

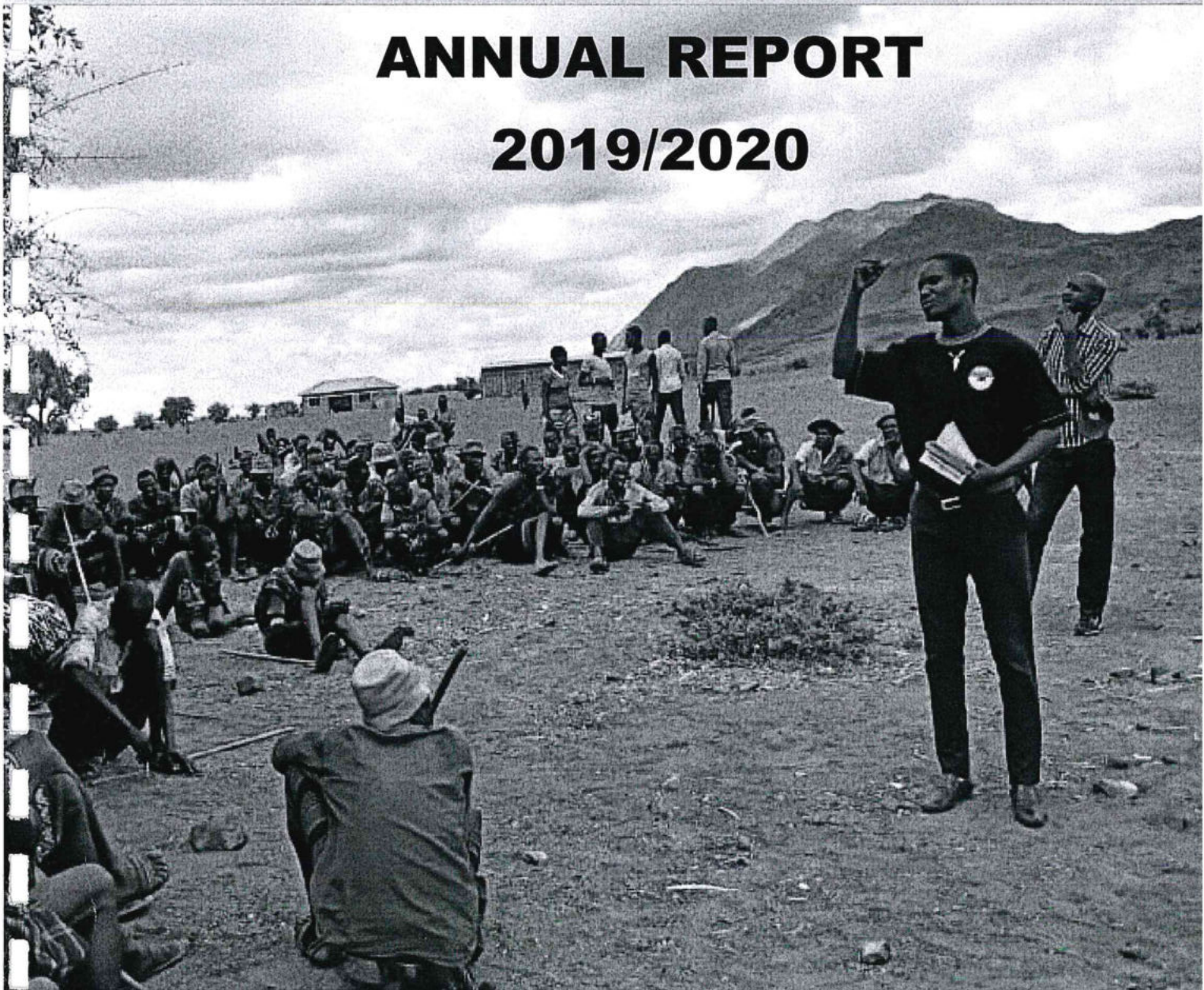
Head the office  
For taking  
papers 8/10/20



Independent Electoral and Boundaries Commission

# ANNUAL REPORT

## 2019/2020



Your Vote, Your Future



---

## Vision

A credible electoral management body committed to strengthening democracy in Kenya.

## Mission

To conduct free and fair elections and to institutionalize a sustainable electoral process.

## Our Values

The Commission subscribes to the following values:

- i. **Respect for the rule of law:** conducting our affairs within the law.
  - ii. **Independence:** conducting our affairs free from undue influence.
  - iii. **Integrity:** conducting our affairs with utmost honesty.
  - iv. **Teamwork:** undertaking to work collaboratively as colleagues to achieve the Commission's goals.
  - v. **Innovativeness:** committed to transforming the electoral process to meet and exceed the expectations of Kenyans.
-



The Independent Electoral and Boundaries Commission asserts right of recognition as author of the original material. The source should be attributed as Independent Electoral and Boundaries Commission Annual Report 2019–2020.

**Produced by:** The Independent Electoral and Boundaries Commission

**Web address:** <https://www.iebc.or.ke>

**IEBC website:** [www.iebc.or.ke](http://www.iebc.or.ke)

**Feedback and enquiries:** Feedback and enquiries on this report is welcome and should be directed to the contact officer.

**Contact officer:** Commission Secretary/CEO,  
Anniversary Towers, 6<sup>th</sup> Floor, University Way. P.O. Box  
45371 – 00100, Nairobi, Kenya

**Telephone:** +254 20 - 2877000

**Email:** [info@iebc.or.ke](mailto:info@iebc.or.ke)

**Twitter:** @iebckkenya

**Facebook:** [Facebook.com/iebckkenya](https://www.facebook.com/iebckkenya)

**Instagram** [Instagram.com/iebckkenya](https://www.instagram.com/iebckkenya)

@ Copyright IEBC Kenya, 2020





## TABLE OF CONTENTS

Letters of Transmittal.....	vi
List of Acronyms and Abbreviations.....	ix
SECTION 1: YEAR IN REVIEW.....	xii
Foreword.....	xiii
The Commission Secretary's Overview.....	xv
SECTION 2: ABOUT THE COMMISSION .....	2
SECTION 3: PERFORMANCE INFORMATION BY PROGRAMME.....	17
3.1 STRATEGIC PILLAR 1: MANAGING ELECTIONS.....	18
3.1.1 Result Area 1: An Enabling Legal Framework for Effective Management of the Electoral Process .....	19
3.1.2 Result Area 2: Election Operations Implemented for Enhanced Voting Experience .....	28
3.1.3 Result Area 3: Eligible Kenyans Registered as Voters.....	34
3.1.4 Result Area 4: Equity in Representation in Parliament and County Assembly levels .....	39
3.2 STRATEGIC PILLAR 2: INSTITUTIONAL TRANSFORMATION.....	42
3.2.1 Result Area 5: The IEBC's Human Resource Capacity Built.....	42
3.2.2 Result Area 6: Corporate Governance and Communication Strengthened in the Commission .....	46
3.2.3 Result Area 7: IEBC's Business Processes Re-Engineered for Increased Efficiency and Productivity ..	55
3.2.4 Result Area 8: Adequate Office Space and a Conducive Work Environment for Staff Provided .....	58
3.2.5 Result Area 9: Learning and Knowledge Based Decision Making .....	59
3.2.6 Result Area 10 Establishing a Sustainable Financial Resource Base .....	63
3.3 STRATEGIC PILLAR 3: ENHANCING PUBLIC TRUST AND PARTICIPATION .....	65
3.3.1 Result Area 11: Kenyans Empowered to Effectively Participate in the Electoral Process.....	65
3.3.2 Result Area 12: Political Parties and Independent Candidates Empowered.....	67
3.3.3 Result Area 13: Strategic Partnership and Collaboration with Stakeholders .....	68
SECTION 4: FINANCIAL STATEMENTS .....	70
DRAFT ANNUAL FINANCIAL STATEMENTS .....	71
IEBC STAFF MORTGAGE & CAR LOAN FUND.....	122
ANNEXTURES .....	157
Annex 1: Litigation in 2019-2020 Financial Year .....	157
Annex 2: Other Elections at the County Level .....	161
Annex 3: Data and information Requests .....	164





## List of Figures

Figure 1: IEBC Administrative Offices.....	8
Figure 2: Organization Structure .....	12
Figure 3: Strategic Pillars .....	14
Figure 4: Age distribution of staff within the Commission .....	45
Figure 5: Social Media Growth .....	50
Image 6: Nakuru ASK Show on 3rd July -July 7th, 2019 .....	52
Figure 7: Customer Care Desk.....	54

## List of Tables

Table 1: The Legislative Framework .....	2
Table 2: Commission Committees.....	13
Table 3: Structure of the IEBC Programmes .....	16
Table 4: Electoral malpractice and violations of the Electoral Code of Conduct .....	21
Table 5: Collaborative engagements with the PPLC .....	22
Table 6: Commissions Legal Opinions .....	24
Table 7: Commission Kenya Gazette notices .....	25
Table 8: Summary of cases.....	27
Table 9: Administration of Oath of secrecy to officials.....	28
Table 10: Member of The National Assembly.....	31
Table 11: Member of County Assembly .....	31
Table 12: No of Polling Officials Trained for by-elections .....	33
Table 13: New registered voters per County .....	35
Table 14: Processed list of new registration and transfer of registration for certification as at December, ....	36
Table 15: Re-Allocation of Special Seats.....	40
Table 16: Staff Turnover .....	44
Table 17: Staff by Gender .....	45
Table 18: Local and International Liaison Interactions 2019-2020.....	60
Table 19: Allocation and Expenditure 2019/2020.....	63
Table 20: Voter turnout in By-elections.....	67
Table 21: Election Observers .....	69



## Letters of Transmittal

INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



His Excellency, The President, Uhuru Kenyatta,  
President and Commander in Chief of Kenya Defence Forces of the Republic of Kenya

I have the pleasure of presenting the Annual Report of the Independent Electoral and Boundaries Commission (IEBC) for the year ending 30th June, 2020.

This report has been prepared for purposes of:

- i) Article 254 of the Constitution of Kenya, 2010 and Section 24(1) of the Independent Electoral and Boundaries Commission Act, 2011 that requires the Commission to submit annually to the President and Parliament, an annual report containing functions, performance on its activities, affairs and the financial statements.
- ii) Section 81 (1) (2) of the Public Finance Management Act, 2012.

In compliance with these statutory requirements, I hereby submit to you the attached report and unaudited financial statements for the financial year that ended 30th June, 2020.

W. W. Chebukati  
Chairperson

Date: 30<sup>th</sup> September, 2020



INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



The Honourable Justin Muturi  
Speaker of the National Assembly

I have the pleasure of presenting the Annual Report of the Independent Electoral and Boundaries Commission (IEBC) for the year ending 30<sup>th</sup> June, 2020.

This report has been prepared for purposes of:

- i) Article 254 of the Constitution of Kenya, 2010 and Section 24(1) of the Independent Electoral and Boundaries Commission Act, 2011 that requires the Commission to submit annually to the President and Parliament, an annual report containing functions, performance on its activities, affairs and the financial statements.
- ii) Section 81 (1) (2) of the Public Finance Management Act, 2012.

In compliance with these statutory requirements, I hereby submit to you the attached report and unaudited financial statements for the financial year that ended 30<sup>th</sup> June, 2020.

W. W. Chebukati  
Chairperson

Date: 30<sup>th</sup> September, 2020

INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



The Honourable Kenneth Lusaka  
Speaker of the Senate

I have the pleasure of presenting the Annual Report of the Independent Electoral and Boundaries Commission (IEBC) for the year ending 30th June, 2020.

This report has been prepared for purposes of:

- i) Article 254 of the Constitution of Kenya, 2010 and Section 24(1) of the Independent Electoral and Boundaries Commission Act, 2011 that requires the Commission to submit annually to the President and Parliament, an annual report containing functions, performance on its activities, affairs and the financial statements.
- ii) Section 81 (1) (2) of the Public Finance Management Act, 2012.

In compliance with these statutory requirements, I hereby submit to you the attached report and unaudited financial statements for the financial year that ended 30th June, 2020.

  
W. W. Chebukati  
Chairperson

Date: 30<sup>th</sup> September 2020.



## List of Acronyms and Abbreviations

AAEA	Association of African Electoral Authorities
AGC	Annual General Conference
ASK	Agricultural Society of Kenya
AU	African Union
AUC	African Union Commission
AVEW	Annual Voter Education Week
BRIDGE	Building Resources in Democracy, Governance and Elections
BROP	Boundaries Review Operation Plan
BVR	Biometric Voter Registration
CAW	County Assembly Ward
CBK	Central Bank of Kenya
CCIOS	Congress of Constitutional Commissions and Independent Offices.
CECs	Constituency Election Coordinators
CEMs	County Elections Managers
CEO	Chief Executive Officer
CID	Criminal Investigation Department
CJPG	Catholic Justice and Peace Commission
COVID-19	Corona Virus Disease 2019
CRMS	Candidates Registration Management System
CSR	Corporate Social Responsibility
CVR	Continuous Voter Registration
DCI	Directorate of Criminal Investigation
DPA	Department of Political Affairs
DRC	Dispute Resolution Committee
DRO	Deputy Returning Officer
EACC	Ethics and Anti-Corruption Commission
EBROP	Election and Boundaries Review Operation Plan
EMBs	Election Management Bodies
ERMTTool	Electoral Risk Management Tool
FAQ	Frequently Asked Questions
FEMBoSA	Forum of Election Management Bodies of South Asia
FPE	Fresh Presidential Election
HRMIS	Human Resource Management Information System
ICPAK	Institute of Certified Public Accountants of Kenya
ICT	Information and Communication Technology
IEBC	Independent Electoral and Boundaries Commission
IPSAS	International Public Sector Accounting Standard
JLAC	Justice and Legal Affairs Committee
JSC	Judicial Service Commission
KEAP	Kenya Electoral Assistance Program
KESSHA	Kenya Secondary Schools Head Teachers' Association
KIEMS	Kenya Integrated Election Management System
KISM	Kenya Institute of Supplies Management
KNBS	Kenya National Bureau of Statistics
KNDFF	Kenya National Drama and Film Festivals
KNEC	Kenya National Examination Council

KPHC	Kenya Population and Housing Census
KPMG	Klynveld Peat Marwick Goerdeler
KRCS	Kenya Red Cross Society
KSG	Kenya School of Government
LAN	Local Area Network
LSK	Law Society of Kenya
MOU	Memoranda of Understanding
NCIC	National Cohesion and integration Commission
NDI	National Democratic Institute
NPS	National Police Service
NRB	National Registration Bureau
OAG	Office of the Auditor General
ODPP	Office of the Director of Public Prosecution
ORPP	Office of the Registrar of Political Parties
PAC	Parliamentary Accounts Committee
PEE	Post Election Evaluation
PPADA	Public Procurement and Disposal Act
PPDT	Political Parties Disputes Tribunal
PPLC	Political Party Liaison Committee
RO	Returning Officer
RoV	Register of Voters
RTS	Results Transmission System
SIGs	Special Interest Groups
SOPs	Standard Operating Procedures
SPMA	Supplies Practitioners Management Act
UCPAK	Universities and Colleges Students' Peace Association of Kenya
UK	United Kingdom
UNDP	United Nations Development Programme
UNDPK	United Nations Development Programme Kenya
WAN	Wide Area Network



## About this Report

This report outlines the performance of the Independent Electoral and Boundaries Commission (IEBC) for the financial year ending 30<sup>th</sup> June 2020. It informs Kenyans – including Members of Parliament, Political Parties, Candidates, Special Interest Groups, Government Departments and Agencies, Development Partners, Media and all electoral stakeholders about IEBC activities undertaken and services provided in the year under review. The report also describes the IEBC's performance against its programs, deliverables and key performance indicators in the portfolio budget statements for the financial year 2019/2020.

The report is prepared in line with the requirements of Article 254 of the Constitution of Kenya, 2010, the Public Finance Management Act, 2012 and the Independent Electoral and Boundaries Commission Act, 2011.

The Report has four Sections:

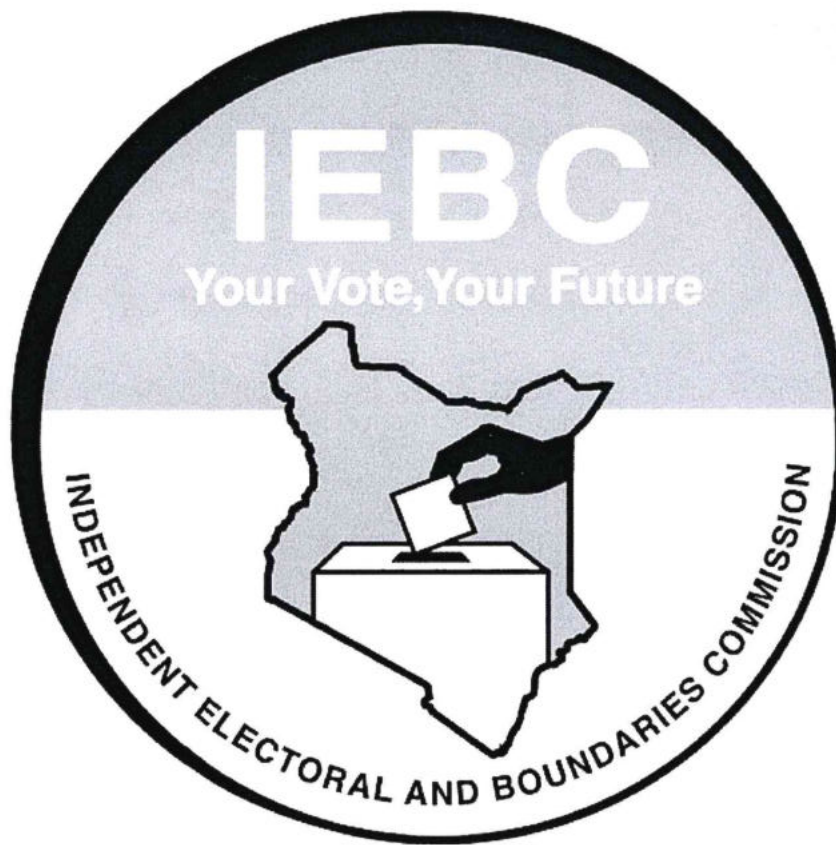
1. **Year in Review** – a summary of key developments and trends by the IEBC.
2. **About IEBC** – Our role, values and principles, structure, programs and outcomes.
3. **Performance Report and Achievements** – work and achievements for each IEBC program with key performance indicators.
4. **Financial Reporting** – financial performance for 2019/2020, includes unaudited financial statements.

These sections are supported by annexes highlighting particular developments, activities and outcomes.

An electronic copy is available on the IEBC website: <https://www.iebc.or.ke/resources/Publications>.

SECTION 1: YEAR IN REVIEW

# Section 1: Year in Review

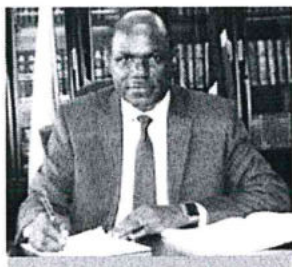


## In this Section

- Chairman's Foreword
- The Commission Secretary's Overview
- IEBC Highlights 2019-2020



## Foreword



I am delighted to present the Annual Report of the Independent Electoral and Boundaries Commission for the financial year 2019/2020.

The Commission under Article 88(4) and Section 4 of the Independent Electoral and Boundaries Commission Act is responsible for conducting or supervising referenda and elections to any elective body or office established by the Constitution, and any other elections as prescribed by an Act of Parliament. Further, Article 88 (4)(C) and 89 of the Constitution of Kenya mandates the Commission to review names and boundaries of constituencies at an interval of not less than 8 years and not more than 12 years.

The period under review forms part of the pre-election stage in the electoral cycle. The Commission carried out a number of activities, key among them the development of the 2020-2024 Strategic Plan, in order to realign its mission, vision and core values based on the lessons learnt from the post-election evaluation of the 2017 General Election and Fresh Presidential Election.

During the period under review, in order to strengthen the election and boundary delimitation legal framework, the Commission drafted and submitted to Parliament; Draft Referendum Bill, 2019, Draft Proposed Procedures for the delimitation of boundaries, Draft Independent Electoral and Boundaries (Amendment) Bill, 2020 and Draft Election campaign financing (Amendment) Bill, 2019. The Commission has equally presented its submissions on various pieces of proposed legislation including The Referendum (No. 2) Bill, 2020 by the National Assembly Committee on Implementation of the Constitution. The delay in enactment of the Bills will affect the proposed legal reforms.

In the period under review, the Commission's priority activities which included conduct of various legally prescribed activities such as audit and maintenance of election technology, continuous voter registration, voter education and awareness were affected by lack of budgetary provisions. In addition, the Commission urgently requires funds to pay audited pending bills, as at 30<sup>th</sup> June 2019. The Commission therefore appeals to Parliament and National Treasury to provide funds for electoral activities throughout the electoral cycle.

In the period under review, the Department of Political Affairs (DPA) of the African Union Commission (AUC), in collaboration with Association of African Electoral Authorities (AAEA) and the Commission held the 6<sup>th</sup> Annual Continental forum of Election Management Bodies (EMBs) in Nairobi. The theme of the forum was enhancing participation of internally displaced persons and refugees in Africa: towards more inclusive electoral process. The Association's general assembly elected me as the President of the Assembly taking over from the Chairperson of National Election Commission of Rwanda.

The global Covid-19 pandemic impacted on the activities of the Commission that necessitated scaling down of activities including continuous voter registration, voter education and outreach, by-elections and boundaries review. In preparation for boundaries delimitation, the Commission developed the Boundaries Review Operation Plan (BROP) and conducted desk review of data. However, planned collection of delimitation data was affected following the outbreak of the



Corona Virus Disease (COVID-19). To remedy the situation, the Commission has adopted protocols to be adhered to while conducting activities that involve physical human interaction. These protocols will be applied, upon approval by the ministry of health.

Finally, I acknowledge the contribution and support from our stakeholders that has enabled the Commission discharge its mandate effectively. I equally recognize the IEBC staff for their diligence, commitment and dedication to duty.



W. W. Chebukati

Chairperson, Independent Electoral and Boundaries Commission



## The Commission Secretary's Overview



The primary objective of the Commission is to execute its constitutionally prescribed mandate and to strengthen democracy in Kenya. This Annual Report is an account of the Commission's undertaking and operations in the financial year 2020/2021. During the period under review the Commission managed to achieve several operational milestones in pursuit of credible electoral processes.

The development of the 2020-2024 Strategic Plan and its operationalization through establishment of the Election Boundaries Review Operations plan (EBROP) was a milestone in the period under review. The strategic plan will guide the Commission's strategic direction towards and beyond the next General election and in the Boundary delimitation process.

In a bid to strengthen its operation, the Commission developed and implemented a number of policies and procedures Manuals including Standard Operating Procedures (SOPs) in the year under review. Key among the documents developed is the Boundaries Review Operations Plan (BROP), a critical guide to the management of the boundaries delimitation process.

The Commission has a staff establishment of 1,021 against the current in-post of 853. In the period under review the Commission advertised and commenced recruitment of qualified Kenyans to fill the vacant positions. However, the outbreak of the COVID 19 Pandemic delayed the completion of the process that could have seen the Commission human resource operate optimally and maximize electoral service delivery.

The Commission continues to enhance capacity of its staff through training programmes locally and internationally. During the period under review, the Commission facilitated training some of its staff as part of its continuous capacity building initiative. Further, the Commission enabled its staff to attend relevant professional Membership Associations programmes for personal growth.

As part of its Constitutional mandate, the Commission conducted and managed several external elections as requested by several bodies. Some of the external elections conducted include the Law Society of Kenya (LSK) Elections, The Kenya Magistrates and Judges Association among many others.

As part of the Commission's Corporate Social Responsibility (CSR) the Commission continues to impact on the lives of the electorates and the citizens at large by giving back to society. In order to inculcate the culture of democracy in the young people and as part of CSR, the Commission conducted student's council elections in various primary, secondary and tertiary institutions through the respective Commission's County and Constituency offices.

