigned proposer and seconder, being registered as voters in the constituencies shown below do hereby nominate the undermentioned person as a candidate at the said election.

Table with 3 columns: Candidate's Names in Full, Place of Residence, Occupation or Description

Proposer

Full Names
Constituency
Electoral Number.....
Party office held

.....
Signature of Proposer

Secunder

Full Names
Constituency
Electoral Number
Party office held

And I, the aforesaid, do hereby consent to my nomination as a candidate for election as President of the Republic of Kenya and hereby certify that I am in all respects qualified for nomination as such candidate.

.....
Signature of Candidate.

1. Name of the person (Print name)	2. Address (Street, City, State, Zip)	3. Telephone Number (Area Code, Number)
4. Signature (Print name)	5. Date (Month, Day, Year)	6. Other Information (Remarks)

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

Signature of Certifier: _____

Date: _____

Title: _____

Signature of Certifier

SUPPORTERS FOR PRESIDENTIAL CANDIDATE

We, the undersigned, being registered voters with the electoral numbers indicated opposite our respective names, do hereby support the nomination of as a candidate for election as President of the Republic of Kenya.

	NAME	CONSTITUENCY/ DISTRICT	ELECTORAL NUMBER	SIGNATURE/ THUMB PRINT
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				

Parliamentary election in the year 1911. The names of the candidates for the election should be entered in the columns headed "NAME OF CANDIDATE" and "RESIDENCE OF CANDIDATE". The names of the electors should be entered in the columns headed "NAME OF ELECTOR" and "RESIDENCE OF ELECTOR".

NAME OF CANDIDATE	RESIDENCE OF CANDIDATE	NAME OF ELECTOR	RESIDENCE OF ELECTOR

NAME RESIDENCE
We the undersigned hereby nominate as our candidate for the election of a Member of Parliament for the constituency of ... the person whose name is written in the column headed "NAME OF CANDIDATE" in the above table.

NAME RESIDENCE
I hereby declare that the person whose name is written in the column headed "NAME OF CANDIDATE" in the above table is qualified to be elected as a Member of Parliament for the constituency of ... and that I am qualified to be elected as an elector for the constituency of ...

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

NOTES

1. The attention of candidates and persons subscribing to this papers)
in drawn to the provisions of Part IV of the Parliamentary and Presidential)
Elections Regulations (Cap.7, Sub.leg.))
)

2. No person may subscribe to more than one nomination paper for)
this election.)

Faint, illegible text, possibly bleed-through from the reverse side of the page.

STATUTORY DECLARATION FOR PURPOSES OF NOMINATION AT A PARLIAMENTARY ELECTION

I, of, do solemnly and sincerely declare as follows -

- 1. I do hereby consent to my nomination as a candidate at the parliamentary election to be held in the constituency.
2. I am duly qualified and am not disqualified by law for election as a member of the National Assembly.
3. I am sufficiently proficient in my knowledge of the English language in that -

