



QUALIFICATIONS & REQUIREMENTS FOR NOMINATION OF CANDIDATES FOR ELECTIVE POSITIONS

**THE CONSTITUTION OF KENYA, 2010
THE ELECTIONS ACT, 2011
THE ELECTIONS (AMENDMENT) ACT, 2012
THE ELECTIONS (AMENDMENT)(NO. 2) ACT, 2012
THE ELECTIONS (AMENDMENT)(NO. 3) ACT, 2012
THE STATUTE LAW MISCELLANEOUS (AMENDMENT) ACT, 2012
THE STATUTE LAW MISCELLANEOUS (AMENDMENT)(NO. 2) ACT, 2012
THE POLITICAL PARTIES ACT, 2011
THE ELECTIONS (GENERAL) REGULATIONS, 2012
LEADERSHIP AND INTEGRITY ACT, 2012**

NOTICE is hereby given to the public on the minimum qualifications and requirements for candidates contesting elective positions and nominees to Party Lists for the general elections scheduled for March 4, 2013.

A. Candidate for Election as President (and Deputy Presidential Candidate)

Qualifications:

1. Must be a Kenyan citizen by birth
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be qualified to stand for election as a member of Parliament
5. Must be a registered voter
6. Must be a holder of a degree from a University recognized in Kenya
7. Must be nominated by a Political Party or is an independent candidate

Requirements:

A Party Candidate or an Independent Candidate or their authorized agent must submit the following documents to the Commission during the Commission Nomination:

1. Certified copy of a degree certificate in accordance with Section 22(2) of the Elections Act, 2011 and Regulation 47 of Elections (General) Regulations, 2012

Where the body that issued the degree certificate is not based in Kenya, a certified copy of the certificate must be authenticated and/or equated by the Commission for Higher Education.

2. A certified copy of a national identity card/valid passport (the document used by the candidate to register as a voter)
3. A passport size photograph of the candidate for election as president
4. If the candidate was a public officer, a letter of discharge from the employer confirming that he or she was not in employment as at September 4, 2012. This requirement does not apply to the Prime Minister, Deputy Prime Minister and Member of Parliament
5. If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorized official of the party
6. A duly signed Code of Conduct (Second Schedule of the Elections Act, 2011)
7. A duly filled Commission Nomination Form 12, including:
 - (a) An original Statutory Declaration Form made not earlier than one month before the nomination day [Regulation 18(3) of the Elections (General) Regulations, 2012]
 - (b) An original Self-Declaration Form [Regulation 46 of the Elections (General) Regulations, 2012] as prescribed in the First Schedule of the Leadership and Integrity Act, 2012
 - (c) For both Party and Independent Candidates, a soft and a hard copy of a list of at least 2000 supporters from a majority of the counties in the prescribed form, submitted to the Commission Headquarters by January 24th 2013 [Regulation 18(1) of the Elections (General) Regulations, 2012]. The supporters of a Party Candidate must be members of the candidate's party while those of an Independent Candidate must not be members of any political party
 - (d) The names of a proposer and a seconder who shall be registered voters:
 - (i) In the case of a Party Candidate, the proposer and seconder must be members of the candidate's party [Regulation 38(b) of the Elections (General) Regulations, 2012]
 - (ii) In the case of an Independent Candidate, the proposer and seconder must not be members of any political party [Regulation 39(c) of the Elections (General) Regulations, 2012]
8. Additional requirements for Independent Candidates:
 - (a) A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; i.e. as at December 4, 2012 [Regulation 15(a) of the Elections (General) Regulations, 2012]
 - (b) A duly filled Form of Intention to Contest in the prescribed form [Regulation 15(b) of the Elections (General) Regulations, 2012]
 - (c) A symbol that the candidate intends to use during the election, which has been approved by the Commission, in accordance with Section 32 of the Elections Act, 2011
 - (d) Establish and maintain a functioning office within Kenya, which must be available for inspection by the Commission, by January 18, 2013. The

address, including the physical address of the office must be communicated to the Commission [Regulation 20(1) and (2) of the Elections (General) Regulations, 2012]

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

- Kshs. 100,000 for a candidate who is a woman, a person with a disability or youth. Youth means an adult below the age of 35 years
- Kshs. 200, 000 for any other candidate

B. Candidate for Election as County Governor (and Deputy Governor)

Qualifications:

1. Must be a Kenyan citizen for at least 10 years before the election
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be a registered voter
5. Must be a holder of a degree from a University recognized in Kenya
6. Must be nominated by a Political Party or is an independent candidate

Requirements:

A Party Candidate or an Independent Candidate or their authorized agent must submit the following documents to the Commission during the Commission Nomination:

1. Certified copy of a degree certificate in accordance with Section 22(2) of the Elections Act, 2011 and Regulation 47 of Elections (General) Regulations, 2012.