The outbreak of the Covid-19 pandemic and the subsequent government measures to curb the spread of the virus affected the Commission's programmes and activities. This necessitated the Commission to postpone some of its activities and change its approach to operations. Some of the activities that were affected included conduct of several by-elections, annual voter education week

(AVEW), continuous voter registration, voter education, recruitment, disposal of obsolete materials amongst others. The Commission in compliance with the Government directives scaled down its operations and developed safety protocols to ensure continued electoral service delivery,

I hereby welcome you to read this Annual Report which outlines the Commission's achievements, programmes and activities.



Marjan H. Marjan  
Ag. Commission Secretary/Chief Executive Officer.



# THE COMMISSION



***Your Vote, Your Future***



## Section 2: About The Commission



### In this section

- About the Independent Electoral and Boundaries Commission
- Programs and Outcomes
- Organisational Structure
- Leadership
- Guiding Legislation

## 2.1 The Commission

The Independent Electoral and Boundaries Commission is a Constitutional body established under Article 88 of the Constitution of Kenya, 2010; and a body corporate pursuant to Article 253 of the Constitution of Kenya, 2010.

## 2.2 Our Mandate

The Commission is mandated under Article 88(4) of the Constitution of Kenya, 2010 to conduct or supervise referenda and elections to any elective body or office established by the Constitution, and any other elections as prescribed by an Act of Parliament. The IEBC is specifically responsible for:

- a) The continuous registration of citizens as voters;
- b) The regular revision of the voters' roll;
- c) The delimitation of constituencies and wards;
- d) The regulation of the process by which parties nominate candidates for elections;
- e) The settlement of electoral disputes, including disputes relating to or arising from nominations, but excluding election petitions and disputes subsequent to the declaration of election results;
- f) The registration of candidates for election;
- g) Voter education;
- h) The facilitation of the observation, monitoring and evaluation of elections;
- i) The regulation of the amount of money that may be spent by or on behalf of a candidate or party in respect of any election;
- j) The development and enforcement of a code of conduct for candidates and parties contesting elections; and
- k) The monitoring of compliance with the legislation required by Article 82 (1) (b) of the Constitution relating to nomination of candidates by parties.

## 2.3 The Legal Framework

Other than the Constitution of Kenya, the IEBC derives its core business processes, purpose, values and leadership capabilities and conduct of its activities from the legislative instruments shown in Table 1 among others.

Table 1: The Legislative Framework

Legislative Instrument	Functions of the Legislative Instrument
The Constitution of Kenya, 2010	The Constitution is the supreme law of the Republic and binds all persons and all State organs at both levels of government.
The Independent Electoral and Boundaries Commission Act, 2011	i) Provides for the operations, powers, responsibilities and functions of the Commission to supervise referenda and elections to any elective body or office established by the Constitution or any other Act of Parliament.





Legislative Instrument	Functions of the Legislative Instrument
	<ul style="list-style-type: none"> <li>ii) Maintaining and updating the register of voters</li> <li>iii) Promoting public awareness of electoral and parliamentary matters through information and education programs</li> <li>iv) Providing international electoral assistance</li> <li>v) Conducting Boundary delimitation and review of wards</li> <li>vi) Conducting and promoting research into electoral matters and other matters that relate to IEBC functions</li> </ul>
<b>Elections Act, 2011</b>	<p>The Act stipulates the procedures to be followed during elections including registration of voters, rules and regulation on nomination of candidates for elections and referendum process, it provides for the code of conduct for election officials, political parties and dispute resolution among other provisions.</p>
<b>Political Parties Act, 2011</b>	<p>The Act established under Article 91 and 92 of the Constitution of Kenya by and large describes;</p> <ul style="list-style-type: none"> <li>i) The formation of Political parties,</li> <li>ii) Requirements of Political Parties,</li> <li>iii) Registration,</li> <li>iv) Deregistration,</li> <li>v) Rights and privileges of Political Parties,</li> <li>vi) Funding of Political Parties, and</li> <li>vii) Offences.</li> </ul> <p>The Act establishes the Political Parties Disputes Tribunal (PPDT) to determine disputes emanating from Political Parties. The Act also establishes the Office of the Registrar of Political Parties (ORPP) as a state office as prescribed in Article 260 of the Constitution among others.</p>
<b>Election Campaign Financing Act, 2013</b>	<p>The purpose of this law is to among other things, promote good governance and a sustainable democratic political system, raise awareness and promote transparency in political party financing, reduce inequality of political parties during elections and to provide an even playing field for all political parties, safeguarding against the use of illegal resources to promote interests of candidate or political parties in party nominations and elections and make political parties accountable to their members.</p>
<b>Election Offences Act, 2016</b>	<p>The Act provides for election offences and the punishments. They include among others. It prescribes:</p> <ul style="list-style-type: none"> <li>i. Offences touching on the register of voters</li> </ul>



Legislative Instrument	Functions of the Legislative Instrument
	<ul style="list-style-type: none"> <li>ii. Offences relating to voting</li> <li>iii. Offences by members and staff of the Commission</li> <li>iv. Bribery</li> <li>v. Unlawful expenditure and</li> <li>vi. Maintenance of secrecy at elections.</li> </ul> <p>It also prescribes who are liable and who has the authority to prosecute the offences under the Act.</p>
<b>The Election (General) Regulations, 2012</b>	<p>Section 109 of the Elections Act, 2011 empowers the Commission to make regulations for the better carrying out of its mandate. To date, the Commission is guided by the following seven regulations;</p> <ul style="list-style-type: none"> <li>i. Elections (Registration of Voters) Regulations, 2012.</li> <li>ii. Elections (General) Regulations, 2012.</li> <li>iii. Elections (Technology) Regulations, 2017.</li> <li>iv. Elections (Party Primaries and Party Lists) Regulations, 2017.</li> <li>v. Elections (Voter Education) Regulations, 2017.</li> <li>vi. Rules of Procedure on Settlement of Disputes Regulations, 2017.</li> <li>vii. Guidelines on the Nomination of Candidates, 2017.</li> </ul>
<b>The Public Finance Management Act, 2012</b>	An Act of Parliament to provide for the effective management of public finances by the National and County Governments including Constitutional independent bodies.
<b>Freedom of Information Act, 2012</b>	The Act gives effect to Article 35 of the Constitution; to confer on the Commission on Administrative Justice the oversight and enforcement functions and powers.
<b>Public Service Commission Act, 2012.</b>	An Act of Parliament to make further provisions as to the functions and powers, and the administration of the Public Service Commission established under Article 233 of the Constitution; the qualifications and procedures for the appointment of the Chairperson, Members and Secretary of the Commission.
<b>Public Service Officers Act, 2003</b>	An Act of Parliament to advance the ethics of public officers by providing for a Code of Conduct and Ethics for public officers and requiring financial declarations from certain public officers and to provide for connected purposes.
<b>Leadership, Ethics and Integrity Act, 2012.</b>	The Act gives effect to, and establish procedures and mechanisms for the effective administration of Chapter Six of the Constitution.
<b>Public Procurement and Asset</b>	An Act of Parliament that gives effect to Article 227 of the Constitution, by providing procedures for efficient public procurement and for assets



Legislative Instrument	Functions of the Legislative Instrument
Disposal Act, 2015.	disposal by public entities.
District and Provinces Act, 1992.	An Act of Parliament to prescribe the districts and provinces into which Kenya is divided. It guides the Commission in the process of reviewing electoral boundaries for Constituencies and Wards.
The County Government Act, 2012.	The Act gives effect to Chapter Eleven of the Constitution; to provide for county governments' powers, functions and responsibilities to deliver services.

## 2.4 Organization

The Commission consists of a Chairperson and six Members. The Chairperson is appointed by the President, while the Vice-Chairperson who must be of the opposite gender is elected by the Members of the Commission. The Commissioners serve on a full time basis for a single term of six years. The principal role of the Commission is to formulate policy and strategy and oversight the Secretariat.

The Commission competitively recruits and appoints the Commission Secretary/CEO as Secretary to the Commission and Head of Secretariat. The CEO is also the Commission's Accounting Officer appointed by the National Treasury. Assisting the CEO are two Deputy Commission Secretaries; one in charge of Support Services and the other Operations.

## 2.5 Members of the Commission



**Chairperson: Mr. Wafula W. Chebukati**

### Key Qualifications

- Master of Business Administration from Jomo Kenyatta University of Agriculture and Technology.
- Bachelor of Law Degree from the University of Nairobi.
- Post Graduate Diploma from the Kenya School of Law.

### Experience

- Over 30 years' experience in legal practice specializing in litigation and dispute resolution, conveyancing, labour laws, company mergers and acquisitions, maritime and treaties.
- Works on a full time basis as a chairperson of the Commission.
- Chairs the Legal Committee, the Dispute Resolution Committee and the Electoral Code of Conduct Committee.

**Commissioner: Mr. Boya Molu**

### Key Qualifications:

- Master in Business Administration (HR Management Option), Periyar University, India.
- Bachelor of Business Administration from Karnatak University, India.





- Higher National Diploma in Human Resources Management (KNEC), IHRM Kenya.

**Experience:**

- Has over 13 years' experience in Human Resource Management and administration mainly in public sector.
- Prior to joining the Commission Mr. Molu served in various capacities at the Central Bank of Kenya (CBK) and the Judiciary in Human Resource and Administration Directorate.
- Chairs the Human Resource Administration and Training Committee, Finance and Procurement Committee and is a member of the Legal Committee, the Dispute Resolution Committee, the Electoral Code of Conduct Committee, Research, Technology and Strategy Committee, Voter Education Committee and Elections Technical and Operations Committee.



**Commissioner: Prof. Abdi Yakub Guliye**

**Key Qualifications:**

- PhD in Animal Nutrition from Rowett Research Institute/ University of Aberdeen, Scotland, UK
- Master of Science in Animal Production from University of Aberdeen, Scotland, UK
- Bachelor of Science in Animal Production from Egerton University.

**Experience:**

- Prof. Guliye has over 25 years of university teaching experience, of which in the last seven years he had additional administrative/ managerial roles. He also served in various Boards of Institutions/Organizations, having chaired committees such as Audit and Risk Management as well as Finance.
- He Chairs Research, Technology and Strategy Committee, Elections, Technical and Operations Committee and Voter Education Committee. He is a member of the Audit Risk and Compliance Committee, Human Resources Administration and Training Committee, Finance and Procurement and Legal Committee.

## 2.6 The Secretariat

The Secretariat is structured in the following functions each headed by a Director:

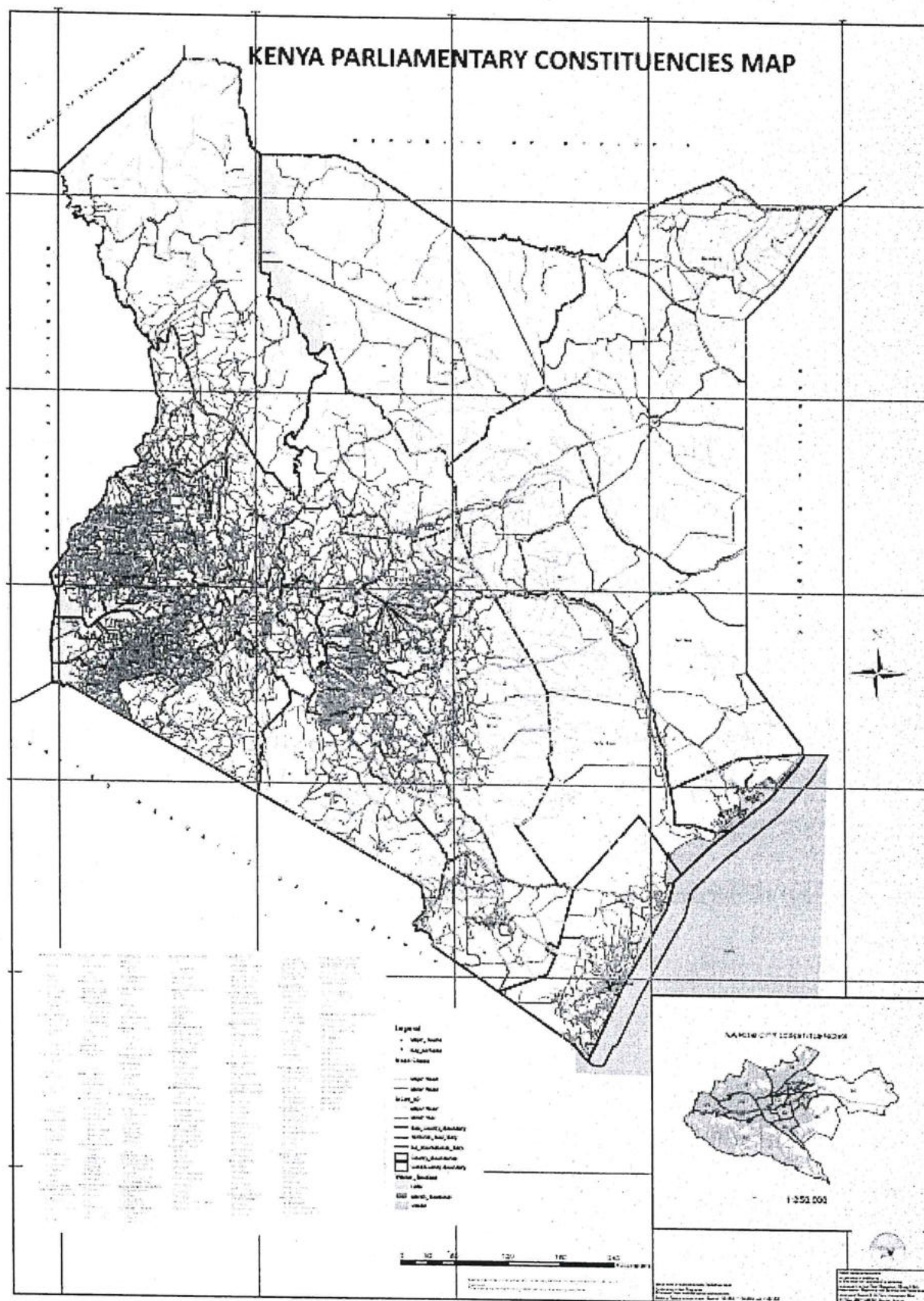
- i) Voter Education, Partnerships and Communication.
- ii) Voter Registration and Electoral Operations.
- iii) Finance.
- iv) Information Communication and Technology.
- v) Legal services.
- vi) Research, Boundaries and Development.
- vii) Human Resource and Administration.
- viii) Audit, Risk and Compliance.
- ix) Supply Chain Management.



The Commission operates under a three-tier structure; the Head Office in Nairobi, 47 County Offices and 290 Constituency Offices across the country. The Directors are assisted by Managers and other staff; and are responsible for the design and development of the Commission's programmes. County offices are headed by County Elections Managers (CEMs) who are responsible for implementation of programmes and activities at the County level. The CEMs are assisted by Constituency Election Coordinators (CECs) responsible for activities at the Constituency level. Both County and Constituency offices have other staff. Figure 1 shows the distribution of IEBC Offices (Counties and Constituencies) across the country.



Figure 1: IEBC Administrative Offices





## THE IEBE MANAGEMENT TEAM



**Name: Marjan H. Marjan**

**Ag. CEO/Commission Secretary**

**Profession/Qualifications:**

- MBA in Strategic Management - University of Nairobi (UoN).
- BCom (Accounting Option) - (UoN).
- Certified Public Accountant (CPA-K).
- Certified Information Systems Auditor (CISA).
- Certified Internal Auditor (CIA).
- Certification in Control Self-Assessment (CCSA)
- Certified Quality Assessor (CQA)
- Practicing Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA)
- Member of Institute Internal Auditor (IIA)



**Name: Obadiah K. Keitany**

**Ag. Deputy CEO/Director Finance**

**Profession/Qualifications:**

- MBA Finance – University of Nairobi (UoN).
- BCom Insurance (UoN)
- Certified Public Accountant (CPA-K).
- Certified Internal Auditor (CIA).
- Certified Information Systems Auditor (CISA).
- Certified Public Secretary (CPS-K).
- Certified Quality Assessor (CQA).
- Post Graduate Diploma in Corporate Governance (KCA).
- Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA).
- Member of Institute of Internal Auditors (IIA).
- Member of Institute of Certified Secretaries of Kenya.



**Name: Osman H. Ibrahim**

**Director Audit Risk and Compliance**

**Profession/Qualifications:**

- Masters in Business Administration in Finance (MBA)
- Bachelor of Commerce from the University of Nairobi.
- Certified Public Accountant.
- Member of ICPAK in good standing.





**Name: Michael Goa**

**Director Legal and Public Affairs.**

**Profession/Qualifications:**

- Executive MBA
- Bachelors of Law degree (LLB) - University of Nairobi.
- Post Graduate Diploma in Legal Education (Kenya School of Law)
- Certified Public Secretary
- Advocate of the High Court of Kenya.
- Commissioner of Oaths
- Notary Public
- Member of the Institute of Certified Public Secretaries of Kenya



**Name: Dr. Catherine M. Kamindo**

**Ag. Director Research Boundaries & Development**

**Profession/Qualifications:**

- PhD Education Policy and Management- University of Durham (UK)
- Master of Education Educational Administration- Kenyatta University
- Bachelor of Education - Kenyatta University
- Certificate in Strategic Communication- The World Bank
- Certificate in Management of Democratic Elections in Africa- University of South Africa
- Professional Certificate in Electoral Processes-International Centre for Parliamentary Studies (UK)
- Full Member (FKIM) Kenya Institute of Management.
- African Union Certified Long and Short-Term Elections Observer.
- Member of Kenya Association of Educational Administration (KAEM).
- Member of the American Political Science Association (APSA)



**Name: Immaculate Kassait**

**Director Voter Education**

**Profession/Qualifications:**

- Advocate of the High Court of Kenya
- Accrediting/Facilitator/Building Resource in Elections Democracy and Governance (BRIDGE)
- Executive Masters in Business Administration- GEMBA-USIU.
- Post Graduate Diploma in Law from Kenya School of Law.
- Bachelor in Law degree from the Makerere University.
- Member of LSK-In good standing





- Member of FIDA Kenya
- Commissioner of Oaths, notary, public

**Name: Rasi Masudi**

**Director Voter Registration and Electoral Operations**

**Profession/Qualifications:**

- Executive MBA.
- Bachelor of Science in Agricultural Economics.
- Diploma in Farm Management.



**Name: Harley Kisyula Mutisya**

**Director Supply Chain Management**

**Profession/Qualifications:**

- PHD in Business Administration (UoN)
- MBA in Procurement & Supply Chain Management (UoN)
- BCOM in Supply Chain Management (UoN)
- Diploma in Logistical Management from Cerford Institute.
- Certified Procurement and Supply Professional (CPSP-K)
- Chartered Associate (ACI Arb)
- Member Kenya Institute of Supplies Management (KISM)
- Certified Practitioner (KISM)
- Fellow Logistics Society of Kenya
- Member Chartered Institute of Procurement and Supply (UK)



**Name: Silas Njeru**

**Ag. Director ICT**

**Profession/Qualifications:**

- Master of Science in Computer Science (University of Nairobi).
- Bachelor of Science in Computer Science (Egerton University).
- Member of Computer Society of Kenya.
- Member ISACA Kenya Chapter (ISACA).
- Project Management Professional (PMP).



**Name: Lorna A. Onyango**

**Director Human Resource & Administration**

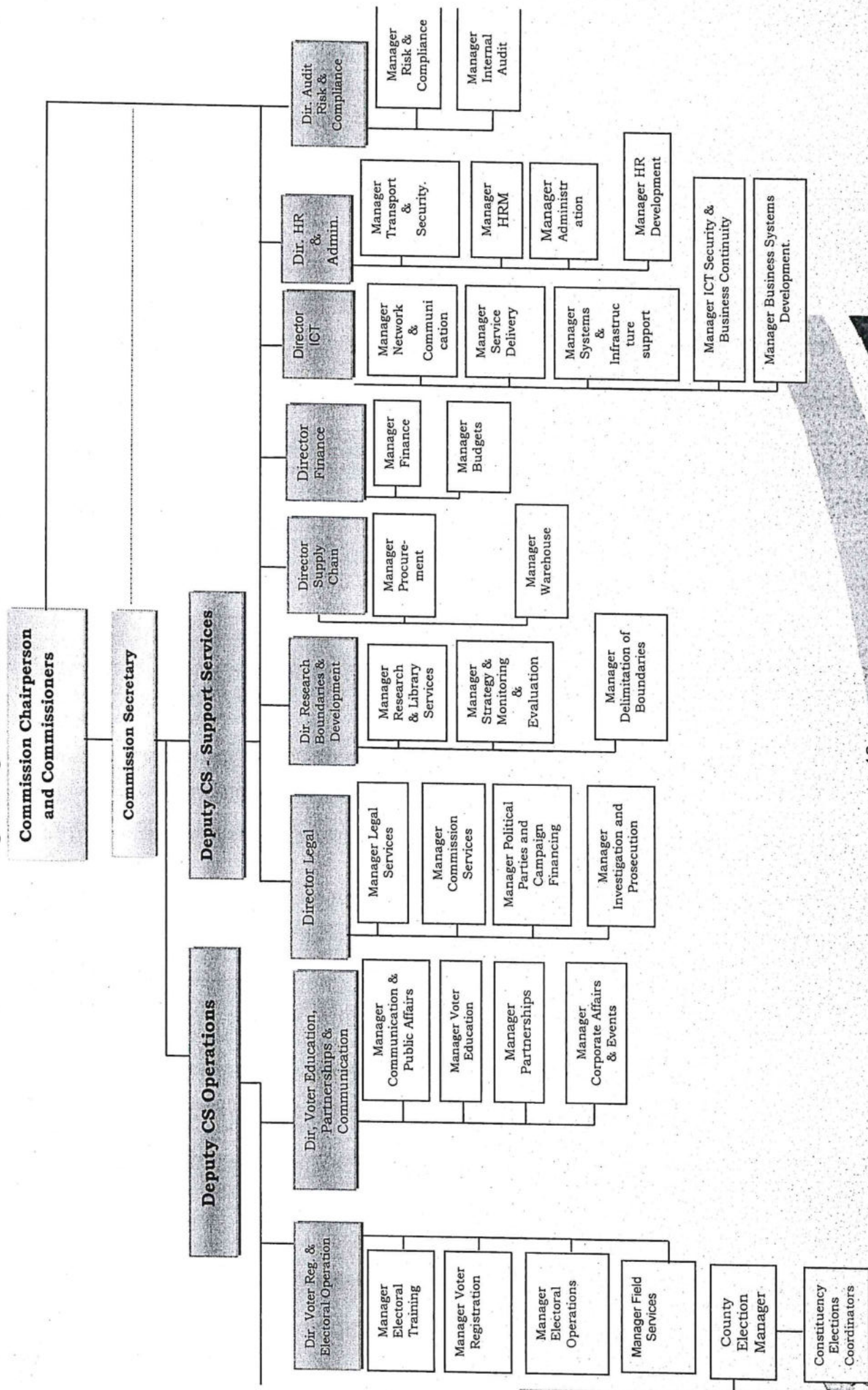
**Profession/Qualifications:**

- Certified Human Resource Professional.
- Masters in Human Resource Management.
- Bachelor of Arts Degree (UoN).
- Post Graduate Diploma.





Figure 2: Organization Structure





## 2.8 The Commission Governance Structure

The Commission governance structure comprises of the Plenary (Board) and Committees.

## 2.9 Plenary

The Plenary consists of the Chairman and the six Commissioners. In order to execute its constitutional mandate, the Plenary has scheduled monthly meeting. In the year under review, the Commission held 11 meetings.

## 2.10 Committees

There are seven Commission Committees that are responsible for decision on policy issues. The Committees' decisions are channeled to the Plenary for Approval. The Committees are chaired by Commissioners with exception of the Audit and Risk Committee that is chaired by an external person. Directors attend the relevant committee meeting on invitation. In the year under review, a total of 30 Committee meetings were held. Table 2 shows the Commission's Committees.