My native language is English; or

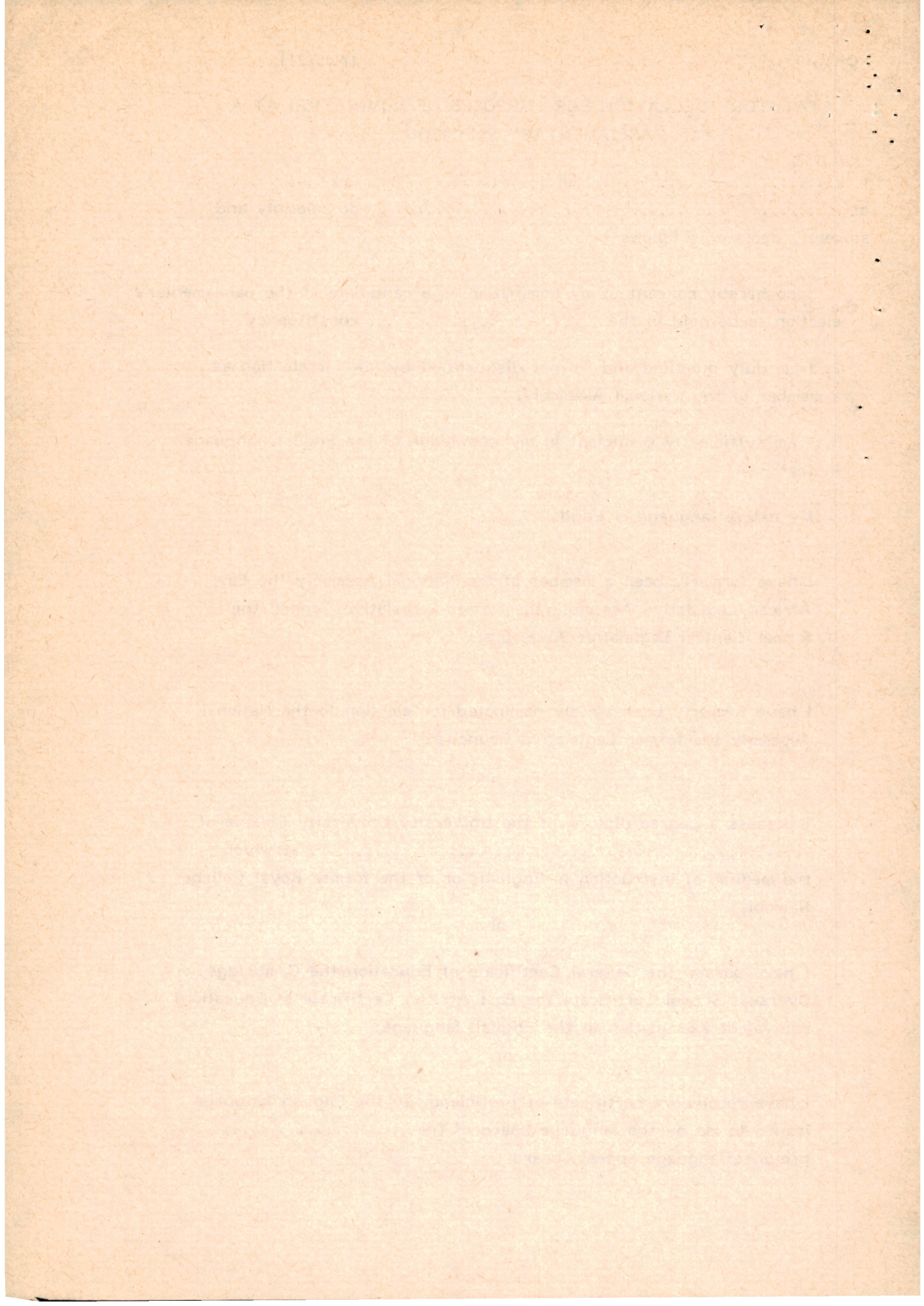
I have formerly been a member of the National Assembly/the East African Legislative Assembly/the former Legislative Council/the former Central Legislative Assembly; or

I have formerly been validly nominated for election to the National Assembly/the former Legislative Council; or

I possess a degree/diploma of the University/University College of at which the medium of instruction is English, or of the former Royal College Nairobi,; or

I have passed the General Certificate of Education/the Cambridge Overseas School Certificate/the East African Certificate of Education/ equivalent examination in the English language; or

I have received a certificate of proficiency in the English language issued to me by the language board of the province/language appeals board.



FORM 10 (Contd.)

4. I am sufficiently proficient in my knowledge of the Swahili language in that -

My principal language is Swahili;

or

I have at some time since the 5th July, 1974 been a member of the National Assembly;

or

I have on an occasion since the 5th July, 1974 been validly nominated for election to the National Assembly;

or

I have passed the General Certificate of Education/Cambridge Overseas School Certificate/East African Certificate of Education or equivalent examination in the Swahili language;

or

I have received a certificate of proficiency in the Swahili language issued to me by the language board of province/ language appeals board.

5. I am qualified under, and have complied with, the constitution and rules of the aforesaid political party relating to members thereof wishing to stand as candidates at parliamentary elections.

And I make this declaration conscientiously believing to same to be true and according to the Oaths and Statutory Declarations Act.

Declared at)
this day))
of 19....) Signature of Declarant

Before me,

.....
A Magistrate/Commissioner of Oaths

* The declarant's names must be written in the order in which he wishes them to appear on the nomination statement and the surname must be underlined.

