

SPECIAL ISSUE

Kenya Gazette Supplement No. 212 (Acts No. 48)



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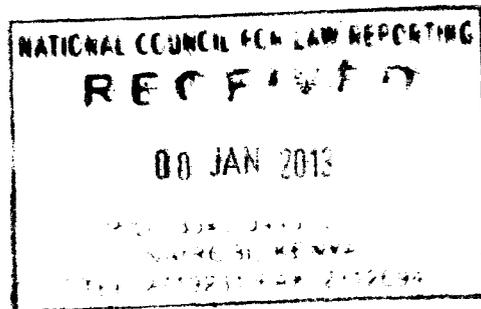
KENYA GAZETTE SUPPLEMENT

ACTS, 2012

NAIROBI, 4th January, 2013

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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.

Short title.

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) –

Amendment of section 5 of No.24 of 2011.

(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) -

Amendment of section 22 of No. 24 of 2011.

(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.

Amendment of
section 27 of
No.24 of 2011.

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.

Amendment of
section 29 of
No.3 of 2011.

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).