Table 2: Commission Committees

S/No.	Committee	Function	Chairperson
1.	Legal Affairs and Compliance	<ul style="list-style-type: none"><li>Oversees settlement of disputes relating to or arising from nominations, electoral code of conduct, campaign finance and code of ethics compliance.</li><li>It also provides policy and oversight on legal reforms, implementation of regulations and corporate governance.</li></ul>	Chairperson Wafula Chebukati
2.	Human Resource Training and Administration Committee	<ul style="list-style-type: none"><li>Provides policy and oversight on human resource management, training and development, facilities and general administration.</li></ul>	Commissioner Boya Molu
3.	Finance and Procurement Committee	<ul style="list-style-type: none"><li>The main role of the Finance and procurement Committee is to provide financial oversight for the Commission. The responsibilities include oversight over;<ul style="list-style-type: none"><li>Budgeting and budgetary control process.</li><li>Procurement process</li><li>Financial reporting process</li><li>Compliance of relevant laws, Regulations and international standards especially Public Financial Management (PFM) Act, Public Procurement and Asset Disposal (PPAD) Act, and Accounting Standards.</li></ul></li></ul>	Commissioner Boya Molu

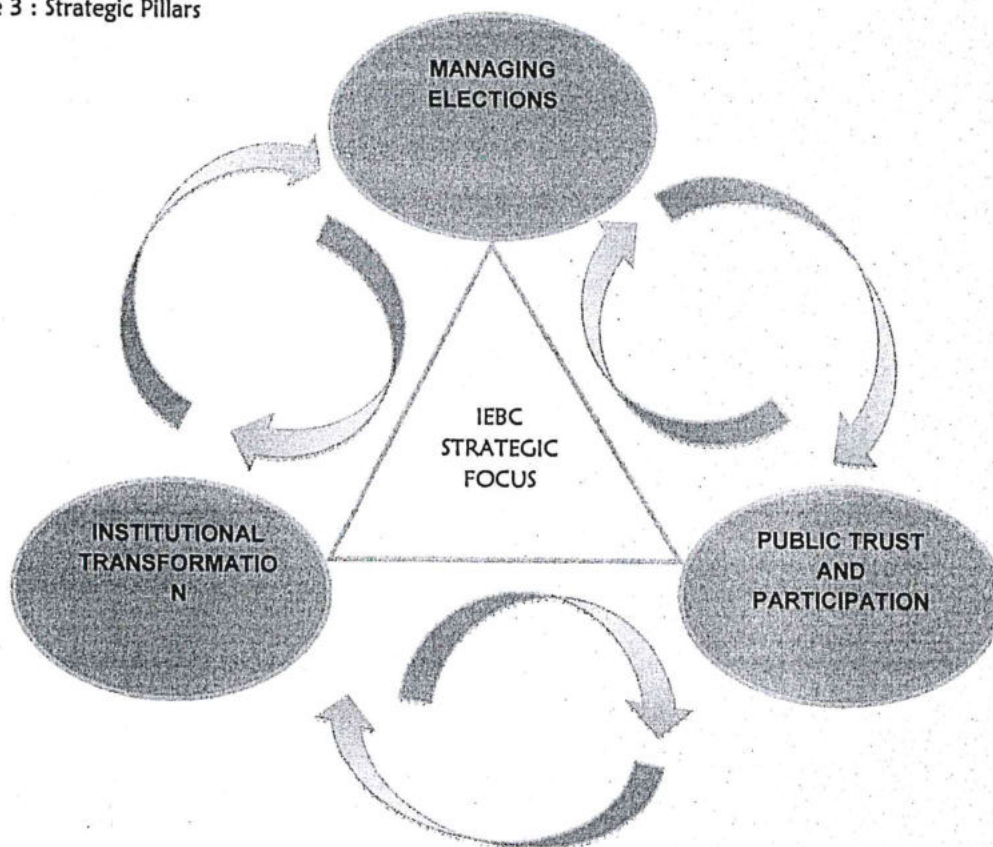


4. Elections and Technical Operations Committee (ETOC)	<ul style="list-style-type: none"> <li>Provides policy and oversight on voter registration and election operations planning, boundary delimitation and risk monitoring and compliance.</li> </ul>	Commissioner Prof Abdi Yakub Guliye
5. ICT, Research and Strategy	<ul style="list-style-type: none"> <li>Provides policy and oversight on the formulation and integration of ICT in the management of elections and research and planning.</li> </ul>	Commissioner Prof. Abdi Yakub Guliye
6. Voter Education and Media	<ul style="list-style-type: none"> <li>Provides policy and oversight on voter and civic education programmes, stakeholder engagement and media.</li> </ul>	Commissioner Prof Abdi Yakub Guliye
7. Audit and Risk	<ul style="list-style-type: none"> <li>Provides policy oversight as per statutory obligation in accordance with the Public Finance Management Act, 2012.</li> </ul>	Regina Karauri

## 2.11 The IEBC Strategic Plan 2015 -2020

The IEBC's Strategic Plan 2015–2020, provides focus for the Commission's work. The Strategic Plan is anchored on three strategic pillars as shown in Figure 3.

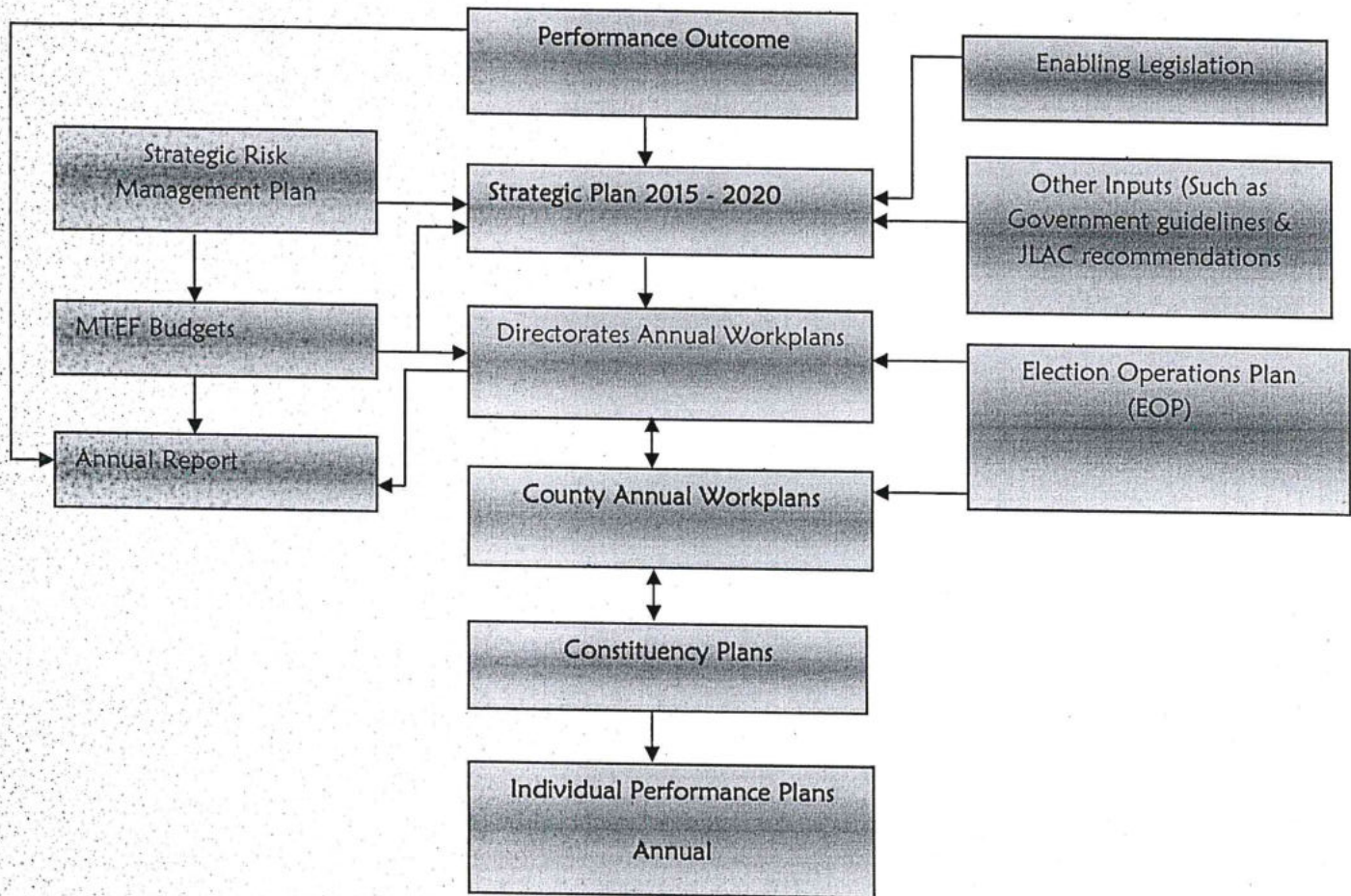
Figure 3 : Strategic Pillars





The Strategic Plan is supported by corporate and business planning documents that address specific operational or functional requirements as shown in the framework as shown in Figure 4.

Figure 4: Planning, Operating and Reporting Framework





## 2.12 Structure of the IEBC Programmes

The Commission endeavors to achieve the following strategic outcomes:

Outcome 1: Elections that are efficient, effective and credible.

Outcome 2: A respected corporate brand in the provision of electoral services.

Outcome 3: Improved public confidence and participation in the electoral process.

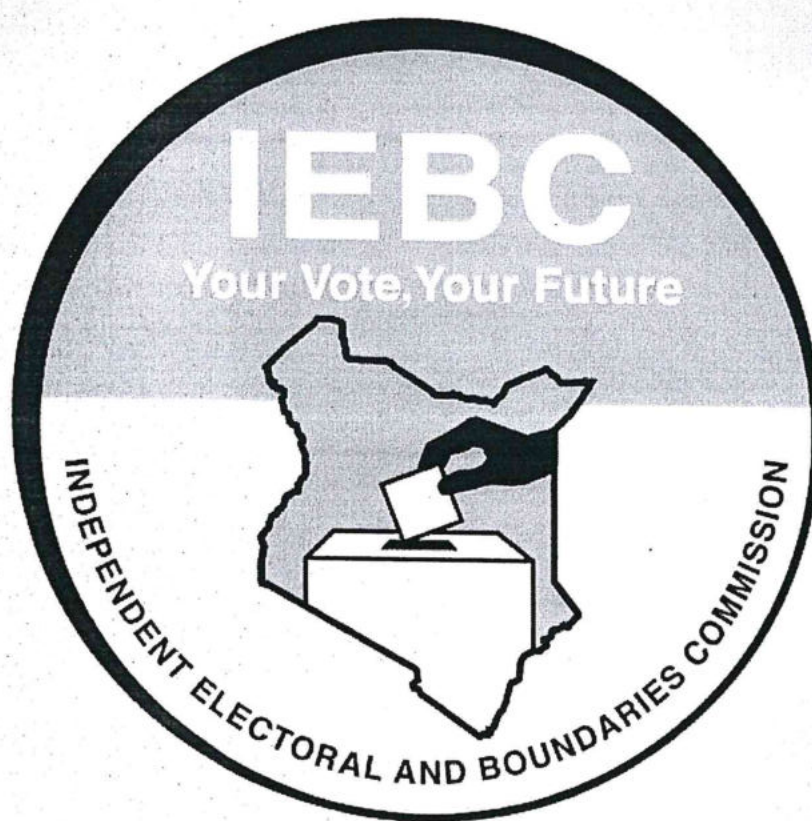
The outcomes are realized through three Commission programmes namely; managing elections. Institutional transformation and trust and participation as shown in Table 3.

Table 3: Structure of the IEBC Programmes

Programme 1. Managing Elections	Programme 2. Institutional Transformation	Programme 3. Trust and Participation
<b>Objectives</b>	<b>Objectives</b>	<b>Objectives</b>
To conduct elections that are efficient, effective and credible.	To re-position the IEBC for efficient and effective delivery of electoral services	To foster trust and participation of stakeholders in the electoral process.
<b>Deliverables</b>	<b>Deliverables</b>	<b>Deliverables</b>
1.1 An enabling electoral legal framework. 1.2 Compliance with electoral laws. 1.3 Enhanced voting experience and compliance. 1.4 Increased number of registered voters. 1.5 A comprehensive, accurate and updated Register of Voters. 1.6 Equity in representation in Parliament and County Assembly levels.	2.1 A professional, competent and efficient workforce. 2.2 Improved accountability and corporate image of the Commission. 2.3 Increased efficiency and productivity. 2.4 A congenial work environment. 2.5 Improved quality of decisions made by IEBC. 2.6 Predictable, stable and optimally utilized financial resources.	3.1 Enhanced participation by citizens including special groups in the electoral process. 3.2 Supportive, accountable and compliant Political Parties and Candidates. 3.3 Consistent and long-term multi-stakeholder support to the electoral process.



## Section 3: Performance Information by Programme







# HIGHLIGHTS

**2019  
2020**



**By-Elections Conducted**

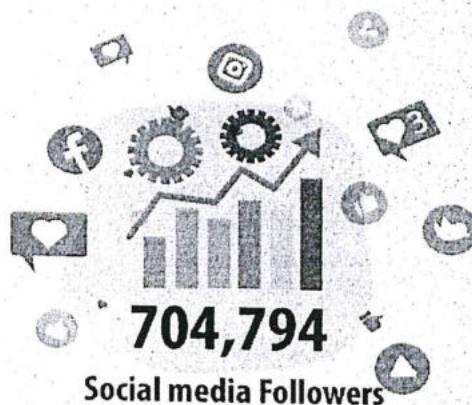


**42%**

**Average voter turnout in by-elections**



**274** Accredited Election Observers

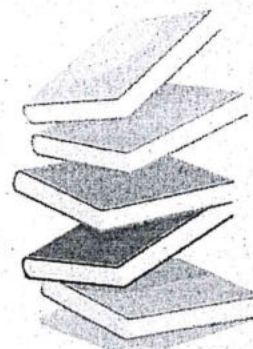


**4**

**ASK Shows**



**14** CSR initiatives



**23**

**Voter Education Support  
Materials Developed**



### 3.1 STRATEGIC PILLAR 1: MANAGING ELECTIONS

Activities under this pillar include strengthening of electoral legal framework, implementing electoral operations, registering eligible Kenyan citizens and maintenance of a comprehensive, accurate and an updated Register of Voters and enhancing compliance with the constitutional provisions such as equity in representation in National Assembly, Senate and County Assemblies.

#### 3.1.1 Result Area 1: An Enabling Legal Framework for the Effective Management of the Electoral Process Established

Performance Indicator	Actual Achievement 2018/19	Planned 2019/20	Target	Actual 2019/2020	Achievement	Remarks
All Electoral Laws reviewed and harmonized	Development of a comprehensive matrix of proposal on the electoral reform agenda.	<ul style="list-style-type: none"> <li>Submission of the comprehensive matrix of proposals to JLAC on the electoral reform agenda.</li> <li>Submission of the amendment bills to Parliament for validation and enactment.</li> </ul>		<ol style="list-style-type: none"> <li>Developed the comprehensive matrix of proposals ready for submission to JLAC and stakeholder engagement.</li> <li>Finalized Draft Referendum, Bill 2020</li> <li>Revised Draft Referendum Regulation Bill, 2020</li> <li>Revised Draft Election Campaign Financing Regulations Bill, 2020</li> <li>Finalized Draft Election Campaign Financing (Amendment) Bill, 2020.</li> <li>Finalized the IEBC (Amendment) Bill for boundaries delimitation.</li> <li>Stakeholder engagement with;               <ol style="list-style-type: none"> <li>IEBC External Counsel and</li> <li>JLAC for consultation on the Commission's proposals.</li> </ol> </li> </ol>		Pending approval of JLAC before tabling in Parliament.
100% of reported cases of violation of the electoral code of conduct investigated	Total of seven cases filed and some were heard and determined while others were recommended	100% of cases reported heard and determined.		100% of cases reported, heard and determined.		



Performance Indicator	Actual Achievement 2018/19	Planned 2019/20	Target	Actual 2019/2020	Achievement	Remarks
and at least 80% effectively concluded on an annual basis	to ODPP for prosecution.					
Percentage of Political Parties compliant with the law	60% compliance	100% of all registered political parties compliant.		80% compliant in all by-elections conducted		Commission enhanced regulation and enforcement of Code of Conduct in all by-elections conducted.
Gaps identified in how Commission contracts are handled.	Developed contract management framework.	Approve contract management framework		Contract management framework approved		
Percentage of legal advisories drawn.	Six considered advisory opinions issued to the Commission on emerging electoral matters.	100% requested legal opinions serviced.		100% considered legal opinions timeously issued to the Commission on emerging electoral matters.		
Percentage of Notices published in line with statutory provisions.	Nine gazette Notices published in respect of by-elections and part lists matters.	100% requested gazette notices published.		100% Gazette notices published as required by statute on various electoral aspects.		
100% of disputes heard and determined.	Complaints filed and adjudicated within the stipulated time.	100% of complaints filed and adjudicated through the Dispute Resolution Committee (DRC) effectively concluded within timelines set by law.		100% of the disputes heard and determined by the IEBC Dispute Resolution Committee		



The Commission is responsible for developing preventive legal strategies including advice on dispute prevention and resolution in addition to managing and supervising litigation that may arise against the Commission or may be instituted by the Commission on its own behalf. The Commission also ensures compliance with the set constitutional and statutory framework as envisaged in the law and further undertakes legislative legal reform initiatives.

### 3.1.1.1 Achievements and Progress in Implementation

This report outlines the performance of the Commission for the financial year ending 30<sup>th</sup> June, 2020 and informs the activities and services undertaken during this period while describing the Commission's legal performance against its programs and deliverables. Areas of focus throughout the report highlight details of particular developments, activities, achievements and challenges encountered.

### 3.1.1.2 Legal Reform

The legal framework for management of elections is governed by the Constitution of Kenya, 2010 and statutory legislation. The success of the election process heavily depends on the fundamental and appropriate electoral laws which make up the legal framework.

During the period under review, the Commission continued with electoral law review identifying and developing laws for review and enactment. The Commission in collaboration with JLAC initiated targeted legislative reforms on matters on Campaign Finance Regulation, the Referendum Process and Boundary Delimitation. In the year under review, Commission forwarded the following draft bills to Parliament:

1. Referendum Bill, 2020.
2. IEBC (Amendment) Bill, 2020.
3. Election Campaign Financing (Amendment) Bill, 2020.

### 3.1.1.3 Investigation and Prosecution

During the year under review, the Commission in collaboration with the Office of the Director of Public Prosecutions (ODPP), National Police Service (NPS), Judiciary and other relevant agencies instituted three cases on offences related to electoral malpractice and violations of the Electoral Code of Conduct. The investigations included verification of the veracity of the complaint; seeking requisite information; contacting the parties involved; and educating the complainants on the requirements of the Elections Act, 2011. Table 4 shows the nature of the case and where the offence was committed.

Table 4: Nature of Case and Location

S/No	By-Election	Nature Of Case
1.	Kibra Constituency	Voter bribery



S/No	By-Election	Nature Of Case
2.	Mutonguni CAW, Kitui West Constituency	Objection to the appointment of the Deputy Returning Officer (DRO) for Mutonguni CAW in background
3.	Ganda CAW, Malindi Constituency	Investigation on electoral violence.

### 3.1.1.4 Political Party Regulation

The Constitution of Kenya confers upon the Commission the mandate to regulate the process by which Political Parties nominate candidates for elections and the amount of money spent by candidates and political parties in an election. To fulfill this mandate, the Commission liaises with the Registrar of Political Parties and the Political Party Liaison Committee (PPLC).

During the period under review, the Commission enhanced collaborative engagements with PPLC to discuss including inter-alia election related issues and review of laws governing the regulation of Political Parties in election processes. Table 5 reveals the areas of collaboration and activities undertaken between the Commission and PPLC.

Table 5: Collaborative Engagements with the PPLC

No.	Thematic Area	Activities
1.	Electoral reform and review of laws regulating political parties.	Political Party Primaries Interagency Taskforce engagements: <ul style="list-style-type: none"> <li>o Political Parties Dispute Tribunal-June 2019.</li> <li>o Civil Society Engagement-June 2019</li> <li>o Political Parties Leaders engagement -June 2019.</li> </ul>
		11 <sup>th</sup> July 2019-Workshop Discussions on implementation of HCC Petition No. 19 of 2017 Katiba Institute –Vs-IEBC
		2-3rd March 2020-Legal Review of Political Parties Act
2.	Enhanced Collaboration	Development of Framework in collaboration with ORPP on Data Sharing (Political Party Membership and Particulars).



No.	Thematic Area	Activities
		<p>Political Party Liaison (PPLC) engagements.</p> <ul style="list-style-type: none"> <li>o PPLC Steering Committee Meeting- 2<sup>nd</sup>-5<sup>th</sup> September 2019</li> <li>o National PPLC Consultative Committee Meeting-11-12<sup>th</sup> July, 2019</li> <li>o National PPLC Committee Meeting-17<sup>th</sup>-19<sup>th</sup> September 2019</li> <li>o National PPLC Committee Meeting on Party Primaries-20<sup>th</sup>-21<sup>st</sup> September 2019</li> <li>o 20<sup>th</sup> September 2019-Consultative Workshop on Political Parties Primaries Reforms and Strategies for Political Party dispute resolution.</li> <li>o 2<sup>nd</sup> – 5<sup>th</sup> September 2019 PPLC Workshop.</li> <li>o 26<sup>th</sup> November 2019-meeting to review Draft PPLC Regulations.</li> </ul>
3.	By-Elections	<p>Held PPLC meetings and liaised with Political Parties fielding candidates.</p> <p>Held consultative meetings through the Political Parties Consultative Forum with participating Political Parties to agree on timelines and respective obligations.</p> <p>i) 23<sup>rd</sup> August 2019-Meeting with participating political parties to discuss Kibra MNA By-election polling stations.</p> <p>ii) 18<sup>th</sup> November 2019-Meeting with participating political parties to discuss Batalu Ward MCA by-election Tallying centre.</p> <p>Received and reviewed party membership lists from Political Parties participating in the by-elections.</p> <p>The Commission shared the details of the poll officials for six by-elections as per Regulations 4, 5, &amp; 6 of the Elections (General) Regulations, 2012.</p>
4.	Implementation of Election Campaign Financing regulation.	<p>Reviewed the 2016 Draft Election Campaign Financing Regulations.</p> <p>Re-engaged the Parliamentary Committee on delegated Legislation on publication of the Draft Regulations.</p> <p>Establishment of internal Taskforce and development of an internal implementation of prioritized areas of the Act.</p> <p>Developed draft measures to enhance compliance by Political Parties.</p> <p>Engaged Political Party representatives in policy or leadership position conversant with the financial process within their parties.</p>

### 3.1.1.5 Contract Development and Management

The Commission contractually engages suppliers of good and services. During the year under review, 12 contracts were entered for supply of various goods and services. In addition, the



Commission continuously prepares Memoranda of Understanding (MOU) for purposes of engaging partners in the electoral process. During the period under review, the Commission put in place guidelines for preparation and management of contracts by providing modalities on how the Commission and suppliers meet their contractual obligations. The Commission also developed a Contract Policy which is pending internal and external validation. Once validated, it will assist the Commission in contract management.

### 3.1.1.6 Legal Advisories on Issues Affecting the Commission

The Commission receives and considers legal opinions which inform policy direction on electoral practices and processes. In the year under review, the Commission had the following legal advisory opinions drawn on various electoral issues as highlighted in Table 6.

Table 6: Commission's Legal Advisory Opinions

S/No	Title of Opinion
1.	Legal Advisory on the Nomination of Mr. Mariga as an Aspirant in the Upcoming By-Election for Kibra Constituency.
2.	Advisory on amendments to County Government Act on Provisions for Recall.
3.	Advisory on declaration of Kakamega Senate Seat Vacant pursuant to Articles 37 and 103 of the Constitution, Elections Act, Political Parties Act and the Leadership and Integrity Act.
4.	Legal opinion on the proposed Constitutional Amendment vide the Constitution of Kenya (Amendment) Bill, 2019 and electoral law reforms.
5.	Legal advisory on the impact of the presidential directive on management of the COVID-19 (corona virus) pandemic on the Commission's mandate
6.	Legal opinion on construction of constituency office through Constituency Development Funding
7.	Legal advisory on recalling elected persons from Parliament or County Assembly
8.	Brief on the Constitutional Amendment Bill Article 89(9) on electoral Boundaries.