CERTIFICATE THAT NO PERSON NOMINATED

I, the returning officer of the Constituency,
do hereby certify that no person stands validly nominated for the
parliamentary election in the said constituency.

Dated this day of 19

.....

Returning Officer

CERTIFICATE THAT ONLY PERSON NOMINATED

I, the returning officer of the Constituency do hereby certify that only one person stands validly nominated for the parliamentary election in this Constituency, is -

Name	Place of Residence	Occupation or Description

and that he/she has therefore been declared elected as a member of the National Assembly for this constituency.

Dated the 19.....

.....
Returning Officer

STATEMENT OF PERSONS NOMINATED

The following persons have been and now stand nominated for the parliamentary election for the Constituency -

1. Name of candidate
 Address
 Occupation or Description
 Names of subscribers to nomination paper

 Party Colour and Symbol

2. Name of candidate
 Address
 Occupation or Description
 Names of subscribers to nomination paper

 Party Colour and symbol

The electors belonging to the polling areas specified in the first column hereunder may vote only at the polling stations specified in the second column hereunder, and the days and hours for polling at those polling stations shall be those specified in the third column here under -

Polling Areas	Polling Stations	Days and Hours of Polling

Dated this day of 19.....

.....
Returning Officer

BALLOT PAPER

No.

KENYA PRESIDENTIAL ELECTION 19.....
IN THE CONSTITUENCY

Counterfoil

No.

..... 1.

Constituency

Elector's Serial No. in register 2.
.....

CANDIDATES' NAMES,	PARTY SYMBOL	VOTER'S MARK

Instructions to voter -

1. Mark the paper by placing the mark X in the right-hand column above opposite the name of the candidate you wish to elect.
2. Do NOT place a mark opposite more than one candidate.
3. Make no other mark whatsoever on the paper.
4. Fold the paper through the centre, from left, so as to conceal your vote.

(10-11-1954)

10-11-1954

STATE OF TEXAS

AT A SPECIAL ELECTION HELD AT

IN THE COUNTY OF ... CONSTITUENCY

VOTER MARK	PARTY SYMBOL	CANDIDATE NAME

1. Mark your ballot by placing the mark X in the right-hand column above the name of the candidate you wish to elect.
2. Do NOT place a mark opposite more than one candidate.
3. Make no other mark or signature on the ballot.
4. Fold the ballot, marking the center, back left, so as to conceal your vote.

BALLOT PAPER

No.

PARLIAMENTARY ELECTION IN THE CONSTITUENCY, 19.....

Counterfoil

No.
.....
Constituency
Elector's Serial No. in
register
.....

Candidates' Names	Party Symbol	Voter's Mark

Instructions to voter -

1. Mark the paper by placing the mark X in the right-hand column above opposite the name of the candidate you wish to be elected.
2. Do NOT place a mark opposite more than one candidate.
3. Make no other mark whatsoever on the paper.
4. Fold the paper through the centre, from left to right, so as to conceal your vote.

1877

1877

1877

1877

1877	1877	1877

1877

1877

1877

1877

1877

1877

1877

1877

CERTIFICATE OF RESULTS OF PRESIDENTIAL ELECTION 19

I, the returning officer of theConstituency do hereby certify that the total number of votes cast for each candidate in the above election was:-

1.	Total votes
2.	Total votes
3.	Total votes
4.	Total votes
5.	Total votes
6.	Total votes
7.	Total votes
8.	Total votes
9.	Total votes
10.	Total votes

and that the number of rejected ballot papers was

Dated the 19 ..

.....
Returning Officer

CERTIFICATE OF RESULTS OF PRESIDENTIAL ELECTION 1952

the returning officer of the constituency, that the total number of votes cast for each candidate in the above election was -

1	Total votes	
2	Total votes	
3	Total votes	
4	Total votes	
5	Total votes	
6	Total votes	
7	Total votes	
8	Total votes	
9	Total votes	
10	Total votes	

and that the number of rejected ballot papers was

Dated this _____ day of _____ 1952

Returning Officer

CERTIFICATE OF RESULT OF PARLIAMENTARY ELECTION 19.....

