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THE ELECTIONS (AMENDMENT) (NO. 3) ACT

No. 48 of 2012

Date of Assent: 31st December, 2012
Date of Commencement: 4th January, 2013

AN ACT of Parliament to amend the Elections Act, 2011

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Elections (Amendment)(No.3) Act, 2012.

   (Amendment) (No.3) Act, 2012.

2. Section 5 of the Elections Act, 2011 ( In this Act referred to as the principal Act) is amended by inserting the following new subsection immediately after subsection (3) –

   (3A) Despite subsection (3), a citizen who has attained the age of eighteen years and has registered for an identification card and is in the possession of an acknowledgement of registration certificate shall, upon application, be registered as a voter using the acknowledgement of registration certificate, but may only vote using an identification card.

   (3B) For purposes of this section, an acknowledgement of registration certificate means a certificate issued by a registration officer under the Registration of Persons Act to a person who has applied for an identification card, pending the issuance of that card.

3. Section 22 of the principal Act is amended by inserting the following new subsection immediately after subsection (2) –

   (2A) For the purposes of the first elections under the Constitution, section 22(1)(b) and section 24 (1)(b), save for the position of the President, the Deputy President, the Governor and the Deputy Governor, shall not apply for
the elections of the offices of Parliament and county assembly representatives.

4. Section 27 of the principal Act is amended —

(a) by renumbering the existing provision as subsection (1);

(b) by inserting the following new subsection immediately after the new subsection (1) —

(2) A political party which has submitted its nomination rules to the Commission pursuant to subsection (1) may amend the rules and submit the rules as amended to the Commission, at least seven days before nomination of candidates for elections.

5. Section 29 of the principal Act, is amended—

(a) by deleting the word “registered” appearing in subsection (1);

(b) by deleting the word “registered” appearing in subsection (2).