### 3.1.1.7 Gazette Notice Publication

Section 27(1) of the IEBC Act, 2011 requires the Commission to publish all important information within its mandate affecting the nation. In the period under review, the Commission published and publicized information on various issues. The details are shown on Table 7.



Table 7: Kenya Gazette Notices and Nature of Content

S/no	Gazette notice Number	Date of publication	Details of the Gazette Notice
1.	Vol. CXXII—No. 56	1 <sup>st</sup> April, 2020	<ul style="list-style-type: none"> <li>i. By-Elections for Member of the National Assembly for Msambweni Constituency and Members of the County Assembly for Kahawa Wendani Ward, Kiambu County and Kisumu North Ward, Kisumu County Scheduled to be held on 25<sup>th</sup> June, 2020</li> <li>ii. Postponement of By-Elections for Dabaso County Assembly Ward Scheduled for 29<sup>th</sup> April, 2020 and Msambweni Constituency, Kisumu North County Assembly Ward and Kahawa Wendani County Assembly Ward Scheduled to be held on 25<sup>th</sup> June, 2020.</li> <li>iii. Corrigenda for the Nominated Member of Meru County Assembly.</li> </ul>
2.	Vol. CXXII—No. 49	13 <sup>th</sup> March, 2020	Administrative Procedures for the Independent Electoral and Boundaries Commission for Administration of Part IV of the Public Officers Ethics Act, 2003
3.	Vol. CXXII—No. 26	7 <sup>th</sup> February, 2020	<ul style="list-style-type: none"> <li>i. Appointment of the County Returning Officer to clear the Deputy County Governor, Nairobi City County.</li> <li>ii. Appointment of Returning and Deputy Returning Officers for Purposes of the By-Elections for Dabaso County Assembly Member, Kilifi County Assembly held on 29<sup>th</sup> April, 2020</li> <li>iii. Corrigenda Nominated Members to the County Assemblies of Nyandarua, Kilifi and Homabay</li> <li>iv. Corrigenda Nominated Member to the County Assembly of Taita-Taveta</li> <li>v. By-Election for Dabaso County Assembly Ward Member in Kilifi County Assembly held on 29<sup>th</sup> April, 2020</li> </ul>
4.	Vol. CXXI —No. 150	1 <sup>st</sup> November, 2019	<ul style="list-style-type: none"> <li>i. Corrigenda on the appointment of returning officer and deputy returning officers for purposes of the by-election for Batalu County Assembly, Member for Wajir county assembly held on 18<sup>th</sup> December, 2019.</li> <li>ii. Corrigenda on the Voter Polling Stations for the Member of National Assembly Kibra constituency, by-election held on 7<sup>th</sup> November, 2019</li> </ul>
5.	Vol. CXXI—No. 174	20 <sup>th</sup> December, 2019	Declaration of person elected as member for Batalu Ward in Wajir County Assembly after the by-election held on 18 <sup>th</sup> December, 2019.



S/no	Gazette notice Number	Date of publication	Details of the Gazette Notice
6.	Vol. CXXI—No. 155	12 <sup>th</sup> November, 2019	<ul style="list-style-type: none"> <li>i. Voter Polling Stations for the Batalu County Assembly By-Election Scheduled held on 18<sup>th</sup> December, 2019</li> <li>ii. Declaration of Person Elected as Member of the National Assembly—Kibra Constituency during the by—election held on 7<sup>th</sup> November, 2019.</li> <li>iii. Nominated Candidates for the Batalu County Assembly Ward By-Election Held on 18<sup>th</sup> December, 2019.</li> <li>iv. Tallying Centre for the By-Election held on 18<sup>th</sup> December, 2019</li> </ul>
7.	Vol. CXXI —No. 150	1 <sup>st</sup> November, 2019	<ul style="list-style-type: none"> <li>i. Appointment of returning officer and deputy returning officers for purposes of the by-election for Batalu county assembly member for Wajir county assembly scheduled to be held on 18<sup>th</sup> December, 2019.</li> <li>ii. Voter Polling Stations for the member of National Assembly Kibra Constituency By-election held on 7<sup>th</sup> November, 2019</li> </ul>
8.	Vol. CXXI—No. 145	25th October, 2019	<ul style="list-style-type: none"> <li>i. Declaration of persons elected as Members for Ganda, Abakaile, Loiyangalani and Mutonguni wards in Kilifi, Garissa, Marsabit and Kitui County Assemblies, respectively, after the by-elections held on 17<sup>th</sup> October, 2019.</li> <li>ii. Notice Certifying that the revision of the register of voters has been completed for purposes of the by-election for Kibra Constituency scheduled to be held on 7<sup>th</sup> November, 2019.</li> <li>iii. Voter Polling Stations for the Member Of National Assembly Kibra By-Election Scheduled To Be Held On 7<sup>th</sup> November, 2019</li> </ul>
9.	Vol. CXXI—No. 142	18 <sup>th</sup> October, 2019	Appointment of Returning and Deputy Returning Officers for purposes of the by-election for Batalu County Assembly member, Wajir County Assembly scheduled to be held on 18 <sup>th</sup> December, 2019
10.	Vol. CXXI—No. 113	30 <sup>th</sup> August, 2019	<ul style="list-style-type: none"> <li>i. Nominated Candidates for the By-Elections held on 17<sup>th</sup> October, 2019.</li> <li>ii. Tallying Centers for the By-Elections held on 17<sup>th</sup> October, 2019.</li> <li>iii. Voter Polling Stations for the By-Elections Scheduled held on 17<sup>th</sup> October, 2019.</li> <li>iv. Aspirants Scheduled to Participate in the Orange Democratic Movement Party Primary for Member of the National Assembly - Kibra Constituency.</li> <li>v. Names and Symbols of Independent Candidates to participate in the Kibra Constituency By-Election Scheduled held on 7<sup>th</sup> November, 2019.</li> </ul>



S/no	Gazette notice Number	Date of publication	Details of the Gazette Notice
11.	Vol. CXXI—No. 106	16 <sup>th</sup> August, 2019	Notice of By-Election for Member of the National Assembly for Kibra Constituency held on 7 <sup>th</sup> November, 2019.
12.	Vol. CXXI—No. 109	19 <sup>th</sup> August, 2019	Appointment of Returning and Deputy Returning Officers for purposes of the by-election for member of the National Assembly for Kibra Constituency scheduled to be held on 7 <sup>th</sup> November, 2019

### 3.1.1.8 Litigation

Pursuant to its mandate, the Commission handles, supervises and follows up on litigation filed on behalf of and/or against the Commission. In the period under review 58 cases were filed against the Commission. Details are summarized in Table 8.

Table 8: Summary of Cases

S/NO.	CASE TYPE	NUMBER
1.	Constitutional Petitions	23
2.	Election Petitions-Party List	6
3.	Commercial (Procurement)	5
4.	Employment & Labour Relations	7
5.	Judicial Review	11
6.	Appeals	6
	Total	58

### 3.1.1.9 Electoral Dispute Resolution

Electoral Dispute Resolution is a critical component in the electoral cycle. Lack of proper judicial and administrative mechanisms established to adjudicate electoral disputes impacts directly upon the extent to which elections are considered free and fair. During the period under review, the Commission received, heard and determined four complaints during by-elections.



### 3.1.1.10 Administration of Oath to Election Officials

Pursuant to the Elections Act, 2011, all officials participating in an election are required to take an oath of secrecy administered by a magistrate or a Commissioner for Oaths. For purposes of the six by-elections and the verification of the supporters of the Petition suspending Taita-Taveta County Government, the Commission deployed its in-house counsel to administer oaths. A total of 1855 officials took the oath of secrecy in the period under review as shown in Table 9.

Table 9: Number of Oath of Secrecy Administered to Election Officials

NO	County Name	Const. Name	CAW Code	CAW Name	RO	DRO	SETS	PO	DPO	Clerks	ICT Clerks	Logistics Officers	Total
1	Nairobi	Kibra	All	All	1	1	22	191	183	713	2	1	1114
2	Kilifi	Malindi	77	Ganda	1	1	4	38	30	107	2	1	184
3	Garissa	Dadaab	151	Abakaile	1	1	2	20	12	47	2	1	86
4	Marsabit	Laisamis	236	Loiyangalani	1	1	4	26	18	61	2	1	114
5	Kitui	Kitui West	346	Mutonguni	1	1	6	58	50	158	2	1	277
6	Wajir	Wajir North	165	Batalu	1	1	2	20	12	41	2	1	80
					6	6	40	353	305	1127	12	6	1855

### 3.1.2 Result Area 2: Election Operations Implemented for Enhanced Voting Experience

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Conduct all by-elections within the statutory timelines	Nine by-elections conducted. One Member of the Senate, Four Members of the National Assembly, Four Members of the County Assembly.	To Conduct all by-elections for vacant positions within the statutory timelines.	Conducted Six by-elections. One Member of the National Assembly and Five Members of the County Assembly.	The Commission was unable to conduct six additional by-elections due to COVID-19 Pandemic.
Delivery of Polling materials in time and in adequate quantities for the by-elections.	100% polling materials delivered for nine By-Elections.	100% Delivery of Polling materials in time and in adequate quantities for the by-elections	100% polling materials delivered in time and correct quantities for six by-elections.	



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Training of Polling Officials for efficient conduct of by-election	100% Cascaded Training for Polling Officials during the nine By-Elections.	100% Cascaded training for Polling Officials for efficient conduct of by-elections.	100% cascaded training of the Polling Officials for all six by-elections.	
Reduce time taken to process a voter on polling day.	Five to seven minutes.	Five to seven minutes per voter.	An average time taken to process voters during the by-elections was 6 minutes per voter.	
Election results collated, tallied and reported within legal timelines.	Seven days	To collate, tally and report the election results within the legal timelines of seven days	Election results collated, tallied and declared within one day for the Member of the National Assembly and Member of the County Assembly.	
Number of polling stations accessible for PWDs and other special needs groups.	All Polling Stations are accessible.	100% Polling Stations accessible by PWDs and other special needs groups.	100% of polling stations conducive to PWDs.	
Enhanced Election Result Management		Review of Election result management framework	Draft Election Result Management Framework	Draft awaiting validation



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Conduct of elections for offices established by the Constitution and Acts of Parliament	i) Conducted two national elections for LSK male representative to JSC and Kenya Red Cross Society ii) Conducted 15 other external elections	To conduct elections for offices established by the Constitution and Acts of Parliament.	Conducted four national elections (Law Society of Kenya Council Election, Kenya Institute of Supplies Management and Kenya Magistrate & Judges Association Elections, Kenya Red Cross).	
Nurturing the culture of democratic elections in schools, colleges and universities	Conducted 41 Elections for Schools, colleges and tertiary institutions as way of nurturing the culture of democratic elections in learning institutions	To Conduct 100% of election requests from Schools, colleges and universities	100% election requests from schools, colleges and tertiary institutions conducted.	
Capacity Building of staff on Electoral Processes using BRIDGE (Building Resources in Democracy, Governance and Elections) Methodology	Conducted one (1) Bridge Modular Training	To conduct Two Bridge Modular Trainings		The planned bridge modular training (Train The Facilitator TTF) for thirty (30 participants) was suspended due to Covid-19 Pandemic.

### 3.1.2.1 Conduct of By-Elections

During the period under review, the Commission conducted six by-elections as shown in Table 10 and 11.



Table 10: Member of The National Assembly

No	County Code	County Name	Const. Code	Const Name	Date of By-election	CAUSE	Winner	Votes	Party
1	47	Nairobi City	278	Kibra	7 <sup>th</sup> November, 2019	Death	Bernard Otieno Okoth	24,636	Orange Democratic Movement

Table 11: Member of County Assembly

NO	County Name	Const. Name	CAW Name	Date of By-election	CAUSE	Winner	Votes	Party
1.	Kilifi	Malindi	Ganda	17 <sup>th</sup> October 2019	Petition	Reuben Mwamure Katana	4,177	Orange Democratic Movement
2.	Garissa	Dadaab	Abakaile	17 <sup>th</sup> October 2019	Petition	Mohamed Ali Sheikh	1,961	Orange Democratic Movement
3.	Marsabit	Laisamis	Loiyangalani	17 <sup>th</sup> October 2019	Death	Stephen Nakeno	1,522	Jubilee Party
4.	Kitui	Kitui west	Mutonguni	17 <sup>th</sup> October 2019	Petition	Musee Mati	2,892	Maendeleo Chap Chap
5.	Wajir	Wajir north	Batalu	18 <sup>th</sup> December 2019	Petition	Jimal Abdi Hassan	1,647	Orange Democratic Movement



A voter being identified in the Loiyangalani By-Election conducted on 17th October, 2019.



The COVID-19 pandemic had an extensive impact on the electoral process as it led to postponement of four by-elections and disrupted the scheduling of by-elections whose vacancies had been announced.

The by-elections were postponed included Dabaso Ward Member of County Assembly which was scheduled to be held 29th April 2020, Msambweni Constituency Member of the National Assembly, Kisumu North ward Member of County Assembly and Kahawa Wendani Ward Member of County Assembly which were scheduled to be held on 25th June 2020. Further the Commission was not able to schedule by-elections for Members of County Assembly representing Lakeview Ward-Nakuru County and Wundanyi/Mbale Ward – Taita Taveta County.

### **3.1.2.2 Elections for Other Statutory Bodies**

Article 88(4) of the Constitution of Kenya, 2010 mandates the Commission to conduct or supervise elections to any elective body or office established by the Constitution of Kenya, 2010 and any other elections as prescribed by an Act of Parliament. In the period under review, the Commission conducted the following elections:

- i) Law Society of Kenya (LSK). Election for Members of the Council which is the governing body of the LSK.
- ii) Kenya Institute of Supplies Management (KISM) - Election for members of the Governing Council comprising of Chairperson and six members.
- iii) Kenya Magistrate & Judges Association - Election for the representative to the Judicial Service Commission (JSC).
- iv) Kenya Red Cross Society - Branches, Regional and Youth Representative Elections.





A member of LSK being marked with an indelible pen after voting.

### 3.1.2.3 Electoral Training

The Commission conducts electoral training to enhance the capacity of election personnel during, registration of voters, inspection and verification of the register, nominations of candidates for elections among other electoral activities. During the year under review, the Commission conducted training for the election officials in six electoral areas as summarised in Table 12.

Table 12: No of Polling Officials Trained for By-elections

NO	COUNTY NAME	CONST. NAME	CAW CODE	CAW NAME	NO OF REG CENTRES	No PS	RO	DRO	SETS	PO	DPO	CLERKS	ICT CLERKS	LOGISTICS OFFICERS
1	Nairobi	Kibra	All	All	24	183	1	1	22	191	183	713	2	1
2	Kilifi	Malindi	0077	Ganda	12	30	1	1	4	38	30	107	2	1
3	Garissa	Dadaab	0151	Abakaile	6	12	1	1	2	20	12	47	2	1
4	Marsabit	Laisamis	0236	Loiyangalani	16	18	1	1	4	26	18	61	2	1
5	Kitui	Kitui West	0346	Mutonguni	47	50	1	1	6	58	50	158	2	1
6	Wajir	Wajir North	0165	Batalu	12	12	1	1	2	20	12	41	2	1
Total							6	6	40	353	305	1127	12	6



### 3.1.3 Result Area 3: Eligible Kenyans Registered as Voters

Performance Indicator	Actual Achievement 2018/19	Planned Target 2019/20	Actual Achievement 2019/2020	Remarks
Continuous voter registration of eligible voters	50,354 new enrolments	588,045 new enrolments	55,535 new enrolments	Post-election low demand of voter registration
Register Clean-up and Voter Verification	Availed the register of voters for verification by voters	To avail the register of voters for verification and update by voters	Availed the register of voters for verification by voters	Apathy from voters called to correct their details as recommended in the KPMG register audit report.
Regular revision and Certification of the Register of Voters (RoV)		To certify and Gazette RoV (Semi-annually)	Certified and gazetted Kibra Constituency Register of Voters	67,462 (nationwide) enrolment uploaded and processed for certification and gazettment.
Inter-agency voter Registration data sharing forums for purpose of updating the Register of voters (NRB, Civil Registry, KNBS, Immigration and Ministry of Interior)	Participated in the national and 47 County forums for data sharing.	To develop inter-agency collaboration framework with population agencies	Draft inter-agency collaboration framework developed	The draft inter-agency collaboration framework awaiting validation.
Enhanced technical and operational voter registration process		To develop voter registration policy and procedures	Developed draft voter registration policy and procedure	The draft voter registration policy and procedure awaiting validation.

Voter registration is the enrolment of all eligible Kenyan citizens living within and outside the borders of the country as voters to participate in elections and referenda. The conduct of voter registration is the foundation of a credible election and builds public confidence in the electoral process.

The Commission is mandated to continuously register eligible citizens as voters, regularly revise and update of the register of voters. This entails deleting of details of deceased voters, transfer of



registration centres and change of particulars. During the period under review, the Commission enrolled 55,535 new voters. Details are shown in Table 13.

Table 13: New Registered Voters per County

County Code	County Name	County Approx area (KMs)	2019 Census Population	Register Of Voters 2013	Register Of Voters 2017	Target for FY 2019/2020	Achievement 2019/2020
001	MOMBASA	219.9	1,208,333	413,069	580,223	17,407	5,393
002	KWALE	8,253.70	866,820	175,572	281,041	8,431	220
003	KILIFI	12,553.30	1,453,787	336,410	508,068	15,242	3,434
004	TANA RIVER	37,903.60	315,943	79,641	118,327	3,550	185
005	LAMU	6,283.00	143,920	52,359	69,776	2,093	46
006	TAITA TAVETA	17,152.00	340,671	114,189	155,716	4,671	424
007	GARISSA	44,753.20	841,353	115,236	163,350	4,901	285
008	WAJIR	56,773.80	781,263	118,245	162,902	4,887	-
009	MANDERA	25,942.20	867,457	120,923	175,642	5,269	29
010	MARSABIT	70,944.30	459,785	105,259	141,708	4,251	156
011	ISIOLO	25,349.20	268,002	54,587	75,338	2,260	32
012	MERU	7,013.90	1,545,714	489,590	702,480	21,074	3,188
013	THARAKA-NITHI	2,564.40	393,177	155,904	213,154	6,395	213
014	EMBU	2,820.70	608,599	227,638	309,468	9,284	1,307
015	KITUI	30,429.60	1,136,187	324,798	474,512	14,235	217
016	MACHAKOS	6,037.30	1,421,932	445,421	620,254	18,608	1,515
017	MAKUENI	8,176.70	987,653	298,474	423,310	12,699	2,510
018	NYANDARUA	3,285.80	638,289	256,425	335,634	10,069	732
019	NYERI	3,325.00	759,164	357,059	456,949	13,708	520
020	KIRINYAGA	1,478.30	610,411	265,567	349,836	10,495	856
021	MURANG'A	2,522.80	1,056,640	453,725	587,126	17,614	1,341
022	KIAMBU	2,538.70	2,417,735	863,199	1,180,920	35,428	2,463
023	TURKANA	68,233.10	926,976	134,426	191,435	5,743	903
024	WEST POKOT	9,123.30	621,241	121,204	180,232	5,407	375
025	SAMBURU	21,089.70	310,327	61,150	82,787	2,484	108
026	TRANS NZOIA	2,495.20	990,341	245,092	339,622	10,189	347
027	UASIN GISHU	3,398.60	1,163,186	332,177	450,055	13,502	36
028	ELGEYO/MARAKWET	3,032.10	454,480	135,487	180,664	5,420	343
029	NANDI	2,849.40	885,711	265,109	346,007	10,380	1,122
030	BARINGO	10,984.60	666,763	174,136	232,258	6,968	820
031	LAIKIPIA	9,507.60	518,560	174,131	246,487	7,395	58
032	NAKURU	7,504.90	2,162,202	696,594	949,618	28,489	1,868
033	NAROK	17,931.70	1,157,873	263,365	341,730	10,252	274
034	KAJIADO	21,871.20	1,117,840	306,977	411,193	12,336	269
035	KERICHO	2,436.10	901,777	290,947	375,668	11,270	888
036	BOMET	2,507.10	875,689	253,060	322,012	9,660	405
037	KAKAMEGA	3,016.60	1,867,579	568,151	743,736	22,312	4,405



County Code	County Name	County Approx area (KMs)	2019 Census Population	Register Of Voters 2013	Register Of Voters 2017	Target for FY 2019/2020	Achievement 2019/2020
038	VIHIGA	563.8	590,013	202,887	272,409	8,172	3,403
039	BUNGOMA	3,023.90	1,670,570	412,018	559,850	16,796	1,509
040	BUSIA	1,699.80	893,681	251,517	351,048	10,531	1,274
041	SIAYA	2,529.70	993,183	312,441	457,953	13,739	1,937
042	KISUMU	2,085.40	1,155,574	386,606	539,210	16,176	1,568
043	HOMA BAY	3,152.50	1,131,950	326,505	476,875	14,306	2,284
044	MIGORI	2,613.50	1,116,436	283,997	388,633	11,659	541
045	KISII	1,323.30	1,266,860	413,161	546,580	16,397	2,291
046	NYAMIRA	897.3	605,576	219,428	278,853	8,366	823
047	NAIROBI CITY	703.9	4,397,073	1,732,288	2,250,853	67,526	2,618
	Diaspora			2,637	4,393		
	Prisons				5,528		
<b>Total</b>		<b>580,896</b>	<b>47,564,296</b>	<b>14,388,781</b>	<b>19,611,423</b>	<b>588,045</b>	<b>55,535</b>

Regulation 9 of the Election (Registration of Voters) Regulations, 2012 allows voters to transfer their registration to a designated registration centre of their choice, correction of clerical errors and deletion of certified deceased voters. In the period under review, 4,726 transfer requests were processed.

### 3.1.3.1 Certification and Publication of the Register of Voters

Certification and publication of the Register of Voters (RoV) paves way for the use of the register of voters in an election or referendum. It is the certification and publication that gives the register of voters the sanctity required for use by electorates. In the period under review, the Commission certified the Register of Voters for Kibra Constituency. Further, the Commission is in the process of certifying a register of voters as shown in Table 14.

Table 14: Processed List of New Registration and Transfer of Registration for Certification as at December, 2019

County Code	County Name	2017 ROV	2019 ROV
1	Mombasa	580,223	585,523
2	Kwale	281,041	281,579
3	Kilifi	508,068	511,485
4	Tana River	118,327	118,474
5	Lamu	69,776	69,819
6	Taita Taveta	155,716	156,417
7	Garissa	163,350	163,355
8	Wajir	162,902	162,889
9	Mandera	175,642	175,679
10	Marsabit	141,708	141,862
11	Isiolo	75,338	75,389
12	Meru	702,480	706,511



County Code	County Name	2017 ROV	2019 ROV
13	Tharaka – Nithi	213,154	213,561
14	Embu	309,468	310,519
15	Kitui	474,512	475,041
16	Machakos	620,254	622,099
17	Makueni	423,310	424,915
18	Nyandarua	335,634	337,495
19	Nyeri	456,949	458,588
20	Kirinyaga	349,836	350,214
21	Murang'a	587,126	589,550
22	Kiambu	1,180,920	1,186,112
23	Turkana	191,435	192,365
24	West Pokot	180,232	180,592
25	Samburu	82,787	83,284
26	Trans Nzoia	339,622	340,131
27	Uasin Gishu	450,055	450,816
28	Elgeyo/Marakwet	180,664	181,151
29	Nandi	346,007	347,569
30	Baringo	232,258	234,368
31	Laikipia	246,487	246,943
32	Nakuru	949,618	952,244
33	Narok	341,730	342,498
34	Kajiado	411,193	411,809
35	Kericho	375,668	377,211
36	Bomet	322,012	323,109
37	Kakamega	743,736	746,929
38	Vihiga	272,409	274,568
39	Bungoma	559,850	559,983
40	Busia	351,048	352,566
41	Siaya	457,953	459,362
42	Kisumu	539,210	541,235
43	Homa Bay	476,875	479,529
44	Migori	388,633	389,182
45	Kisii	546,580	549,965
46	Nyamira	278,853	279,734
47	Nairobi City	2,250,853	2,254,749
48	Diaspora	4,393	4,393
49	Prisons	5,528	5,524
<b>TOTAL</b>		<b>19,611,423</b>	<b>19,678,885</b>



### 3.1.3.2 Voter Registration Policy and Procedures

In the period under review, the Commission reviewed the voter registration policy and Manual.