Where the body that issued the degree certificate is not based in Kenya, a certified copy of the certificate must be authenticated and/or equated by the Commission for Higher Education.

2. A certified copy of a national identity card/valid passport (the document used by the candidate to register as a voter)
3. A passport size photograph of the candidate for election as Governor
4. If the candidate was a public officer, a letter of discharge from the employer confirming that he or she was not in employment as at September 4, 2012. This requirement does not apply to the Prime Minister, Deputy Prime Minister and Member of Parliament
5. If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorized official of the party
6. A duly signed Code of Conduct (Second Schedule of the Elections Act, 2011)
7. A duly filled Commission Nomination Form 17, including:
 - (a) An original Statutory Declaration Form [Regulation 41 of the Elections (General) Regulations, 2012]
 - (b) An original Self-Declaration Form [Regulation 46 of the Elections (General) Regulations, 2012] as prescribed in the First Schedule of the Leadership and Integrity Act, 2012
 - (c) The names of a proposer and a seconder who shall be registered voters in the respective electoral area:
 - (i) In the case of a Party Candidate, the proposer and seconder must be members of the candidate's party [Regulation 38(b) of the Elections (General) Regulations, 2012]

- (ii) In the case of an Independent Candidate, the proposer and seconder must not be members of any political party [Regulation 39(c) of the Elections (General) Regulations, 2012]

8. Additional requirements for Independent Candidates:

- (a) A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; i.e. as at December 4, 2012 [Regulation 15(a) of the Elections (General) Regulations, 2012]
- (b) A soft and a hard copy of a list of at least 500 supporters in the prescribed form, submitted to the County Returning Officer by January 24, 2013
- (c) A duly filled Form of Intention to Contest in the prescribed form [Regulation 15(b) of the Elections (General) Regulations, 2012]
- (d) A symbol that the candidate intends to use during the election, which has been approved by the Commission, in accordance with Section 32 of the Elections Act, 2011
- (e) Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission, by January 18, 2013. The address, including the physical address of the office must be communicated to the Commission.

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

- Kshs. 25,000 for a candidate who is a woman, a person with a disability or youth. Youth means an adult below the age of 35 years
- Kshs. 50, 000 for any other candidate

C. Candidate for Election as member of the Senate

Qualifications:

1. Must be a Kenyan citizen for at least 10 years before the election
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be a registered voter
5. Must be nominated by a Political Party or is an independent candidate

Requirements:

A Party Candidate or an Independent Candidate or their authorized agent must submit the following documents to the Commission during the Commission Nomination:

1. A certified copy of a national identity card/valid passport (the document used by the candidate to register as a voter)
2. A passport size photograph
3. If the candidate was a public officer, a letter of discharge from the employer confirming that he or she was not in employment as at September 4, 2012. This requirement does not apply to the Prime Minister, Deputy Prime Minister and Member of Parliament
4. If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorized official of the party
5. A duly signed Code of Conduct (Second Schedule of the Elections Act, 2011)
6. A duly filled Commission Nomination Form 16, including:
 - (a) An original Statutory Declaration Form [Regulation 41 of the Elections (General) Regulations, 2012]
 - (b) An original Self-Declaration Form [Regulation 46 of the Elections (General) Regulations, 2012] as prescribed in the First Schedule of the Leadership and Integrity Act, 2012
 - (c) The names of a proposer and a seconder who shall be registered voters in the respective electoral area:
 - (i) In the case of a Party Candidate, the proposer and seconder must be members of the candidate's party [Regulation 38(b) of the Elections (General) Regulations, 2012]
 - (ii) In the case of an Independent Candidate, the proposer and seconder must not be members of any political party [Regulation 39(c) of the Elections (General) Regulations, 2012]
7. Additional requirements for Independent Candidates:
 - (a) A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; i.e. as at December 4, 2012 [Regulation 15(a) of the Elections (General) Regulations, 2012]

- (b) A soft and a hard copy of a list of at least 2000 supporters in the prescribed form, submitted to the County Returning Officer by January 24, 2013
- (c) A duly filled Form of Intention to Contest in the prescribed form [Regulation 15(b) of the Elections (General) Regulations, 2012]
- (d) A symbol that the candidate intends to use during the election, which has been approved by the Commission, in accordance with Section 32 of the Elections Act, 2011
- (e) Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission, by January 18, 2013. The address, including the physical address of the office must be communicated to the Commission.