I, the returning officer of theConstituency
certify that the candidate elected as a member of the National Assembly
for the constituency is

Name	Political Party	Occupation or Description	Place of Residence

Dated the 19

.....
Returning Officer

CERTIFICATE OF RESULT OF PARLIAMENTARY ELECTION IN

I, the returning officer of the constituency of _____ do hereby certify that the candidate elected as a member of the House of Commons for the constituency is _____

Place or Description of Constituency	Candidate	Party	Votes

Dated the _____ 1957

Returning Officer

RETURN OF ELECTION EXPENSES
FORM OF RETURN

Election in the Constituency
Date of publication of notice of election
Name of candidate

1. I am the person named above as a candidate at this election and was my own election agent/I am the election agent of the eprson named above as a candidate at this election*.

2. I hereby make the following return of my/the candidate's* election expenses at the election.

Receipts

(Include all contributions, i.e. gifts, subscriptions, loans, advances or deposits of money or anything of value made for the purpose of influencing the election).

Contribution by myself or (where the candidate is not his own election agent) received from the candidate -

	Sh.
.....
Received of -	
.....
.....
.....
.....
.....

(set out separately the name and description of each person, club, society or association and the amount received)

Expenditure

	Sh.
Candidate's personal expenses
Received by me for my services as election agent (omit jf candidate is his own election agent)

RETURN OF ELECTION EXPENSES
FORM OF RETURN

Election in the _____

Date of publication of notice of election _____

Name of candidate _____

I, _____ am the person named above as a candidate at this election and was my own election agent or the election agent of the person named above as a candidate at this election.

I hereby make the following return of my election expenses at the election:

Receipts

(Include all contributions, gifts, subscriptions, loans, advances or deposits of money or anything of value made for the purpose of financing the election.)

Contributions by myself or (where the candidate is not his own election agent) received from the candidate

Received of _____

(Set out separately the name and description of each person, club, society or association and the amount received.)

Expenditure

Candidate's personal expenses

Received by me for my services as election agent

(omit if candidate is his own election agent)

FORM 18 - (Contd.)

Paid to
as polling agent

Paid to
as counting agent

Paid to
.....
.....
as drivers, clerks, messengers or other
assistants (give full names of each)

Paid to the following persons in respect of
goods supplied or work done and labour
done to
(set out the nature of goods supplied or
work and labour done, e.g. printing,
advertising, stationery in each case)

Paid to as speaker at
a public meeting at
on as remuneration and/
or expenses (set out each speaker)

Paid for hire of premises for public meetings
(identify the premises in each case)

Paid for postage

Paid for telegrams

Paid for miscellaneous matters to

(set out the payee and the reason for
payment in each case)

In addition to the above I am aware of the
following disputed and unpaid claims -

Disputed claims -
by
(set out separately the name and
description of each person and the amount
paid to or claimed by him)

Unpaid claims allowed by the High Court to
be paid after the proper time or in
respect of which application has been
made or is about to be made to the
High Court-

Paid to _____ as holding agent

Paid to _____ as carrying agent

Paid to _____ as drivers, clerks, messengers or other assistants (give the names of each)

Paid to the following persons in respect of goods supplied or work done and labour done to _____ (set out the nature of goods supplied or work and labour done, and printing advertising, stationery in each case)

Paid to _____ as speaker at a public meeting of _____ as remuneration and/or expenses (set out each speaker)

Paid for hire of premises for public meetings, identify the premises in each case

Paid for postage

Paid for telegrams

Paid for miscellaneous matters to _____ (set out the nature and the reason for payment in each case)

In addition to the above I am aware of the following disallowed and unpaid claims -

Disputed claims -

Set out separately the name and description of each person and the amount paid to or claimed by him

Unpaid claims allowed by the High Court to be paid after the proper time or in respect of which application has been made or is about to be made to the

With Form -

FORM 18 (Contd.)

(set out separately the name and
description of each person and the
amount paid to or claimed by him)

.....

.....

Signature of person making return

* Delete whichever is not applicable.

FORM OF STATUTORY DECLARATION

Election in the Constituency
 Date of publication of notice of election
 Name of candidate

1. I am the person named above as a candidate at this election and was my own election agent/I am the election agent of the person named above as a candidate at this election*.

2. I have examined the return of election expenses about to be transmitted by me to the returning officer which to the best of my knowledge and belief is a complete and correct return as required by law.

.....