### 3.1.3.3 Confirmation of Registration Status of the Supporters for Petition to Suspend Taita Taveta County Government

Section 123 of County Governments Act, 2012, outlines the process of suspension of a County Government in exceptional circumstances. The section states that a person may petition the President to suspend a County Government in accordance with Article 192(1)(b) of the Constitution of Kenya if, the County Government engages in actions that are deemed to be against the common needs and interests of the Citizens of that County.

In the year under review, the Office of the President delivered to the Commission seventeen (17) booklets containing details and signatures of supporters to a Petition seeking to suspend Taita-Taveta County Government. The Commission was to verify that the petition was supported by the required statutory threshold which was:

- i. Verifying that those supporting the petition are registered voters of the respective County;  
and
- ii. Verifying that the petition is supported by not less than ten percent of the registered voters in the respective County (15,572 registered voters).

Upon conclusion of the verification and data matching exercise, the Commission confirmed that the Petition met the Constitutional and statutory threshold.



### 3.1.4 Result Area 4: Equity in Representation in Parliament and County Assembly levels

#### 3.1.4.1 Delimitation of Electoral Areas

The representation of the people is enshrined under Article 81 of the Constitution of Kenya, 2010 as a principle of universal suffrage and equality of vote. Pursuant to Article 89 of the Constitution of Kenya, 2010, the Commission shall review the names and boundaries of constituencies at intervals of not less than eight years, and not more than twelve years. However, any review shall be completed at least 12 months before a General Election of Members of Parliament.

The period under review marked the beginning of the lower limit (8years) for the start of the review of electoral boundaries. In this period, the Commission completed the development of the Boundary Review Operations Plan (BROP) and acquired data on the Kenya Population and Housing Report (KPHC) 2019 from the Kenya National Bureau of Statistics (KNBS).

Performance Indicator	Actual 2018/19	Achievement	Planned Target 2019/20	Actual Achievement 2019/2020	Remarks
Electoral Boundaries Reviewed	Draft Boundaries Review Operations Plan (BROP) developed	Operationalize Boundaries Review Operations Plan (BROP)	Boundaries Review Operations Plan operationalized.		
		Analyze the 2019 Kenya Population and Housing Census data	Analyzed the 2019 Kenya Population and Housing Census data.		
	Developed specifications for equipment	Acquisition of equipment and software			Work in progress
	100 % assessment done	Desktop review of administrative and electoral boundaries of 47 Counties	100% assessed		
		Continuous update of the electoral map geodatabase	Continuous		
	Trained 27 Technical Officers on Geographical Information System	To build capacity of staff on boundaries delimitation	Continuous		Continuous staff training and sensitization on boundary delimitation



Performance Indicator	Actual 2018/19	Achievement	Planned Target 2019/20	Actual Achievement 2019/2020	Remarks
	Provision of expert information in boundaries dispute resolution forums in Muranga, Busia, Mandera and Lamu Counties		100% servicing of all boundaries related information requests.	100% of requests received serviced.	
% of seats re-allocated	100% Re-allocation		100%	100% Re-allocation	Re-allocation is subject to an occurrence of a vacancy.

### 3.1.4.2 Re-Allocation of Special Seats

Article 90 of the Constitution of Kenya, 2010 bestows upon the Commission the responsibility to conduct and supervise elections for special seats on the basis of proportional representation by use of party lists. Section 37 of the Elections Act, 2011 consequently, provides for the re-allocation of seats where a representative from a political party list dies, withdraws from the party list, changes parties, resigns or is expelled from the party during the term of the representation.

During the period under review, the Commission re-allocated party lists seats for the Jubilee Party, Orange Democratic Movement and the Party of National Unity as indicated Table 15.

Table 15: Re-Allocation of Special Seats

No.	Date	Particulars	Political Party
1.	31 <sup>st</sup> January 2020	Following the resignation of Milkah Wanjiru of in Nyandarua County Assembly and replaced with Chira Georgina Wanjiru under Gender Top-Up List.	Jubilee Party
		Following resignation of Amina Nassor Abdalla in Kilifi County Assembly and replaced with Christine Nzara John under Gender Top-Up List.	Orange Democratic Movement (ODM)
		Following the demise of Esther Rose Dwalo in Homa Bay County Assembly and replaced with Phoebe Anyango Okoth of under Gender Top-Up List.	Orange Democratic Movement (ODM)
2.	3 <sup>rd</sup> February 2020	Following demise of Anastacia Wakesho Mombo in Taita Taveta County Assembly and replaced with Beatrice Manga Nyambu under Gender Top-Up List.	Orange Democratic Movement (ODM)



No.	Date	Particulars	Political Party
3.	19 <sup>th</sup> March 2020	Following demise of Petronilla Gaichi Kiao in Meru County Assembly replaced by Faith Gakii Mwilari under Gender Top-Up List.	Party of National Unity (PNU)
4.	26 <sup>th</sup> March 2020	Following expulsion of Habiba Ibrahim Hussein by the Speaker of Nairobi County Assembly under Article 103(1) and replaced with Zahra Mohamed under Gender Top-Up List.	Jubilee Party





## 3.2 STRATEGIC PILLAR 2: INSTITUTIONAL TRANSFORMATION

This strategic pillar focuses on repositioning the Commission for the effective and efficient delivery of electoral services to the people of Kenya. During the year under review, the Commission enhanced human resource capacity, strengthened corporate governance, re-engineered business processes, provided conducive work environment, institutionalized learning and knowledge-based decision making as well as maintained a sustainable financial resource base.

### 3.2.1 Result Area 5: The IEBC's Human Resource Capacity Built

Indicator	Actual achievement 2018/19	Target 2019/2020	Actual achievement 2019/2020	Remarks
Number of staff recruited and retained	Two positions of Directors filled (Director Human Resource and Administration, Director Supply Chain Management and 97.2% staff retention	To fill vacant positions as they arise.	<ul style="list-style-type: none"> <li>69 vacant posts were declared and advertised.</li> <li>Applications were received and shortlisting conducted for all the positions.</li> </ul>	Interviews deferred due to the COVID-19 pandemic.
Number of staff promoted to various positions	-	To conduct suitability interview for internal staff and promote suitable candidates to vacant positions	<ul style="list-style-type: none"> <li>14 Constituency Administrative Assistants Grade 8 promoted to Constituency Elections Coordinators (CEC), Grade 5.</li> <li>One Accountant Grade 6 upgraded to Compliance &amp; Quality Assurance Officer, Grade 5</li> </ul>	
Number of staff trained in a field relevant to their work	13% of employees trained in different capacity building courses	Train 50% of staff both in headquarters and the field	15% of staff trained.	Implementation of approved training was affected by Covid-19 pandemic and budget cuts.
Welfare and wellness programs provided	-	To provide welfare and wellness to staff	Welfare services provided: <ol style="list-style-type: none"> <li>Medical Insurance for Commission employees and their dependants.</li> <li>Group Personal Accident Cover &amp; Group Life Cover for Employees.</li> </ol>	



Indicator	Actual achievement 2018/19	Target 2019/2020	Actual achievement 2019/2020	Remarks
			3. Support during bereavement – 23 staff benefitted. 4. Club membership subscriptions for senior staff.	
Office Space reallocation policy developed	-	Provide adequate and conducive work space.	Office space reallocation policy was approved and implemented.	
Maintenance of office space and equipment	-	Undertake 100% maintenance of office fittings, fixtures and equipment.	80% office repairs and maintenance of office equipment.	
Management of contracts for provision of services	-	Coordinate the provision of outsourced services	Efficiently managed various services for a conducive working environment.	
Human Resource & Administration Policies Developed	Draft Human Resource & Administration Policies and Procedure Manual	Finalize the HRA Manual	Commission Human Resource & Administration Policies and Procedures Manual, March 2020 developed and adopted	Manual Developed
Human Resource Information Systems Developed	Draft Human Resource Management Information System (HRMIS)	Develop & implement Human Resource Information System (HRMIS)	Human Resource Management Information System (HRMIS) payroll module developed & rolled out	Development of other Modules ongoing
Commission Organization Structure Reviewed		Review the Commission organization structure	Commission Structure Reviewed and draft developed	Ongoing



### 3.2.1.1 Staff Recruitment and Retention

The Commission has an approved establishment of one thousand and twenty-one (1021) posts with an in-post of 853 and a vacancy level of one hundred and sixty-eight (168) posts.

During the period under review, the Commission had planned to fill a total of seventy-six (76) vacancies as follows:

- i) Sixty-nine (69) various posts advertised for following and process finalization affected by the covid-19 pandemic;
- ii) Six posts (various) declared for filling through internal advertisement/promotion of current staff; and
- iii) The post of Commission Secretary/CEO has been vacant for the last two years and Commission attempts to fill the vacancy have been inhibited by court petitions.

During the year under review, there was a staff turnover of 16 as illustrated in Table 16.

Table 16: Staff Turnover

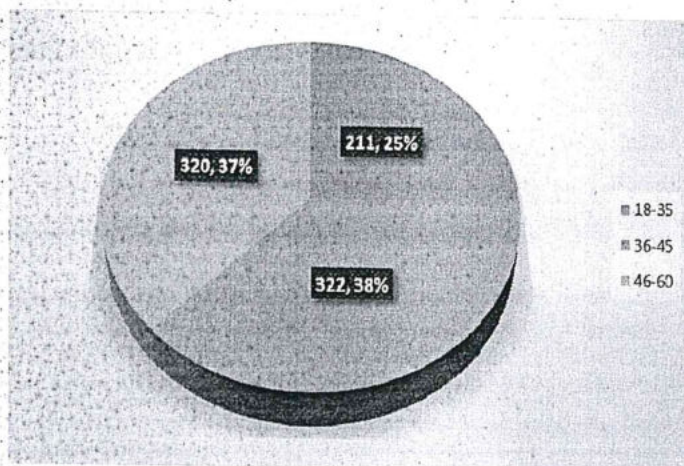
No.	Reason for Exit	No of Staff
1.	Death	4
2.	Early Retirement	1
3.	Expiry of Contract	3
4.	Mandatory Retirement	3
5.	Resignation	5
	Total	16

### 3.2.1.2 Distribution of Commission Staff by Age

A detailed analysis of staff distribution by age shown in figure 4 indicates that 25% of the staff are between the age group 18-35years, 38% between 36 - 45 years while 37% are above 45 years.



Figure 4: Age distribution of staff within the Commission



### 3.2.1.3 Disaggregation of Staff by Gender

The Commission staff gender analysis shows that 65% (552) of staff are male while 35% (301) are female as shown in the table 17.

Table 17: Staff by Gender

Grade	Female	Male	Total	Category
1	0	0	0	Executive Management
2	0	1	1	
3	2	5	7	Senior Management
4	21	42	63	
5	75	207	282	Middle Management
6	40	78	118	
7	5	3	8	Operations & Support Staff
8	155	163	318	
9	0	38	38	
10	3	15	18	
Total	301	552	853	



### 3.2.2 Result Area 6: Corporate Governance and Communication Strengthened in the Commission

#### 3.2.2.1 Corporate Governance

Good corporate governance entails balancing the interests of the Commission and those of internal stakeholders, setting the strategic direction, providing a structure that promotes transparency and accountability, approval of relevant policies, standard operating manuals as well as risk management.

To enhance decision making and accountability, the Commission transacts its business through committees structured along the major functions of the Commission. There are seven committees each chaired by a Commissioner. In the period under review, 30 meetings were held. The resolutions of the Committees were passed on to the Plenary (Board) for approval. The Plenary held 11 meetings that culminated into decisions that have shaped the performance of the Commission in the period under review.

In the period under review, the Commission provided the strategic direction for the next five years by approving the IEBC Strategic Plan 2020-2024, policies and operating manuals in Human Resource, Supply Chain Management, Finance, Election Operations, Stakeholders engagement and Gender. To promote efficiency, the Commission embarked on review of the Commission's structure.

To enhance transparency, the Commission instituted the culture of declaration of interests in all its activities and processes.

The Commission conducts its business in an environment that has inherent risks, hence management of risks remains a priority that has seen the Commission endeavour to strengthen identification, evaluation and management of risks.

#### 3.2.2.2 Strengthening Assurance and Risk Management in IEBC's Operations

The Commission recognizes that risk management and assurance are important corporate governance pillars. This function in the Commission is anchored in having robust and continuous risk assessment and mitigation strategies while internal and external audits provide insight into the Commission's culture, policies and verifies internal controls such as operating effectiveness and compliance with relevant laws and regulations.

##### a) Internal Audit

Performance Indicator	Actual Achievement 2018/19	Planned Target 2019/20	Actual Achievement 2019/2020	Remarks
Internal audit of Commission's activities and processes	10 Internal audits of Commission activities completed	Audit 14 Commission activities and processes.	14 audit reports issued.	



The internal audit function in the Commission operates independently. The Audit Committee comprises of four members, one person from the National Treasury, two independent external persons, one of them being the chairperson of the Committee and a Commissioner. The Independence of the internal audit is further strengthened since the Director in-charge of Audit Compliance has direct access to the Plenary which is the highest decision making body in the Commission. In the year under review, the Committee generated 14 audit reports.

#### b) External Audit

To improve Government's accountability to the public, the Commission in compliance with the PFM Act subjects its processes to External Audit. The Office of the Auditor-General audits and report on the accounts of any entity that is funded from public funds. The audit report confirms whether or not public money has been applied lawfully and in an effective way, and reports are submitted to parliament for debate, consider the report and take appropriate action. The Commission takes seriously the recommendations of the external audit reports. Implementation of the recommendations are a priority for the Commission.

#### c) Risk Management

Risk identification and management is a key pillar of corporate governance. Every electoral process and support service has inherent risk factors, which ought to be strategically addressed.

During the period under review, the Commission implemented the following activities in risk management and compliance:

- Cascaded training of the Risk Management Framework.
- Updated Commission's risk register.
- Reviewed compliance on Commission's processes and operations.
- Conducted risk assessment of all Commission processes, activities, operations and assets.
- Integrated Electoral Risk Management Tool (ERMTTool) in the Commission's operations.

Performance Indicator	Actual Achievement 2018/19	Planned Target 2019/20	Actual Achievement 2019/2020	Remarks
Number of staff trained in Enterprisewide Risk Management		Train 56 Risk Champions.	56 Risk Champions trained.	
Updated Commission Risk Register	Commission Risk Register developed	Update Commission's Risk Register	Commission's Risk Register updated	
Number of risk assessment and monitoring reports prepared and disseminated	-	Conduct and disseminate timely risk assessment and monitoring	11 assessment reports prepared	



### 3.2.2.3 Communication and Corporate Social Responsibility

The Commission continuously enhances its corporate brand visibility and identity in the delivery of its constitutional mandate. Further, the Commission has progressively strived to improve both internal and external communications, coordination of corporate events, strategic communication and corporate reputation management.

During the period under review, the Commission deployed several targeted communication strategies aimed at enhancing brand visibility and seamless communication with stakeholders. These strategies include; opportunistic participation in ASK shows, exhibitions and trade fairs that offered a cost effective platform for the Commission to share electoral information and programmes with members of the public. The Commission utilized social media platforms (Twitter, Facebook, Instagram, and YouTube) to reach out to its online audience.

The Commission also undertook several Corporate Social Responsibility (CSR) initiatives both at National and County levels to connect with the voter.

Performance Indicator	Actual 2018/2019	Performance Planned Target 2019/2020	Actual Achievements 2019/2020	Remarks/Comments
Enhanced internal and external Communication	Printed 2 editions of the Ballot Newsletter (Issue 9 & 10)	Design and print ballot newsletter quarterly	Printed 1 edition of the newsletter (Issue 11)	Inadequate funds
	44 Weekly e-bulletins disseminated.	100% dissemination of weekly e-bulletins	58% of weekly editions disseminated.	Covid-19 pandemic affected Commission activities.
	The Commission sent a total of 17,862 bulk SMSs to staff and stakeholders.	Avail timely bulk SMS service.	The Commission sent a total of 79,893 bulk SMSs to staff and stakeholders.	
	100% Mapped and updated press database.	100% Updates of press database	100% Mapped and updated press database.	
	Commission website was updated 49 times and social media numbers grew from 639,988 to 704,794.	Update Commission's website and social media platforms	The website was updated 117 times and social media followers grew by 76,958 from 704,794 to 780,465.	
	14 press releases disseminated	Disseminate information through press releases and press conferences	21 press statements released	



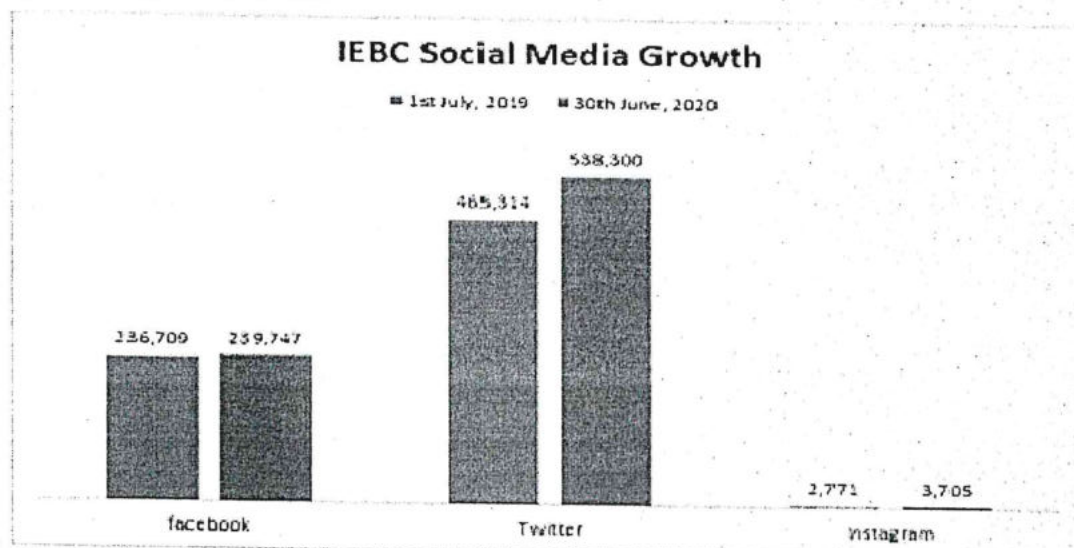
Performance Indicator	Actual 2018/2019	Performance Planned Target 2019/2020	Actual Achievements 2019/2020	Remarks/Comments
	207 media personnel accredited in the nine by elections conducted	Accredit media personnel.	121 media personnel were accredited in the six by elections conducted	
	The Commission participated in four ASK shows (Kisumu, Mombasa, Nairobi and Nakuru).	Participate in at least nine ASK shows.	The Commission participated in four ASK shows (Kisumu, Mombasa, Nairobi and Nakuru)	Inadequate resources affected planned participation
Branding of corporate events	Branded 47 Commission activities.	Brand all Commission events and activities	Branded 21 events and activities	
Continuous photography and videography of Commission events	47 Commission events covered	Cover all Commission events and activities	Covered 49 events and activities	
CSR initiatives	<ul style="list-style-type: none"> <li>• 3 tree planting activities</li> <li>• 2 prison visits</li> <li>• 14 primary school elections</li> <li>• 9 secondary school elections</li> <li>• 18 university/ Higher Learning Institutions elections</li> </ul>	Conduct at least one flagship CSR initiative	The Commission sponsored the Royal ladies open 2019 tournament at the Royal Nairobi Golf Club	

#### 3.2.2.4 Regular Update of the Commission's Website and Social Media Platforms

- Website:** The look and feel of the Commission's website presents an interactive and smooth web experience. The website is updated regularly in a timely manner with all Commission events and activities to keep the public updated.
- Social Media:** Social media is a key tool to connect, engage and provide an opportunity to reach out to online publics. The Commission has stepped up its utilization of social media platforms to disseminate election information. The Commission's social media following grew from 704,794 to 781,752 as shown in Figure 5.



Figure 5: Social Media Growth



### 3.2.2.5 Uchaguzi Weekly E-Bulletin

In order to strengthen internal communication, the Commission has continued to publish a weekly e-bulletin which covers events, programs and activities. In the period under review, 30 issues of e-bulletin were produced and disseminated.

### 3.2.2.6 Bulk SMS

The Commission has continued to use its corporate bulk SMS system for both internal and external communication. The system is conveniently used for relaying information to stakeholders, convening meetings and media invitation. In the period under review, 79,893 bulk SMSs were sent.

### 3.2.2.7 Publication of the Ballot Newsletter

Ballot Newsletter is a quarterly Commission's publication that covers a wide range of thematic areas related to elections and democracy. During the year under review, the Commission produced one edition of the ballot newsletter that was disseminated to staff and stakeholders. An electronic version was uploaded on the Commission website.

### 3.2.2.8 Branding and Coordination of Events and Launches.

The Commission has continued to undertake corporate branding in all Commission events and activities including by-elections, trainings, corporate launches and workshops in compliance to its corporate brand manual. Branding is done through production and display of various promotional materials which include buntings, banners, brochures, information kits, draping and posters. This is meant to promote a consistent, cohesive and solid brand. Examples of Commission's branded invents are shown below.





Branding at the Nairobi Royal Golf Club during the Royal Ladies Open Tournament held on 6th July, 2019.

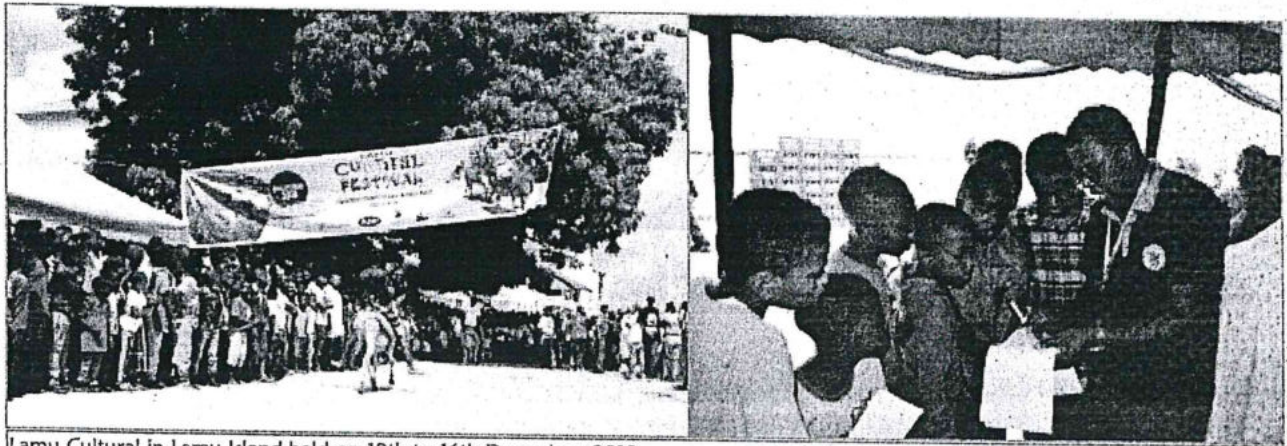


Royal Ladies Open held on 6th July, 2019 at Nairobi Royal Golf Club

#### 3.2.2.9 Participation in Trade Fairs, Cultural events and Exhibitions

During the period under review, the Commission participated in four trade fairs organized by the Agricultural Society of Kenya (ASK) in Nairobi, Nakuru, Mombasa and Kisumu. The Commission used these avenues to enhance electoral information sharing and avail its services closer to the publics. The Commission also participated in Tobong'u Lore cultural festival in Turkana County in August, 2019 and Lamu cultural festival in Lamu County in December, 2019.





