

SPECIAL ISSUE



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THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012

(L.N. 128/2012 and L.N. 72/2017)

NOTICE OF FRESH PRESIDENTIAL ELECTION

IN EXERCISE of powers conferred by Articles 88 (4), 137, 140 (3), and 148 of the Constitution of Kenya, sections 2, 14 (c), 15, 20, 22, 23, 26, 30, 38, 39 and 74 of the Elections Act, 2011 and Regulation 11 (1), 12 (1), 14 and 89, Parts III, IV and IX of the Election (General) Regulations, the Independent Electoral and Boundaries Commission gives notice that:

- (a) Following the judgment by the Supreme Court delivered on 1st September, 2017 nullifying the election of the President of the Republic of Kenya held on 8th August, 2017, a fresh election of the President of the Republic of Kenya shall be held on 17th October, 2017.
- (b) There shall be no nominations for candidates participating in the fresh presidential election.
- (c) Pursuant to the Decision of the Supreme Court in Petition No. 5 of 2013, Raila Odinga vs IEBC and others, interpreting the provisions of Article 140 (3) of the Constitution on 'fresh elections', the fresh presidential election shall be contested between the following candidates:

<i>Surname</i>	<i>Other Names</i>	<i>Running Mate Surname</i>	<i>Running Mate Other Names</i>	<i>Party Code</i>	<i>Political Party Name</i>	<i>Abbrv</i>	<i>Symbol</i>
Kenyatta	Uhuru	Ruto	William Samoei	027	Jubilee Party	JP	
Odinga	Raila	Musyoka	Stephen Kalonzo	021	Orange Democratic Movement	ODM	

- (d) The campaign period for purposes of the 17th October, 2017 Election shall commence on, 6th September, 2017 and cease on 15th October, 2017 being 48 hours before the Election Day.
- (e) The Campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
- (f) Political parties and candidates shall appoint and submit to the Commission the names of the National, County and Constituency Chief Elections Agents to the Commission on or before 2nd October, 2017.
- (g) The Polling Stations shall remain as published by the Commission on 30th June, 2017 *vide* Vol No. CXIX—86, Gazette Notice No. 6397 of 2017 and Vol. CXIX—113 Gazette Notice No. 7619 of 2017.

(h) The Tallying Centres shall remain as published by the Commission on 30th June, 2017 *Vide* Vol. CXIX—86, Gazette Notice No. 6396 of 2017.

(i) The registration of voters and revision of the register of voters is suspended until 8th November, 2017

NOTES:

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Parts III, IV and IX of the Election (General) Regulations, 2012, Section 13(2) and the First Schedule to the Leadership and Integrity Act, 2012 and Chapter Six of the Constitution of Kenya.
2. Every political party and every person who participates in the election shall subscribe to and observe the Electoral Code of Conduct set out in the Second Schedule to the Elections Act, 2011.
3. A person guilty of an election offence will be liable to the penalties imposed by the Election Offences Act, 2016 (No. 37 of 2016), the disqualifications imposed thereof and the Constitution of Kenya.
4. The attention of candidates is drawn to the provisions of section 26 of the Elections Act, 2011.
5. The attention of Political Parties, Candidates and every person who participates in the election is drawn to section 2 of the Elections Act, 2011 on the Campaign Period.

Dated the 5th September, 2017.

W. W. CHEBUKATI,
Chairperson,
Independent Electoral and Boundaries Commission.