Signature of declarant

Signed and declared by the above-named declarant on the
 day of, 19
 before me

Signature
 Designation
(Magistrate or Commissioner for Oaths)

* Delete whichever is not applicable.

FORM OF STATUTORY DECLARATION

I, the undersigned, being a duly qualified elector in the

election of the office of _____

do hereby declare that I am the person named above as a candidate of the

party named above and that I am qualified to hold the office of

_____ and that I have no other legal disability which would prevent me from

being elected to the office of _____ and that I have no other legal disability which would prevent me from

being elected to the office of _____ and that I have no other legal disability which would prevent me from

being elected to the office of _____ and that I have no other legal disability which would prevent me from

being elected to the office of _____ and that I have no other legal disability which would prevent me from

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being elected to the office of _____ and that I have no other legal disability which would prevent me from

being elected to the office of _____ and that I have no other legal disability which would prevent me from

Language
boards.

1. (1) The Electoral Commission may appoint one or more language boards.

(2) A language board shall consist of not less than three members one of whom shall be the Director of Education or a Provincial Education Officer.

(3) The Electoral Commission shall designate one of the members to be chairman of the board.

Application
for test.

2. (1) Every person desirous of standing as a candidate at a Parliamentary election shall, unless exempted under subparagraph (2), before making the declaration required by regulation 15(2), apply to the Electoral Commission for a test as to his proficiency in the English and Swahili Languages.

(2) Subparagraph (1) shall not apply -

(a) as regards a test in English, to any person -

(i) whose native language is English; or

(ii) who has at any time been a member of the National Assembly or the East African Legislative Assembly or the former Legislative Council or Central Legislative Assembly; or

(iii) who has at any time been validly nominated as a candidate for election to the National Assembly or the former Legislative Council or is in possession of a certificate of proficiency in the English language issued in connexion with any such election; or

(iv) who possesses a degree or diploma of a university or university college at which the medium of instruction is English or of the former Royal College, Nairobi; or

(v) who has passed the General Certificate of Education, the Cambridge Overseas School Certificate, the East African Certificate of Education, the Kenya Certificate of Education or equivalent examination, in the English language;

(v) The Director of Education may appoint one or more persons to be members of the Council of Education.

(vi) A candidate who has passed the General Certificate of Education, or the Cambridge Overseas School Certificate, the East African Certificate of Education, the Hong Kong Certificate of Education, or the Indian Certificate of Education, in the English language, shall be eligible for election to the Council of Education.

(vii) The Council of Education shall designate one of its members to be the Chairman of the Council.

(viii) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(ix) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(x) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xi) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xii) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xiii) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xiv) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xv) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xvi) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

(xvii) Any member of the Council of Education who is a candidate at a general election shall, unless exempted under sub-section (1), be deemed to have resigned from the Council of Education on the date of his nomination for election to the House of Representatives.

- (b) as regards a test in Swahili, to any person -
- (i) whose principal language is Swahili; or
 - (ii) who has at any time since the 5th July, 1974 been a member of the National Assembly; or
 - (iii) who has at any time after the 5th July, 1974 been validly nominated as a candidate for election to the National Assembly or is in possession of a certificate of proficiency in the Swahili language issued in connexion with any such election; or
 - (iv) who has passed the General Certificate of Education, the Cambridge Overseas School Certificate, the East African Certificate of Education, the Kenya Certificate of Education or equivalent examination, in the Swahili language:

Provided that a person who claims exemption under subparagraph (a) (i) or (b) (i) may be required by the Electoral Commission to attend before a language board for the purpose of being tested as to his ability to read or write the language concerned.

Convening of board. 3. Upon receipt of an application under paragraph 2 the Electoral Commission shall cause a meeting of the language board concerned to be convened at the earliest possible opportunity and shall give notice to the applicant of the place, day and time of the meeting:

Provided that if a meeting of the language board concerned has already been convened in respect of an earlier application, a later applicant may, if his attendance thereat is practicable, be referred to that meeting.

Testing of candidates. 4. (1) At the place and time appointed under paragraph 3 the language board concerned shall assemble and shall proceed to test persons presenting themselves before it as to whether or not they are able to speak and, unless incapacitated by blindness or other physical cause, to read the English and Swahili languages well enough to take an active part in the proceedings of the National Assembly.