Lamu Cultural in Lamu Island held on 12th to 16th December, 2019

### 3.2.2.10 Photography and videography

The Commission undertakes continuous coverage of all Commission events and activities for publicity and archiving for institutional memory and use in subsequent corporate productions.

### 3.2.2.11 Strategic Media Engagements

- i. **Regular media monitoring** - The Commission undertakes continuous media monitoring on print, electronic and social media. This is meant to ensure up to date knowledge of Commission affairs in the public domain for quick decision-making and remedial action.
- ii. **Press Releases and Press Conferences** – The Commission regularly disseminates press releases and holds press conferences on a need basis to update the public on the Commission's decisions, planned events and activities. A total of 21 press releases were disseminated in the period under review.
- iii. **Media accreditation** - The Commission accredited 121 media personnel during the six by-elections conducted in the period under review. Further, media sensitization forums were conducted to promote accurate, factual and objective coverage.

### 3.2.2.12 Corporate Social Responsibility

The Commission's overriding Corporate Social Responsibility theme is "connecting with the voter". In line with this tagline, the Commission undertakes low cost but high impact CSR initiatives to maximize brand visibility. These include environmental care such as tree planting and clean up exercises, psycho-social initiatives like visiting inmates, provision of essential commodities like foodstuffs and clothing both at individual and corporate level as well as conducting school elections as a way of inculcating democratic tenets in the young generation.

In the period under review, the Commission conducted primary, secondary and tertiary student council



elections for various institutions across the country. The learners were sensitized on the voting process, qualities of a good leader, civil rights and democratic tenets.

The Commission also sponsored a golf tournament targeting both the golfers and the caddies and mounted a voter education campaign on matters of elections, democracy and governance.

#### County CSR Initiatives

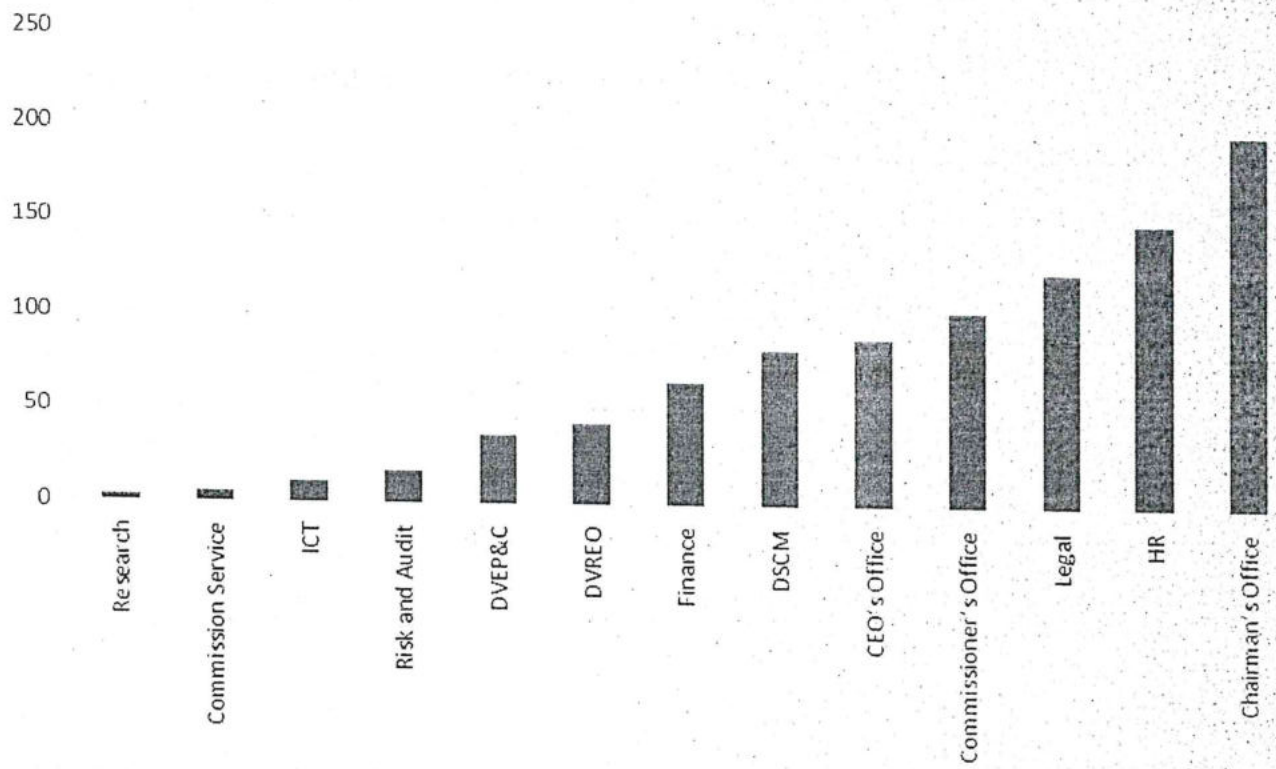
1. Board elections at Mbooni Community Forest Association in Mbooni Constituency.
2. Board of Students elections at Makueni Boys' High school in Makueni Constituency.
3. Board of Students elections at Unoa Primary school in Makueni Constituency.
4. Tree planting in all activities undertaken in Makueni County.
5. Kenya Football Federation.
6. Turkana University.
7. Turkana South Constituency Bodabodas Association Elections.
8. Turkana South Constituency Drivers Association Elections.
9. Participated in tree planting exercise at Saruyot primary school in Kesses Constituency where 3000 seedlings were planted.
10. The constituency in partnership with county elections office, the County Commissioner office.
11. Participated in tree planting at Kambungu primary school in Chuka-Igamba Ngombe Constituency.
12. Planting a total of 2,000 trees at Ontilili health centre and 3,000 trees in Marmanet forest.
13. Mt Kenya University Students Council election.
14. Moi Educational Center Students elections.
15. Voter education during other organization activities.

#### 3.2.2.13 Customer Care Desk

The Commission continuously receives enquiries and walk - in customers interested in electoral related information. In the period under review, The Commission attended to 948 calls and 2,500 walk-in customers. The calls were categorized per areas of interest as shown in Figure 7.



Figure 7: Customer care desk





### 3.2.3 Result Area 7: IEBC's Business Processes Re-Engineered for Increased Efficiency and Productivity

#### 3.2.3.1 Integration of ICT in the Electoral Processes

The Commission Continues to utilize technology in enhancing effectiveness, efficiency and transparency in the electoral and internal processes. The Commission has invested in technology to improve credibility and reliability of the electoral system and improve internal process through application of appropriate ICT solutions. Further, the Commission undertakes maintenance of existing technologies to enhance their reusability.

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Business Process re-engineering through application of appropriate ICT solutions in Commission operations				
Application of appropriate ICT solutions in Commission operations	Completed 60% re-engineering of internal processes including: <ul style="list-style-type: none"> <li>- Leave management</li> <li>- HRMIS</li> <li>- Recruitment system</li> <li>- Budget system</li> <li>- Incident management system for ICT support services</li> </ul>	Improve the HRMIS to enhance efficiency of the Leave management, and Payroll functions	Deployed and deployed new features in the Leave management and Payroll functions	
		Develop Tax deduction system for contractual and temporary staff	Deployed and implemented the Tax deductions for temporary and contractual staff	
		Deploy Office Collaboration tools to enhance employee engagement	Deployed Microsoft Teams for conduct of Commission meetings in the advent of covid-19 pandemic	
		Develop and implement Case management system (CMS)	Developed a case management system for management of court cases	
Efficient identification of voters during by-elections	Voters successfully identified during by-elections and external elections	100% electronic voter identification	100% voters identified electronically in the six by-elections	



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Enhanced efficiency through deployment of Technology in external elections	Deployed ICT to support conduct of external elections for LSK and JSC	Deploy technology in the conduct of LSK and JSC Elections	Deployed Technology for identification and results transmission in LSK and JSC elections	
Efficient candidate registration process in by-elections	Candidate registration Management System (CRMS) used effectively	100% candidates processed through CRMS	100% candidates processed through CRMS in by-elections Ballot proofs generated	
<b>2. Maintenance of existing technologies</b>				
Maintenance of Biometric voter registration System(BVR)	Maintained the BVR system for voter registration	Maintain BVR System for voter registration	Maintained BVR system for voter registration	PAC recommendations on banning of the M/s IDEMIA affected the delivery of support services for BVR system
	Continuous Voter Registration data successfully processed	Upload and process all CVR data received	100% CVR records processed	
Effective support for CVR activities in the counties	Deployed two(2) BVR kits in each Constituency for CVR	Deploy maintain and service BVR kits for CVR	Two (2) BVR Kits deployed in each Constituency for CVR	Inadequate budgetary allocation affected technical support for CVR
Maintain and service ICT infrastructure and Software's	Communication and Network equipment's serviced and Maintained	Operationalization of network and Communication equipment in 308 locations	Network and Communication equipment's in 308 locations maintained	Inadequate budgetary allocation affected maintenance and support
	Maintained Data center colocation facility	Maintain 100% availability of the data center colocation facility	Maintained 100% data center colocation facility availability	



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
	Maintenance of internet services to staff	Maintain 100% availability of internet services to staff	Maintain 100% availability of internet services to staff	
	Commission Website and domain Maintained	Maintain Commission Website and domain	Maintained Commission Website and domain	
	Maintained and repair printers, photocopiers	Maintain and repair printers and photocopiers	Maintained printers and photocopiers	Majority of Commission printers require replacement
	Supported and maintained software's	Maintain 100% availability of email, telephone and IFMIS systems	Maintained 100% availability of email, telephone and IFMIS systems	
Enhanced ICT security and Compliance	Revised ICT Policy and procedure manuals in place Developed ICT Risk Matrix	Review of the ICT Policy, procedures and operational manuals	Reviewed SOPs and ICT Policy	
ICT integrated in the electoral process	KIEMS deployment in By-elections KIEMS integrated in electoral processes.	Service and Maintain 44,882 KIEMS kits each quarter	An average of 20,000 KIEMS kits maintained per quarter	KIEMS kits are stored in various county warehouses thus affecting maintenance Inadequate funding for effective maintenance



### **3.2.3.1 Application of Appropriate Technologies**

The Commission deployed technology in voter identification, candidate registration and results transmission during the six by-elections conducted during the period under review. Technology was also deployed for voter identification and results transmission during the elections of members of the Law society of Kenya and the Judicial Service Commission.

Further, the Commission deployed a new internally developed payroll system and enhanced the existing Human Resource Management Information System by developing new functionalities to facilitate filling of Tax deductions for contract and temporary employees of the Commission. The Leave management and budget systems were further enhanced to incorporate emerging user requirements.

During the period under review, the Commission adopted the use of Microsoft Teams as a corporate solution for conducting virtual meetings amidst covid-19 challenges.

### **3.2.3.2 Maintenance of Existing Technologies**

The Commission continues to maintain and improve its internal ICT systems to enhance efficiency in service delivery. This include maintaining telephone communication, website, internet and email services, printing services, data center services, user support tools, IFMIS as well as office collaboration tools.

The Commission has continued to maintain the KIEMS kits, Biometric Registration System and the Wide Area Network to enhance their re-usability in future elections. During the period under review, inadequate funding and accrued pending bills from service providers affected the provision of the following services and activities; LAN/WAN connectivity to 305 field locations, KIEMS vendor support and maintenance, repair and maintenance of printers and photocopiers, purchase of licenses and support for ICT security solutions as well as storage and maintenance of KIEMS kits.

### **3.2.3.3 Audit of Technology**

Audit of technology remains a priority for the Commission, however the Commission has been unable to conduct the statutory audit of technology due to inadequate budget allocation. The Commission commenced the review of the ICT policy and Standard Operating Procedures as well as the enhancement of the ICT security control systems.

### **3.2.4 Result Area 8: Adequate Office Space and a Conducive Work Environment for Staff Provided**

#### **3.2.4.1 Commission's Offices and Warehouses**

In the period under review, the Commission reviewed and implemented an office plan aligned to functional areas.



Performance Indicator	Actual achievement 2018/19	Planned Target 2019/20	Actual achievement 2019/20	Remarks
Adequate Office Space and a Conducive Work Environment for Staff Provided	The Office space rationalization report approved.	Operationalize the Office Space Report.	Office Space report operationalized.	
		House the Commission's headquarters in its own premises.	A draft Cabinet paper prepared.	

### 3.2.5 Result Area 9: Learning and Knowledge Based Decision Making

#### 3.2.5.1 Institutionalizing Learning and Knowledge Based Decision Making

During the period under review, the Commission institutionalized learning and knowledge management to inform strategic decision making. This involved enhancing the capacity of the staff, acquisition, retrieval and dissemination of information resources.

The Commission received and processed 47 requests for information and data from individuals and institutions and also participated in 13 local and international liaison interactions.

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Requests for IEBC data and information by stakeholders processed.	100% of data requests processed within	100% access to requested IEBC data within 3 days	100% access to requested IEBC data within 3 days.	
Number of thematic electoral studies undertaken and disseminated annually	-	At least four thematic electoral studies undertaken and disseminated annually.	-	Priority was given on development of Strategic Plan 2020-2024
Number of monitoring and evaluation reports on electoral activities	Published and disseminated Post Election Evaluation Report (PEE)	Monitor election activities	Six by-election monitored	



Performance Indicator	Actual Achievement 2018/2019	Planned 2019/2020	Target	Actual Achievement 2019/2020	Remarks
Review Strategic Plan 2015-2020	Reviewed Strategic Plan 2015- 2020	Develop Strategic Plan 2020-2024		Approved IEBC Strategic Plan 2020-2024	
Number of local and international liaison interactions	20 international and local liaison	Undertake local and international liaison		13 International and local liaison interactions undertaken	

### 3.2.5.1 Development of IEBC Strategic Plan 2020 – 2024

During the period under review, the Commission developed its Strategic Plan, 2020-2024. The plan will provide road map for Commission's programs and activities. The major programs covered in the Strategic Plan are the 2022 General Election and Review of Constituency and Ward boundaries.

### 3.2.5.2 International Conferences and Election Observations

To improve on delivery of its mandate, the Commission has inculcated a peer learning culture to benchmark on best practices in electoral management. During the period under review, Commissioners and staff participated in both local and international conferences, benchmarking visits and Election Observation Missions. Table 18 shows the details of the engagements.

Table 18: Local and International Liaison Interactions 2019-2020

No.	Country	Purpose	Sponsor	Date
1.	Bengaluru, India	To attend the Executive Board Meeting of the Association of World Electoral Bodies (A-WEB	IEBC	2 <sup>nd</sup> – 4 <sup>th</sup> September, 2019



No.	Country	Purpose	Sponsor	Date
2.	Accra, Ghana	Attend the Executive Committee Meeting of the Association of African Electoral Authorities (AAEA)	IEBC	2 <sup>nd</sup> -6 <sup>th</sup> September, 2019
3.	Dubai, UAE	To attend a course on Research Based Management in the Public Sector	IEBC	14 <sup>th</sup> – 20 <sup>th</sup> September, 2019
4.	Zanzibar, URT	To attend training on the Board Audit Committee by the Institute of Certified Public Accountants of Kenya (ICPAK)	IEBC	18 <sup>th</sup> – 20 <sup>th</sup> September, 2019
5.	Rome, Italy	To attend the ICPAK 6th C-Suite Seminar	IEBC	29 <sup>th</sup> October – 1 <sup>st</sup> November, 2019
6.	Ethiopia	To attend the African Union (AU) Workshop on participation and protection of Women in the Electoral Process	IEBC	12 <sup>th</sup> – 13 <sup>th</sup> November 2019
7.	Mombasa, Kenya	To attend the ICJ Kenya Annual Jurists conference	IEBC	20 <sup>th</sup> – 23 <sup>rd</sup> November, 2019
8.	Nairobi, Kenya	Hosted conference of the AAEA General Assembly and the 6 <sup>th</sup> Annual Continental Forum of Election Management Bodies (EMB)	IEBC/Africa Union	27 <sup>th</sup> – 29 <sup>th</sup> November, 2019
9.	Comoros	To participate in the Election Observation Mission	IEBC	15 <sup>th</sup> - 21 <sup>st</sup> January 2020
10.	New Delhi, India	To attend the 10 <sup>th</sup> annual FEMBoSA conference and the 10 <sup>th</sup> National Voters Day Celebration	IEBC	22 <sup>nd</sup> - 28 <sup>th</sup> January, 2020





No.	Country	Purpose	Sponsor	Date
11.	London, United Kingdom	To attend the validation meeting of the Commonwealth on new best practice guide legislative approaches to Political Finance regulation and benchmark on Brexit referendum	Central Election Commission of Georgia and IEBC	9th – 16th February, 2020
12.	Durban, South Africa	To attend the 18 <sup>th</sup> International Electoral Affairs Symposium and International Electoral Awards Ceremony	Cambridge Trusts and IEBC	16 <sup>th</sup> – 19 <sup>th</sup> February, 2020
13.	Dubai, UAE	To attend the Chartered Directors duties and Board governance workshop training	IEBC	23 <sup>rd</sup> – 29 <sup>th</sup> February, 2019



### 3.2.6 Result Area 10 Establishing a Sustainable Financial Resource Base

The Commission relies on 100% funding from the National Treasury. During the period under review, the Commission received funding of Kshs 4,663,947,000 from the National Treasury. The funds were expended as shown in Table 19.

Table 19: Allocation and Expenditure 2019/2020

Source of Funds	Allocation 2019/20	Expenditure 2019/20
GoK	4,808,400,000	4,663,947,000
<b>TOTAL</b>	<b>4,808,400,000</b>	<b>4,663,947,000</b>

During the period under review, the Commission did not receive any support from development partners and CSOs.

#### 3.2.6.1 Supply Chain Management

Acquisition of goods and services by the Commission is a critical component. The Commission is therefore required to define its priorities and quantify requirements to inform timely preparation of procurement plan and its implementation.

During the period under review developed Supply Chain Management Manual, Supply Chain Management Policies and Procedures Manual, Staff skills assessment in line with Supplies Practitioners Management Act, 2007 (SPMA), completed Registration of Suppliers for the period ending June 2022 and completed pre-qualification of legal services for the period ending June 2023.

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Procurement Plan	Procurement Plan implemented	Develop and approve Procurement plan.	Procurement Plan approved and implemented	
Allocation of preferences and reservations in accordance with the PPADA, 2015	Allocated preferences and reservations	Allocate 30% of the procurement to special groups	100% of all procurements reserved for special groups were awarded.	
Timely procurement	All requisitions processed	100% Quarterly requisitions raised.	100% of requisitions raised were processed on time.	



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Percentage of Staff trained on procurement process	-	Conduct 100% staff orientation and sensitization all procurement procedures, policies and regulations.	2.3% trained on procurement process.	Insufficient funds.
Stock take	Stock taking of all Commission assets and equipment completed.	Undertake stock taking of all Strategic and non-strategic materials.	Stock taking of all Commission's materials conducted within the timelines stipulated in the PPADA, 2015.	
Disposal of obsolete material		Dispose all obsolete material	-	Ongoing



### 3.3 STRATEGIC PILLAR 3: ENHANCING PUBLIC TRUST AND PARTICIPATION

Public trust and participation is a pillar under the IEBC Strategic Plan 2015-2020 that is aimed at instilling confidence and trust in the electoral process among citizens. In cognizance of this, the Commission worked closely with electoral stakeholders. This participation was aimed at ensuring inclusivity in the electoral process.

#### 3.3.1 Result Area 11: Kenyans Empowered to Effectively Participate in the Electoral Process

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Percentage of Kenyans directly or indirectly reached with voter education information prior to an electoral activity	49.3% Average Voter turnout in the nine by-elections.	90% voter turnout in by-elections	42% Average Voter turnout in the six by-elections.	
Number of Counties reached with IEBC voter education programme implemented either directly or indirectly through Partners	100% Target Achieved	Conduct AVEW outreach programs in 47 counties and 290 constituencies		The AVEW 2020 was not conducted due to the COVID-19 Global Pandemic.
	Voter education successfully conducted for nine By-elections	Conduct voter education for all by-elections	Voter education successfully conducted for six by-elections	
	Voter education conducted in 3,480 schools country wide	Conduct voter education as per request from schools.	100% voter education requests from schools conducted.	
	Annual register of voter education providers maintained.	Maintain an annual register of voter education providers	Updated register of voter education providers.	





Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Voter education curriculum for schools	<ul style="list-style-type: none"> <li>23 support materials including brochures, posters and fliers were developed.</li> <li>A booklet on FAQs was developed.</li> </ul>	Review voter education curriculum support materials	23 support materials reviewed.	
Voter Education, Partnerships and Communication Strategy		Develop a Voter Education, Partnerships and Communication Strategy	A Draft Voter Education, Partnerships and Communication Strategy developed.	
Continuous Voter Education & Stakeholder Engagement	Conducted voter education for 9 by-elections	Conduct voter education for all by-elections	Conducted voter education for the six by-elections	
	Participated in the Annual Kenya Secondary Schools Head Teachers' Association (KESSHA) Conference	Participate in (KESSHA) Conference		The planned conference did not materialize due to the COVID-19 Global pandemic.
		Participation in the Kenya National Drama and Film Festivals (KNDFE)	The Commission participated in KNDFE festivals at the Constituency and County levels.	

### 3.3.1.1 Voter Education Strategies

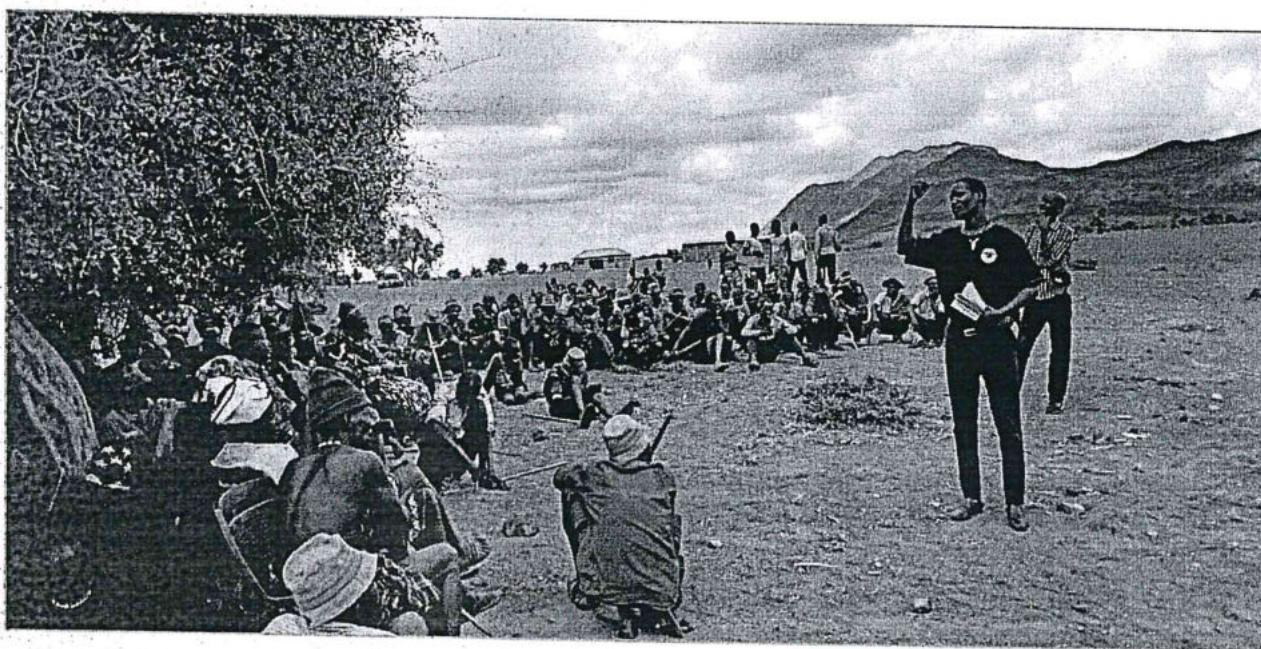
During the period under review, the Commission deployed voter education strategies with an aim of inspiring public confidence, enhancing integrity and the right of voters to participate in the electoral processes.