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

- Kshs. 25,000 for a candidate who is a woman, a person with a disability or youth. Youth means an adult below the age of 35 years
- Kshs. 50, 000 for any other candidate

D. Candidate for Election as member of the National Assembly (including a Woman County Representative to the National Assembly)

Qualifications:

1. Must be a Kenyan citizen for at least 10 years before the election
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be a registered voter
5. Must be nominated by a Political Party or is an independent candidate

Requirements:

A Party Candidate or an Independent Candidate or their authorized agent must submit the following documents to the Commission during the Commission Nomination:

1. A certified copy of a national identity card/valid passport (the document used by the candidate to register as a voter)
2. A passport size photograph
3. If the candidate was a public officer, a letter of discharge from the employer confirming that he or she was not in employment as at September 4, 2012. This requirement does not apply to the Prime Minister, Deputy Prime Minister and Member of Parliament
4. If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorized official of the party
5. A duly signed Code of Conduct (Second Schedule of the Elections Act, 2011)
6. A duly filled Commission Nomination Form 15, including:
 - (a) An original Statutory Declaration Form [Regulation 41 of the Elections (General) Regulations, 2012]
 - (b) An original Self-Declaration Form [Regulation 46 of the Elections (General) Regulations, 2012] as prescribed in the First Schedule of the Leadership and Integrity Act, 2012
 - (c) The names of a proposer and a seconder who shall be registered voters in the respective electoral area:
 - (i) In the case of a Party Candidate, the proposer and seconder must be members of the candidate's party [Regulation 38(b) of the Elections (General) Regulations, 2012]
 - (ii) In the case of an Independent Candidate, the proposer and seconder must not be members of any political party [Regulation 39(c) of the Elections (General) Regulations, 2012]
7. Additional requirements for Independent Candidates:
 - (a) A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; i.e. as at December 4, 2012 [Regulation 15(a) of the Elections (General) Regulations, 2012]

(b) A soft and a hard copy of a list of at least 1000 supporters in the prescribed form, submitted by January 24, 2013:

- (i) to the Constituency Returning Officer, for the candidate for election as a member of the National Assembly
- (ii) to the County Returning Officer, for the candidate for election as a County Woman Representative to the National Assembly

(c) A duly filled Form of Intention to Contest in the prescribed form [Regulation 15(b) of the Elections (General) Regulations, 2012]

(d) A symbol that the candidate intends to use during the election, which has been approved by the Commission, in accordance with Section 32 of the Elections Act, 2011

(e) Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission, by January 18, 2013. The address, including the physical address of the office must be communicated to the Commission.

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

- Kshs. 10,000 for a candidate who is a woman, a person with a disability or youth. Youth means an adult below the age of 35 years
- Kshs. 20, 000 for any other candidate

E. Candidate for Election as member of County Assembly Ward

Qualifications:

1. Must be a Kenyan citizen for at least 10 years before the election
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be a registered voter
5. Must be nominated by a Political Party or is an independent candidate

Requirements:

A Party Candidate or an Independent Candidate or their authorized agent must submit the following documents to the Commission during the Commission Nomination:

1. A certified copy of a national identity card/valid passport (the document used by the candidate to register as a voter)
2. A passport size photograph
3. If the candidate was a public officer, a letter of discharge from the employer confirming that he or she was not in employment as at September 4, 2012. This requirement does not apply to the Prime Minister, Deputy Prime Minister and Member of Parliament
4. If a Party Candidate, a Nomination Certificate from a fully registered political party nominating the candidate, duly signed by an authorized official of the party
5. A duly signed Code of Conduct (Second Schedule of the Elections Act, 2011)
6. A duly filled Commission Nomination Form 18, including:
 - (a) An original Statutory Declaration Form [Regulation 41 of the Elections (General) Regulations, 2012]
 - (b) An original Self-Declaration Form [Regulation 46 of the Elections (General) Regulations, 2012] as prescribed in the First Schedule of the Leadership and Integrity Act, 2012
 - (c) The names of a proposer and a seconder who shall be registered voters in the respective electoral area:
 - (i) In the case of a Party Candidate, the proposer and seconder must be members of the candidate's party [Regulation 38(b) of the Elections (General) Regulations, 2012]
 - (ii) In the case of an Independent Candidate, the proposer and seconder must not be members of any political party [Regulation 39(c) of the Elections (General) Regulations, 2012]
7. Additional requirements for Independent Candidates:
 - (a) A Clearance Certificate from the Registrar of Political Parties certifying that the person was not a member of any political party for the last 3 months before the elections; i.e. as at December 4, 2012 [Regulation 15(a) of the Elections (General) Regulations, 2012]

- (b) A soft and a hard copy of a list of at least 500 supporters in the prescribed form, submitted to the Constituency Returning Officer by January 24, 2013
- (c) A duly filled Form of Intention to Contest in the prescribed form [Regulation 15(b) of the Elections (General) Regulations, 2012]
- (d) A symbol that the candidate intends to use during the election, which has been approved by the Commission, in accordance with Section 32 of the Elections Act, 2011
- (e) Establish and maintain a functioning office in the respective electoral area where the candidate is contesting, which must be available for inspection by the Commission, by January 18th 2013. The address, including the physical address of the office must be communicated to the Commission

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

- Kshs. 2,500 for a candidate who is a woman, a person with a disability or youth. Youth means an adult below the age of 35 years
- Kshs. 5,000 for any other candidate

F. Qualifications & Requirements for Nominees to Party Lists under Article 97(1)(c), Article 98(1)(b), (c) and (d), and Article 177 (1) (b) and (c) of the Constitution

Qualifications:

1. Must be a Kenyan citizen for at least 10 years before the election
2. Must not hold dual citizenship
3. Must not owe allegiance to a foreign state
4. Must be a registered voter

Requirements:

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

1. Six (6) Party Lists containing the following nominees appointed in accordance with Articles 97(1)(c), 98(1)(b), (c) and 177(1)(c) and (c) of the Constitution in the manner prescribed by the Commission and authorized by signatories of the nominating Political Party:
 - (a) Nominees to the National Assembly
 - (b) Nominees to the Senate
 - (c) Youth Nominees to the Senate
 - (d) Persons with Disability Nominees to the Senate
 - (e) Marginalized Group Nominees to the County Assembly
 - (f) Gender Special Seats Nominees to the County Assembly (For Gender Top Up)
2. Duly signed copies of Letters of Acceptance of the Nominees

NB:

1. ***All candidates should forward scanned copies of all the relevant documents in hard and soft by January 24th 2013 to:***
 - (a) ***The Commission Constituency Office for candidates contesting for election as member of the National Assembly and County Assembly***
 - (b) ***The Commission County Office for candidates contesting for election as County Governor, member of the Senate and County Woman Representative to the National Assembly***
 - (c) ***The Commission Headquarters for candidates contesting for election as President***
2. ***IEBC has developed a Nomination Software that facilitates in capturing details of nominees and their supporters for purposes of submitting soft copies during Commission nomination. Political Parties which and candidates who wish to use the Software may collect a copy of the CD from the Commission Headquarters/Constituency Offices from January 14th 2013. For those who opt***

to use alternative methods of data entry, you are hereby requested to consult with the Commission on the data interchange format.

3. *All relevant forms will be available for collection by candidates from January 19th 2013 from:*
 - (a) *The Commission Constituency Office for candidates contesting for election as member of the National Assembly and County Assembly*
 - (b) *The Commission County Office for candidates contesting for election as County Governor, member of the Senate and County Woman Representative to the National Assembly*
 - (c) *The Commission Headquarters for candidates contesting for election as President*
4. *Attention is drawn to political parties and candidates to Regulation 48 of the Elections (General) Regulations, 2012, which provides the number of people to accompany the candidate during the delivery of nomination papers.*

*A. I. HASSAN
Chairperson
Independent Electoral and Boundaries Commission*