The Commission successfully undertook voter education in six by-elections conducted in the 2019-2020 period under review. Table 20 shows the by-election areas, registered voters and voter turnout.



Table 20: Voter Turnout in By-elections

No.	County	Constituency	By-election	Registered Voters	Valid Votes Cast	% Voter Turn out
1	Nairobi	Kibra	Kibra MNA	118,658	42,037	35.42%
2	Marsabit	Laisamis	Loiyangalani CAW	5,937	3,953	66.30%
3	Garissa	Dadaab	Abakaile CAW	6,023	3,794	62.99%
4	Kitui	Kitui West	Mutonguni CAW	16,145	7,487	46.37%
5	Kilifi	Malindi	Ganda CAW	16,623	7,506	45.15%
6	Wajir	Wajir North	Batalu MNA	4,690	2,724	58.08%
					Average Turnout	42%



Voter educator conducting a voter education in a public baraza at Moite Trading Centre in Loiyangalani CAW.

### 3.3.2 Result Area 12: Political Parties and Independent Candidates Empowered

During the period under review, the Commission promoted liaison with Political Parties and enhanced co-operation with the Office of the Registrar of Political Parties.

Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Enhanced mechanisms for liaison with Political Parties.	Election of new PPLC officials.	Four quarterly PPLC meetings	12 PPLC meetings held.	
Strengthen collaboration with the Office of the Registrar of Political Parties		Development of Collaboration Framework.	Draft Collaboration Framework developed.	



Performance Indicator	Actual Achievement 2018/2019	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Capacity Building of Political Parties on their roles and responsibilities.	Capacity needs Assessment Conducted	Develop roadmap for engagement and sensitization of Political Parties	Roadmap developed for engagement and sensitization of Political Parties.	
Framework for monitoring campaign financing	Operational framework Developed	Implementation of the Framework		Full operationalization dependent on revised laws.

### 3.3.3 Result Area 13: Strategic Partnership and Collaboration with Stakeholders

The Commission continues to work with relevant electoral stakeholders to ensure public participation, inspire trust and confidence in the electoral processes.

Performance Indicator	Actual Achievement 2018/19	Planned Target 2019/2020	Actual Achievement 2019/2020	Remarks
Gender and Social Inclusion policy	Draft policy on gender and social inclusion developed	Approved gender and social inclusion policy	Gender and social inclusion policy approved.	
Accreditation of election observers during key electoral processes	478 observers accredited for the nine (9) by-elections  7 domestic observers accredited for Punguza Mizigo referendum initiative	Timely accreditation of electoral observers during key electoral processes	274 election observers accredited for six by-elections	
Hold stakeholder forums for by-elections	Held 45 stakeholder forums for the nine by-elections	Hold at least three stakeholder forums for a by-election	Held 30 stakeholder forums for the six by elections.	
Hold stakeholder forums in 47 counties and 290 constituencies	Stakeholder forums held in 47 counties and 290 constituencies	Hold at least three stakeholder forum per constituency and County for AVEW 2020		AVEW 2020 was not conducted due to the global COVID-19 pandemic.
Develop a database of stakeholders at county and national levels	National and county stakeholder data bases in place	Update the database of stakeholders at national and county levels	Updated National and county stakeholder databases	



Performance Indicator	Actual Achievement 2018/19	Planned 2019/2020	Target	Actual Achievement 2019/2020	Remarks
Establish strategic Partnerships across the electoral cycle	Established partnerships with CoG, Uraia Trust, Handicap International, ORPP, CJPC, UNDP, UN Women, KSG, Ministry of Education, LSK, Maendeleo ya Wanawake	Established partnerships with relevant stakeholders		Established partnerships with Uraia Trust, CoG, Humanity and Inclusion, Kenyatta University, Ministry of Education, Coffey International	MoU signed with Uraia Trust.  MoU with Humanity and Inclusion, Kenyatta University and Coffey International awaiting approval. MoU with CoG awaiting signing
Participate in public forums organized by stakeholders	Participated in 15 forums by partners and stakeholders	Participate in at least 12 forums organized by partners and stakeholders		Participated in 20 forums held by partners and stakeholders	

### 3.3.3.1 Partnerships and Stakeholder Engagement

In the period under review, the Commission undertook the following stakeholders' engagement initiatives.

- a. Development of the Standard Operation Procedures for Partnerships and Stakeholder Engagement.
- b. Stakeholder Engagements for the six by-elections- Six meetings were conducted for each of the five categories of stakeholders. The categories are;
  - i. Special Interest Groups (women, youth, persons with disabilities, minorities and marginalize groups).
  - ii. County administration and security personnel.
  - iii. CBO's, FBO's, Civil Society and opinion leaders.
  - iv. Observers and media.
  - v. Political party and independent candidates' agents.
- c. Election Observer Management for by elections

The Commission accredited 274 observers for the by - elections as shown in Table 21.

Table 21: Election Observers Accredited

By-Election	Organization Accredited	Number of observers
1. Abakaila CAW	0	0
2. Loiyangalani CAW	0	0



## Section 4: Financial Statements





## KEY COMMISSION INFORMATION AND MANAGEMENT

### 1. Background information

The Independent Electoral and Boundaries Commission is a Constitutional body established under Article 88 of the Constitution of Kenya and is a body corporate pursuant to Article 253 of the Constitution of Kenya. As per Article 88 of the Constitution of Kenya 2010, the Commission is responsible for conducting or supervising referenda and elections to any elective body or office established by the constitution, and any other elections as prescribed by an Act of Parliament. Article 88 and IEBC Act 2011 further enumerate the mandate of the Commission to include, inter alia, continuous registration of voters, revision of the voter's roll; delimitation of constituencies and wards boundaries; regulation of political parties process; development of a code of conduct for candidates and parties and monitoring of compliance with legislation on nomination of candidates by parties.

### 2. General Information

The Independent Electoral and Boundaries Commission is established under Article 88 of the Constitution of Kenya, 2010 and is a legal entity. It is operationalized through IEBC Act 2011.

The IEBC Act provides that the funds of the Commission are held in a fund known as the Independent Electoral and Boundaries Commission Fund. The fund has not been operationalized.

The Commission is mandated to submit its Annual Financial Statements to the Auditor-General by 30th September, 2020 and a copy of the statement to the Controller of Budget, the National Treasury and the Commission on Revenue Allocation within the statutory timelines as stipulated in Section 81 of the Public Finance Management Act, 2012.

### 3. Key Management

The Commission's day-to-day activities are run by the Secretariat. The secretariat's management was as follows:

(a) Marjan H. Marjan	Ag. Commission Secretary/CEO.
(b) Obadiah Keitany	Ag. Deputy CEO/Director Finance
(c) Lorna Agnes Onyango	Director Human Resources and Administration.
(d) Immaculate Kassait	Director Voter Education and Partnerships.
(e) Dr. Catherine Kamindo	Ag. Director Research and Development.
(f) Silas Njeru	Ag. Director Information and Communication Technology.
(g) Rasi Masudi	Director Voter Registration and Elections Operations.
(h) Michael Goa	Director Legal Affairs and Public Affairs.
(i) Osman H. Ibrahim	Director Audit Risk and Compliance.





(j) Harley K. Mutisya

Director Supply Chain Management.

#### 4. Fiduciary Management

The key management personnel who held office during the 2019/20 financial year ended and had direct fiduciary responsibility were:

No.	Designation	Name
1.	Ag. Commission Secretary/CEO	Marjan H. Marjan
2.	Ag. Deputy CEO/Director Finance	Obadiah K. Keitany
3.	Director Supply Chain Management	Harley K. Mutisya
4.	Director Audit Risk & Compliance	Osman H. Ibrahim
5.	Director Human Resources & Administration	Lorna A. Onyango
6.	Ag. Director Information & Communication Technology	Silas Njeru
7.	Director Voter Registration & Elections Operations	Rasi M. Masudi
8.	Ag. Director Research & Development	Dr. Catherine Kamindo
9.	Director Voter Education & Partnerships	Immaculate N. Kassait
10.	Director Legal Affairs & Public Affairs	Michael Goa

#### 5. Fiduciary Oversight Arrangements

##### Audit and Finance Committee activities

The Commission has in place a finance and procurement committee consisting of at least two Commissioners. The Committee has an oversight role over all finance and procurement matters. The Committee meets at least once a month and has in place an independent Audit Committee that is chaired by a non-executive member. The Audit, Risk and Compliance Committee oversees the internal audit activity charged with the responsibility of continuous review and providing assurance on effectiveness of the Commission's Governance, Risk and Control.

##### Parliamentary Accounts Committee (PAC) activities

The Commission appears before PAC to respond to unresolved audit issues on invitation of PAC. The Commission has received PAC recommendations up to 2017/2018 FY and are currently being implemented. The Commission is yet to receive invitation to appear before PAC for the 2018/2019 FY Audit issues.

##### Development Partner Oversight activities

For the period under review, the Commission did not receive any support from development partner. However, the Commission receives funding during electioneering period under an UNDP Basket fund which is implemented under Direct Implementation Method (DIM) coordinated by UNDP.

##### External/Statutory Audit Activities

The Commission is annually subjected to audit by the Office of the Auditor General as required by law. OAG undertakes; Continuous, Systems and Annual audits on the Commission finances and operation activities. In special circumstances, OAG conduct Special Audits.





### **Budgetary Control Activities**

The Office of Controller of Budget (COB) of Kenya is an independent office established to oversee implementation of the budgets of the National and County Governments by authorizing withdrawal from public funds.

The Commission files the required quarterly and annual budget implementation reports to the Officer of the Controller of Budget. Further, the Commission has put in place a standing committee on Budget Implementation which advice the Commission on budgetary matters. The Commission is committed to compliance and prudence in the management of the finances and has collaborated with the relevant statutory oversight bodies and continues to undertake internal financial reviews whose outcome enables the Commission to strengthen its operational and financial systems.

#### **6. Commission Bankers**

Central Bank of Kenya  
Haille Sellasie Avenue  
P.O. Box 60000-00200  
NAIROBI.

Kenya Commercial Bank Ltd.  
University Way Branch  
P.O. Box 4012-00300  
NAIROBI.

#### **7. Commission Auditors**

The Auditor General  
Kenya National Audit Office  
Anniversary Towers  
P.O. Box 30084- 00100  
NAIROBI.

#### **8. Commission Headquarters**

The Independent Electoral and Boundaries Commission  
Anniversary Towers, 6<sup>th</sup> Floor,  
P.O Box 45371-00100  
NAIROBI.

#### **9. Principal Legal Advisor**

The Attorney General  
State Law Office  
Harambee Avenue  
P.O. Box 40112-00200  
NAIROBI.





## THE IEBC COMMISSION



**Chairperson: Mr. Wafula W. Chebukati**

**Key Qualifications**

- Master of Business Administration from Jomo Kenyatta University of Agriculture and Technology.
- Bachelor of Law Degree from the University of Nairobi.
- Post Graduate Diploma from the Kenya School of Law.

**Experience**

- Over 30 years' experience in legal practice specializing in litigation and dispute resolution, conveyancing, labour laws, company mergers and acquisitions, maritime and treaties.
- Works on a full time basis as a chairperson of the Commission.
- Chairs the Legal Committee, the Dispute Resolution Committee and the Electoral Code of Conduct Committee.

**Commissioner: Mr. Boya Molu**

**Key Qualifications:**

- Master in Business Administration (HR Management Option), Periyar University, India.
- Bachelor of Business Administration from Karnatak University, India.
- Higher National Diploma in Human Resources Management (KNEC), IHRM Kenya.

**Experience:**

- Has over 13 years' experience in Human Resource Management and administration mainly in public sector.
- Prior to joining the Commission Mr. Molu served in various capacities at the Central Bank of Kenya (CBK) and the Judiciary in Human Resource and Administration Directorate.
- Chairs the Human Resource Administration and Training Committee, Finance and Procurement Committee and is a member of the Legal Committee, the Dispute Resolution Committee, the Electoral Code of Conduct Committee, Research, Technology and Strategy Committee, Voter Education Committee and Elections Technical and Operations Committee.







**Commissioner: Prof. Abdi Yakub Guliye**  
**Key Qualifications:**

- PhD in Animal Nutrition from Rowett Research Institute/ University of Aberdeen, Scotland, UK
- Master of Science in Animal Production from University of Aberdeen, Scotland, UK
- Bachelor of Science in Animal Production from Egerton University.

**Experience:**

- Prof. Guliye has over 25 years of university teaching experience, of which in the last seven years he had additional administrative/ managerial roles. He also served in various Boards of Institutions/Organizations, having chaired committees such as Audit and Risk Management as well as Finance.
- He Chairs Research, Technology and Strategy Committee, Elections, Technical and Operations Committee and Voter Education Committee. He is a member of the Audit Risk and Compliance Committee, Human Resources Administration and Training Committee, Finance and Procurement and Legal Committee.





## THE IEBC MANAGEMENT TEAM



**Name: Marjan H. Marjan**

**Ag. CEO/Commission Secretary**

**Profession/Qualifications:**

- MBA in Strategic Management - University of Nairobi (UoN).
- BCom (Accounting Option) - (UoN).
- Certified Public Accountant (CPA-K).
- Certified Information Systems Auditor (CISA).
- Certified Internal Auditor (CIA).
- Certification in Control Self-Assessment (CCSA)
- Certified Quality Assessor (CQA)
- Practicing Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA)
- Member of Institute Internal Auditor (IIA)



**Name: Obadiah K. Keitany**

**Ag. Deputy CEO/Director Finance**

**Profession/Qualifications:**

- MBA Finance – University of Nairobi (UoN).
- BCom Insurance (UoN)
- Certified Public Accountant (CPA-K).
- Certified Internal Auditor (CIA).
- Certified Information Systems Auditor (CISA).
- Certified Public Secretary (CPS-K).
- Certified Quality Assessor (CQA).
- Post Graduate Diploma in Corporate Governance (KCA).
- Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA).
- Member of Institute of Internal Auditors (IIA).
- Member of Institute of Certified Secretaries of Kenya.







**Name: Osman H. Ibrahim**

**Director Audit Risk and Compliance**

**Profession/Qualifications:**

- Masters in Business Administration in Finance (MBA)
- Bachelor of Commerce from the University of Nairobi.
- Certified Public Accountant.
- Member of ICPAK in good standing.



**Name: Michael Goa**

**Director Legal and Public Affairs.**

**Profession/Qualifications:**

- Executive MBA
- Bachelors of Law degree (LLB) - University of Nairobi.
- Post Graduate Diploma in Legal Education (Kenya School of Law)
- Certified Public Secretary
- Advocate of the High Court of Kenya.
- Commissioner of Oaths
- Notary Public
- Member of the Institute of Certified Public Secretaries of Kenya



**Name: Dr. Catherine M. Kamindo**

**Ag. Director Research Boundaries & Development**

**Profession/Qualifications:**

- PhD Education Policy and Management- University of Durham (UK)
- Master of Education Educational Administration- Kenyatta University
- Bachelor of Education - Kenyatta University
- Certificate in Strategic Communication- The World Bank
- Certificate in Management of Democratic Elections in Africa- University of South Africa
- Professional Certificate in Electoral Processes-International Centre for Parliamentary Studies (UK)
- Full Member (FKIM) Kenya Institute of Management.
- African Union Certified Long and Short-Term Elections Observer.
- Member of Kenya Association of Educational Administration (KAEM).
- Member of the American Political Science Association (APSA)







**Name: Immaculate Kassait**

**Director Voter Education**

**Profession/Qualifications:**

- Advocate of the High Court of Kenya
- Accrediting/Facilitator/Building Resource in Elections Democracy and Governance (BRIDGE)
- Executive Masters in Business Administration- GEMBA-USIU.
- Post Graduate Diploma in Law from Kenya School of Law
- Bachelor in Law degree from the Makerere University
- Member of LSK-in good standing
- Member of FIDA Kenya
- Commissioner of Oaths, notary, public



**Name: Rasi Masudi**

**Director Voter Registration and Electoral Operations**

**Profession/Qualifications:**

- Executive MBA.
- Bachelor of Science in Agricultural Economics
- Diploma in Farm Management.



**Name: Harley Kisyula Mutisya**

**Director Supply Chain Management**

**Profession/Qualifications:**

- PHD in Business Administration (UoN)
- MBA in Procurement & Supply Chain Management (UoN)
- BCOM in Supply Chain Management (UoN)
- Diploma in Logistical Management from Cerford Institute
- Certified Procurement and Supply Professional (CPSP-K)
- Chartered Associate (ACI Arb)
- Member Kenya Institute of Supplies Management (KISM)
- Certified Practitioner (KISM)
- Fellow Logistics Society of Kenya
- Member Chartered Institute of Procurement and Supply (UK)





Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
	Elections operations implemented for enhanced voter experience.	Conduct all by-elections within the statutory timelines.	<ul style="list-style-type: none"> <li>Sourcing of election materials.</li> <li>Training of Election officials.</li> <li>Nominations</li> <li>Tallying.</li> </ul>	<ul style="list-style-type: none"> <li>Conducted six by-elections. One Member of the National Assembly and Five Members of County Assembly.</li> </ul>
		Reduce time taken to process a voter on polling day.		<ul style="list-style-type: none"> <li>An average time taken to process voters during the by-elections was 6 minutes per voter.</li> </ul>
	Register eligible Kenyan Citizens as voters.	Number of eligible voters registered	<ul style="list-style-type: none"> <li>Continuous voter registration.</li> <li>Continuous cleaning of register</li> </ul>	<ul style="list-style-type: none"> <li>The Commission registered fifty five thousand, five hundred and thirty five (55,535) new voters.</li> </ul>
	Equity in Representation in Parliament and County Assembly levels. Delimitation of Electoral Areas	Review of Electoral Boundaries.	<ul style="list-style-type: none"> <li>Stakeholder participation.</li> <li>Forums Consultations with relevant authorities.</li> </ul>	<ul style="list-style-type: none"> <li>Boundaries Review Operations Plan operationalized.</li> <li>Analyzed the 2019 Kenya Population and Housing Census data.</li> </ul>
Pillar 2: Institutional Transformation	Enhance IEBC's Human Resource capacity.	A performance management system encompassing performance contracting and performance appraisal Developed.	<ul style="list-style-type: none"> <li>Operationalize the Performance Management System (PMS).</li> <li>Human Resource Management Information System.</li> <li>Payroll System.</li> </ul>	Performance Management System (PMS) developed and institutionalized.





Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
	Strengthen corporate governance and communication in IEBC.	A risk-based Annual Internal Audit Plan developed and implemented Quarterly progress reports on risk management Developed. The IEBC Risk Register reviewed.	<ul style="list-style-type: none"> <li>Development of annual audit plan.</li> <li>Continuous audit reviews Quarterly Risk review plans Desktop reviews.</li> </ul>	<ul style="list-style-type: none"> <li>Quarterly internal audits.</li> <li>Risk Reviews conducted.</li> <li>Regular Committee meetings conducted.</li> </ul>
	Re-engineer business processes across IEBC's Operations.	Policies, procedures and operational manuals developed and established by December, 2015. Review the Commission organization Structure	<ul style="list-style-type: none"> <li>Restructuring.</li> <li>Review of policies and procedures manual.</li> <li>Consultative forums.</li> </ul>	<ul style="list-style-type: none"> <li>Finance and Accounts, Procurement Policies and Procedures Manual and Human Resource s Manual Approved and implemented in march 2020.</li> <li>Commission Structure Reviewed and draft developed.</li> </ul>
	Provide adequate office space and a conducive work environment.	Acquire and own office facilities for the IEBC Headquarters and field offices by 2020.	Sourcing funds Office reallocation Construction of warehouses and county and constituency offices.	<ul style="list-style-type: none"> <li>Office space reallocation policy was approved and implemented.</li> </ul>
Pillar 3: Trust and Participation	Empower Kenyans to Effectively participate in the electoral process.	Percentage of Kenyans directly or indirectly reached with voter education information prior to an electoral activity.	<ul style="list-style-type: none"> <li>Continuous voter education.</li> <li>Review Workshops and for an advertisements.</li> </ul>	<ul style="list-style-type: none"> <li>52.3% Average Voter turnout in the six by-elections.</li> </ul>



Strategic Pillar	Objective	Key Performance Indicators	Activities	Achievements
	Strategic Partnership and Collaboration with Stakeholders	Accreditation of election observers during key electoral processes	<ul style="list-style-type: none"> <li>Briefings.</li> <li>Accreditations.</li> </ul>	<ul style="list-style-type: none"> <li>274 election observers accredited for six by-elections.</li> </ul>
	Empowering political parties and independent candidates to effectively participate in the electoral Process.	Strengthen collaboration with the Office of the Registrar of Political Parties.	<ul style="list-style-type: none"> <li>Political party liaison meeting.</li> <li>Training of political parties.</li> </ul>	<ul style="list-style-type: none"> <li>Draft Collaboration Framework developed.</li> </ul>
	Enhanced mechanisms for liaison with Political Parties.	Number of Political Parties Liaison Committee (PPLC) meetings held.	<ul style="list-style-type: none"> <li>Meetings.</li> <li>Stakeholder forums.</li> </ul>	<ul style="list-style-type: none"> <li>Twelve (12) Political Parties Liaison Committee (PPLC) meetings held.</li> </ul>





## CORPORATE GOVERNANCE STATEMENT

The Commission is accountable to the public and stakeholders through Parliament for ensuring that it complies with the highest standards of corporate governance and operational ethics. The Commission has embraced corporate governance by promoting the right corporate culture and values.

The Commission exercises reasonable care to ensure that the management of the Commission is carried out in the best interest of the citizens of Kenya. The overall management of the Commission is the responsibility of the Commissioners.

The Commission recognizes the need to conduct its affairs with integrity and in accordance with generally accepted corporate practices and internationally developed principles of corporate governance.

### **The Commission**

The size, composition and appointment of the Commission is prescribed by Article 250 of the Constitution and by the IEBC Act 2011. There were three Commissioners who worked on a full time basis during the year under review. Each member was appointed to serve for a single term of six years.

The Commission is well composed in terms of range and diversity of skills, knowledge, age and experience in various sectors which makes it effective and provides an appropriate skills balance for the oversight of the Commission's mandate.

### **The Commission Committees and their Responsibilities**

The Commission delegates certain functions to committees without abdicating its own responsibilities. The Commission has developed a committee structure that assists in the execution of its duties, powers and authorities. The Committees are appropriately constituted drawing membership from amongst the Commissioners with the appropriate set of skills and experience and directors co-opted from various directorates.

The Commission has in place an independent Audit Committee that is chaired by a non-executive member. It also has two independent audit committee members, from the National Treasury and Ministry of ICT, and one Commissioner.

**The Audit, Risk and Compliance Committee:** Oversees the internal audit activity charged with the responsibility of continuous review and providing assurance on effectiveness of the Commission's Governance, Risk and Control.

**Human Resource Training and Administration Committee:** Provides advisory and oversight on human resource management, training and development, facilities and general administration.

**Finance and Procurement Committee:** The main role of the Finance and procurement Committee is to provide financial oversight for the Commission. The responsibilities include oversight over; Budgeting and budgetary control, Procurement, Financial management and reporting. It ensures





compliance with relevant laws, Regulations and international standards especially Public Financial Management (PFM) Act, Public Procurement and Asset Disposal (PPAD) Act and Accounting Standards

Elections and Technical Operations Committee (ETOC) provides oversight on voter registration and election operations planning, boundary delimitation and risk monitoring and compliance.

Research, Technology and Strategy Committee provides oversight on the formulation and integration of ICT in the management of elections and research and planning.

Legal Affairs and Compliance Committee oversees settlement of disputes relating to or arising from nominations, electoral code of conduct, campaign finance and code of ethics compliance. It also provides oversight on legal reforms, implementation of regulations and corporate governance.

The Commission has the following committees and conducted the meetings as per the table below;

S/No.	Committee	Key Responsibility	No. of Meetings
1.	Plenary	Oversight, Strategy and Policy Formulation.	11
2.	Finance and Procurement Committee	Procurement and Finance Oversight.	10
3.	Audit and Risk Committee	Oversight on Governance, Risk and Compliance.	5
4.	Human Resources, Training and Administration Committee	Advisory and Oversight on Human Resource functions.	10
5.	Legal Affairs and Compliance	Legal Oversight and Compliance.	5
6.	Research, Technology and Strategy Committee	Oversight on Election Planning and Implementation.	4
7.	Election Technical Operations Committee (ETOC)	Technical oversight on voter registration and election operations planning, boundary delimitation and review.	3

### Impartiality and Independence of Members

Every member of the Commission and employee shall perform their functions impartially and independently without influence from any person, authority or organization.

### Disclosure of Conflict of Interests

If a member of the Commission or an employee is directly or indirectly interested in any matter





before the Commission and is present at any meeting of the Commission at which the matter is the subject of consideration, he/she shall as soon as practicable disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the matter or be counted in the quorum of the meeting during consideration of the matter.

A member or employee whose personal interest conflicts with their official duties shall in writing, declare as soon as practicable the personal interests to their supervisor or other appropriate person or body and comply with any directives given to avoid the conflict and refrain from participating in any deliberations with respect to the matter.





## MANAGEMENT DISCUSSION AND ANALYSIS

### Operational and Financial Performance

During the period under review, the Commission successfully conducted; Kibra MNA by-election and five (5) County of Assembly Ward by elections i.e. Abagail Ward, Lonyangalani Ward, Mtongoni Ward, Ganda Ward and Batali Ward by-elections which realized an average of 52.3% voter turnout and launched the post-election evaluation report. The Commission, however was unable to conduct five (5) county assembly wards and one member of National Assembly by-elections due to covid-19 pandemic.

As at the end of 2019/2020 financial year, the Commission received exchequers from National Treasury amounting **Kshs. 4.664 billion** which has been utilized to fund the activities of the Commission. However, during the period under review, the implementation of some Commission's activities were hampered by the Covid-19 pandemic since some resources were channelled by the government towards the management and control of the pandemic.

Further, the Commission paid pending bills amounting **Kshs. 1.111 billion** leaving a balance of **Kshs. 3.125 billion** worth of pending bills unpaid. The Commission also made savings by negotiating with suppliers of goods and services to reduce some of the bills which were on the higher side. The Commission however faced budgetary constraints and was unable to settle some of the 2017 General elections pending bills.

### Compliance with Statutory Requirements

The Commission complied with its tax obligations and all its statutory obligations in the implementation of its mandate.

### Key Projects and Investment

The Commission had planned to construct its own building to house its head office to enhance security and efficiency in its operations. However, the project has not been funded during the period under review. The commission will continue to pursue funding to implement the project since the Commission offices are currently located in a rented building which is not conducive for its operations due to congestions, uncontrolled movement in and out of the offices and disruptions to the business enterprises during heightened political activities.

### Risk Management Activities

The Commission has put in place a risk management framework for risk identification and mitigation. Further, it has embedded risk management in all its planning, execution, evaluation and business continuity arrangements.

Some of the key risks facing the Commission include:





- **Strategic Risks:** These are risks that affect the ability to carry out the long term goals and objectives as articulated in the IEBC Policy.
- **Compliance Risks:** These are risks associated with non-compliance with applicable laws and regulations which could result in litigation and conflicts of interest.
- **Political Risks:** This is a major risk factor affecting staff performance and safety. These risks could also be attributed to political perception of major political parties on the Commission's role.
- **Reputational Risks:** The risk of significant negative public opinion and or perception that results in a critical loss of confidence in the institution.
- **Financial Risks:** The risk of financial loss that may include ineffectiveness of internal controls, financial processes for reporting, budgeting, and fiscal stewardship as well as the monitoring of full financial and performance reporting. These risks may also affect the ability to acquire assets, technology, etc.
- **Technological Risks:** This is a possibility of failure of technology employed by the Commission in the conduct of elections and rapid technological change resulting to obsolescence.
- **Operational Risks:** The risk of direct or indirect loss or inability to provide core services, especially to stakeholders, resulting from inadequate or failed internal processes, resources (including human resources, equipment malfunction), and systems.

### Statutory and Financial Obligations

During the period review, the Commissions' has initiated the process of defraying some bills as part of the first charge against 2019/2020 financial year budget. As at the end of the year, pending bills amounting **Kshs. 3.125 billion** remained unpaid.

### Financial Probity and Governance

The Commission incurred actual expenditure amounting to **Kshs 4.484 billion** as at the end of the of 2019/2020 financial year.

During the period under review, the Commission operationalised the following manuals that are aimed at improving the level of governance and compliance:-

- Finance and Accounts Policies and Procedures Manual.
- Procurement Policies and Procedures Manual.
- Human Resource and Administrative Policies and Procedures Manuals.

To obtain assurance on compliance and prudence in the management of the election finances, the Commission has collaborated with the relevant statutory oversight bodies and continues to undertake internal financial reviews whose outcome enables the Commission to strengthen its operational and financial systems.





## CORPORATE SOCIAL RESPONSIBILITY (CSR)

The Commission's overriding Corporate Social Responsibility theme is "connecting with the voter".

In the period under review, the Commission conducted primary, secondary and tertiary student council elections for various institutions across the country. The learners were sensitized on the voting process, qualities of a good leader and civil rights to inculcate democratic tenets in the students.

The Commission further visited inmates in various prisons and provided essential commodities in the form of foodstuffs and clothing.





## REPORT OF THE CEO/COMMISSION SECRETARY

The Public Finance Management Act, 2012, requires the Accounting Officer to prepare financial statements for each financial year that give a true and fair view of the state of affairs of the Commission as at the end of each financial year and of its operating results. It also requires the Accounting Officer to ensure that the Commission maintains proper accounting records that disclose, with reasonable accuracy at any time, the financial position of the Commission. The Accounting Officer is also responsible for safeguarding the Commission's assets.

The Accounting Officer is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (IPSAS) and in a form that complies with the standards prescribed by the Public Sector Accounting Standards Board (PSASB). This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, safeguarding the assets, selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

The Accounting Officer accepts responsibility for financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with International Public Sector Accounting Standards (IPSAS), and in the manner required by the PFM Act, 2012. The Accounting Officer is of the opinion that the financial statements give a true and fair view of the state of financial affairs of the Commission and of its financial position. The Accounting Officer further accept responsibility for the maintenance of accounting records that may be relied upon in the preparation of financial statements, as well as adequate systems of internal financial control.

Nothing has come to the attention of the Accounting Officer to indicate that the Commission will not remain a going concern for at least the next twelve months from the date of this statement.



**Marjan Hussein Marjan**

**Ag. Commission Secretary/CEO**





## REPORT OF THE CHAIRPERSON

I am pleased to present the Commission's annual financial statements for the year ended 30<sup>th</sup> June 2020.

During the period under review, National Treasury allocated to the Commission Kshs. 4.808 billion under the recurrent vote but received exchequers amounting Kshs. 4.664 billion. Subsequently, the Commission incurred total expenditure of Kshs. 4.484 billion. In addition, the Commission collected Kshs. 0.891 million as Appropriation in Aid (AIA), that was applied to fund various operational activities of the Commission.

It is noteworthy that the Commission, inter alia, successfully conducted six (6) by-elections, and developed its Strategic Plan 2020/2024 as well as the Boundaries Review Operational Plan. Further, the Commission undertook review of electoral laws for purposes of developing proposed amendments. Additionally, the Commission continued to settle some pending bills basically as first charge on the existing budget.

The implementation of some of the election activities were affected by the prevailing COVID-19 pandemic. In compliance with the Ministry of Health measures on containment of COVID-19 pandemic, the Commission postponed the conduct of by elections for one member of National Assembly and five (5) Members of County Assembly. In addition, the Commission suspended meetings and field visits to gather views from various stakeholders on boundaries review exercise.

Looking forward, the National Treasury should avail sufficient budget to fund the core mandate of the Commission and settle pending bills which continue to attract interest for non-payment.

I wish to register my appreciation and applaud the Members of the Commission and Staff of the IEBC as well as all partners and stakeholders for their support towards fulfilling Commission's mandate as enshrined in the Constitution of Kenya 2010.

In conclusion, I wish to convey the gratitude of the Commission to the National Government, the National Treasury, Parliament, partners, stakeholders and staff of the Commission for their support towards fulfilling our mandate.

  
W.W. Chebukati

Chairperson





## REPORT OF THE INDEPENDENT AUDITOR





## STATEMENT OF FINANCIAL PERFORMANCE

For the Year Ended 30th June, 2020

	Note	2019/2020 Unaudited Kshs 000	2018/2019 Audited Kshs 000
<b><u>Incomes</u></b>			
Exchequer Issues	1	4,663,947	4,581,384
Appropriation-In-Aid	2	891	1,436
<b>Total Incomes</b>		<b>4,664,838</b>	<b>4,582,820</b>
<b><u>Expenses</u></b>			
Employee Costs	3	(2,588,164)	(2,637,908)
Gratuity Expenses	4	(11,834)	(14,824)
Depreciation & Amortization	5	(889,592)	(1,243,124)
Repairs & Maintenance	6	(50,285)	(161,334)
Operating Expenses	7	(39,146)	(452,653)
General Expenses	8	(905,138)	(1,065,750)
<b>Total Expenditure</b>		<b>(4,484,159)</b>	<b>(5,575,593)</b>
<b>Surplus/(Deficit)</b>		<b>180,679</b>	<b>(992,773)</b>

The notes on page 33 to 44 form an integral part of these financial statements.





# STATEMENT OF FINANCIAL POSITION

As at 30th June, 2020

	Note	2019/2020 Unaudited Kshs 000	2018/2019 Audited Kshs 000
<b>Assets</b>			
<b><u>Current Assets</u></b>			
Cash and Cash Equivalents	9	88,448	98,627
Non-Exchange Transactions Receivables	10	24,725	34,093
Accounts Receivable	11	11,160	11,160
Car Loan Accounts Receivable	12	26,193	26,193
		<u>150,525</u>	<u>170,073</u>
<b><u>Non-Current Assets</u></b>			
Property, Plant & Equipment	13	2,317,966	3,163,667
Intangible Assets	14	1,980	2,829
		<u>2,319,946</u>	<u>3,166,496</u>
<b><u>Total Assets</u></b>		<u>2,470,471</u>	<u>3,336,570</u>
<b><u>Current Liabilities</u></b>			
Accounts Payable	15	(3,124,814)	(4,334,280)
Provision for Gratuity	16	(33,755)	(34,908)
Retentions & Other Deposits Payable	17	(36,998)	(37,743)
<b><u>Total Current Liabilities</u></b>		<u>(3,195,567)</u>	<u>(4,406,931)</u>
<b>Net Liabilities</b>		<u>(725,096)</u>	<u>(1,070,361)</u>
<b><u>Financed by:</u></b>			
Accumulated Fund		603,134	312,347
Revenue Reserve		(1,328,230)	(1,382,708)
<b>Net Liabilities</b>		<u>(725,096)</u>	<u>(1,070,361)</u>

The notes on page 33 to 44 form an integral part of these financial statements.

.....  
Marjan H. Marjan  
ICPAK M/No. 2786  
Ag. Commission Secretary

.....  
Obadiah K. Keitany  
ICPAK M/ No. 3055  
Director Finance

.....  
W.W. Chebukati  
Chairperson





## STATEMENT OF CASH FLOWS

As at 30th June, 2020

	Note	2019/2020 Unaudited Kshs 000	2018/2019 Audited Kshs 000
<b><u>Cash flows from Operating Activities:</u></b>			
Operating Surplus/(Deficit)		180,679	(992,773)
Transfers to Exchequer	18	(47,724)	(962,008)
Transfers to Mortgage & Car Loan		-	(509,789)
<b><u>Adjustments for Non-Cash Items:</u></b>			
Depreciation & Amortization	7	889,592	1,256,521
Accruals Adjustment	15	26,993	-
Negotiation Savings	15	284,471	-
Prior Year Adjustment on Assets		-	(37,549)
<b><u>Changes in Working Capital:</u></b>			
Increase in Non Exchange Transactions	9	9,368	183,579
Decrease in Accounts Payables	15	(1,209,466)	(95,637)
(Decrease)/Increase in Provision for Gratuities	16	(1,153)	34,908
(Decrease)/Increase Retentions & Deposits	17	(745)	657
<b>Net Cash Flow from Operating Activities</b>		<b>132,016</b>	<b>(1,122,090)</b>
<b><u>Cash flows from Investing Activities:</u></b>			
Purchase of Motor Vehicles & Equipments	13	(15,996)	(4,728)
Increase in Staff Mortgage & Car Loan Fund	19	(126,200)	(144,100)
<b>Net Cash Flow from Investing Activities</b>		<b>(142,196)</b>	<b>(148,828)</b>
<b><u>Cash flows from Financing Activities:</u></b>			
Cash flows from Financing Activities		-	-
<b>Net Cash Provided by Financing Activities</b>		<b>-</b>	<b>-</b>
Net Decrease in Cash & Cash Equivalent		(10,180)	(1,270,918)
Cash & Cash Equivalent at Beginning		98,627	1,369,545
<b>Cash &amp; Cash Equivalents at the End</b>	<b>9</b>	<b>88,448</b>	<b>98,627</b>

The notes on page 33 to 44 form an integral part of these financial statements.





# STATEMENT OF CHANGES IN NET ASSETS

For the Period Ended 30th June, 2020

	Note	Revenue Reserve	Accumulated Fund	Total
		KShs. 000	KShs. 000	KShs. 000
<b>Balance as at 30th June 2018</b>		<b><u>(213,793)</u></b>	<b><u>1,274,355</u></b>	<b><u>1,060,561</u></b>
Surplus/(Deficit) for the Year		(992,773)	-	(992,773)
Transfers to National Treasury(Exchequer)	18	-	(962,008)	(962,008)
Car Loan & Mortgage Adjustment		5,508	-	5,508
Buildings Dep. Adjustment		(13,397)	-	(13,397)
Provision for Gratuity Adjustment	16	(24,153)	-	(24,153)
Transfers to Staff Car & Mortgage Fund		<u>(144,100)</u>	<u>-</u>	<u>(144,100)</u>
<b>Balance as at 30th June 2019</b>		<b><u>(1,382,708)</u></b>	<b><u>312,347</u></b>	<b><u>(1,070,362)</u></b>
Surplus/(Deficit) for the Year		180,679	-	180,679
Transfers to National Treasury(Exchequer)	18	-	(47,724)	(47,724)
ICT Equipments Adjustment	13	-	55,196	55,196
Dep. of ICT Assets Adjustment	13	-	(28,150)	(28,150)
Accruals Adjustment	15	-	26,993	26,993
Negotiation Savings	15	-	284,471	284,471
Rounding Off Variances		-	1	1
Transfers to Staff Car & Mortgage Fund	19	<u>(126,200)</u>	<u>-</u>	<u>(126,200)</u>
<b>Balance as at 30th June 2020</b>		<b><u>(1,328,230)</u></b>	<b><u>603,134</u></b>	<b><u>(725,096)</u></b>

The notes on page 33 to 44 form an integral part of these financial statements.





## COMBINED BUDGET EXECUTION STATEMENT

	Approved Budget	Actual Payments	Variance	Performance
Item	Annual	Annual	Annual	Percentage
Incomes	KShs '000	KShs '000	KShs '000	
Exchequer Releases - Recurrent Vote 2031	4,803,400	4,663,947	139,453	97%
Exchequer Releases - Development Vote 2031	-	-	-	0%
Appropriation in Aid	5,000	891	4,109	18%
<b>Total Income</b>	<b>4,808,400</b>	<b>4,664,838</b>	<b>143,562</b>	<b>97%</b>
<b>Management of Electoral Processes</b>				
<b>Expenditure</b>				
Wages and Salary Contributions	2,211,156	2,192,887	18,270	99%
Social Contributions	179,749	177,273	2,476	99%
Goods and Services	1,818,758	1,713,424	105,334	94%
Routine Maintenance	242,192	215,411	26,781	89%
Social Security Benefits	12,987	12,987	-	100%
Acquisitions of Fixed Capital Assets	52,878	51,296	1,582	97%
Domestic Lending and On-lending	126,200	126,200	-	100%
<b>Sub-Total</b>	<b>4,643,920</b>	<b>4,489,478</b>	<b>154,442</b>	<b>97%</b>
<b>Delimitation of Electoral Boundaries</b>				
Wages and Salary Contributions	21,916	18,944	2,972	86%
Goods and Services	109,098	104,945	4,152	96%
Routine Maintenance	3,766	3,486	280	93%
Acquisition of Fixed Capital Assets	29,700	15,000	14,700	51%
<b>Sub-Total</b>	<b>164,480</b>	<b>142,375</b>	<b>22,105</b>	<b>87%</b>
<b>Total Expenditure</b>	<b>4,808,400</b>	<b>4,631,853</b>	<b>176,547</b>	<b>96%</b>

Note 20 on Budget Information & Other Disclosures provides explanations on material utilization differences.



# SIGNIFICANT ACCOUNTING POLICIES

For the Year Ended 30th June, 2020

## 1. Statement of compliance and basis of preparation – IPSAS 1

The Commission's financial statements have been prepared in accordance with and comply with the International Public Sector Accounting Standards (IPSAS). The financial statements are presented in Kenya shillings, which is the functional and reporting currency of the Commission and all values are rounded to the nearest thousand (Kshs 000) which may in some cases make the added decimal balances to vary. The accounting policies have been consistently applied in all the years presented.

The financial statements have been prepared on the basis of historical cost, unless where stated otherwise. The cash flow statement is prepared using the indirect method. The financial statements are prepared on accrual basis.

## 2. Summary of Significant Accounting Policies:

### a) Revenue Recognition - Revenue from Non-Exchange Transactions (Fees, Charges and Fines) – IPSAS 23

The Commission recognizes revenues from nomination fees and fines when the event occurs and the asset recognition criteria are met. To the extent that there is a related condition attached that would give rise to a liability to repay the amount, deferred income is recognized instead of revenue. Other non-exchange revenues are recognized when it is probable that future economic benefits or service potential associated with the asset will flow to the Commission and the fair value of the asset can be measured reliably.

#### Transfers from Other Government Entities

Revenues from non-exchange transactions with other government entities are measured at fair value and recognized on obtaining control of the asset (cash, goods, services and property) if the transfer is free from conditions and it is probable that the economic benefits or service potential related to the asset will flow to the Commission and can be measured reliably.

#### Interest Income

Interest income is accrued using the effective yield method. The effective yield discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount. The method applies this yield to the principal outstanding to determine interest income each period.

### b) Budget Information – IPSAS 24





The annual budget is prepared and presented in a single statement to determine the needs of the Commission. The Commission has adopted the standard which requires budget information to be presented in the financial statements.

## SIGNIFICANT ACCOUNTING POLICIES (Continued)

For the Year Ended 30th June, 2020

### c) Taxes – IAS 12

#### Income tax

Income tax assets and liabilities for the current period are measured at the amount expected to be recovered from or paid to the tax authorities. The tax rates and tax laws used to compute the amount are those that are enacted or substantively enacted, at the reporting date in the area where the Commission operates and generates taxable income.

Current income tax relating to items recognized directly in net assets is recognized in net assets and not in the statement of Financial Performance. Management periodically evaluates positions taken in the tax returns with respect to situations in which applicable tax regulations are subject to interpretation and establishes provisions where appropriate.

### d) Property, Plant and Equipment – IPSAS 17

All property, plant and equipment are stated at cost less accumulated depreciation and impairment losses. Cost includes expenditure that is directly attributable to the acquisition of the items. When significant parts of property, plant and equipment are required to be replaced at intervals, the Commission recognizes such parts as individual assets with specific useful lives and depreciates them accordingly.

Likewise, when a major inspection is performed, its cost is recognized in the carrying amount of the plant and equipment as a replacement if the recognition criteria are satisfied. All other repair and maintenance costs are recognized in surplus or deficit as incurred. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration the asset is initially measured at its fair value.

The depreciation rates are 30% for Computers, 25% for motor vehicles, 12.5% for office equipment and 12.5% for furniture and fittings on reducing balance basis.

### e) Intangible Assets – IPSAS 31

Intangible assets acquired separately are initially recognized at cost. The cost of intangible assets acquired in a non-exchange transaction is their fair value at the date of the exchange.

Following initial recognition, intangible assets are carried at cost less any accumulated





amortization and accumulated impairment losses.

Internally generated intangible assets, excluding capitalized development costs, are not capitalized and expenditure is reflected in surplus or deficit in the period in which the expenditure is incurred.

The useful life of the intangible assets is assessed as either finite or indefinite.

The amortization rate for intangible assets of the Commission is 30% on reducing balance basis.





## SIGNIFICANT ACCOUNTING POLICIES (Continued)

For the Year Ended 30th June, 2020

### f) Research and Development costs

The Commission expenses research costs as incurred. Development costs on an individual project are recognized as intangible assets when the Commission can demonstrate:

- The technical feasibility of completing the asset so that the asset will be available for use or sale
- Its intention to complete and its ability to use or sell the asset
- How the asset will generate future economic benefits or service potential
- The availability of resources to complete the asset
- The ability to measure reliably the expenditure during development

Following initial recognition of an asset, the asset is carried at cost less any accumulated amortization and accumulated impairment losses. Amortization of the asset begins when development is complete and the asset is available for use. It is amortized over the period of expected future benefit. During the period of development, the asset is tested for impairment annually with any impairment losses recognized immediately in surplus or deficit.

### g) Provisions – IPSAS 19

Provisions are recognized when the Commission has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Where the Commission expects some or all of a provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognized as a separate asset only when the reimbursement is virtually certain.

The expense relating to any provision is presented in the statement of financial performance net of any reimbursement.

### Contingent Liabilities

The Commission does not recognize a contingent liability, but discloses details of any contingencies in the notes to the financial statements, unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

### Contingent Assets

The Commission does not recognize a contingent asset, but discloses details of a possible





asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Commission in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential





## **SIGNIFICANT ACCOUNTING POLICIES (Continued)**

For the Year Ended 30th June, 2020

will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

### **h) Nature and Purpose of Reserves**

The Commission creates and maintains reserves in terms of specific requirements. Commission to state the reserves maintained and appropriate policies adopted.

### **i) Changes in Accounting Policies and Estimates – IPSAS 3**

The Commission recognizes the effects of changes in accounting policy retrospectively. The effects of changes in accounting policy are applied prospectively if retrospective application is impractical.

### **j) Employee Benefits – IPSAS 25**

#### **Retirement Benefit plans**

The Commission provides retirement benefits for its full-time employees. It operates a defined contribution plan which is a post-employment benefit plan under which the Commission pays fixed contributions into a separate Commission (fund), and will have no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee service in the current and prior periods. The contributions to fund obligations for the payment of retirement benefits are charged against income in the year in which they become payable. The Scheme is administered by ICEA Lions Asset Management Ltd.

### **k) Foreign Currency Transactions – IPSAS 4**

Transactions in foreign currencies are initially accounted for at the ruling rate of exchange on the date of the transaction. Trade creditors or debtors denominated in foreign currency are reported at the statement of financial position reporting date by applying the exchange rate on that date. Exchange differences arising from the settlement of creditors, or from the reporting of creditors at rates different from those at which they were initially recorded during the period, are recognized as income or expenses in the period in which they arise.

### **l) Cash and Cash Equivalents**

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year.





**m)Comparative Figures**

Comparative figures for the year have been provided.





## **SIGNIFICANT ACCOUNTING POLICIES (Continued)**

For the Year Ended 30th June, 2020

### **n) Significant Judgments and Sources of Estimation Uncertainty – IPSAS 1**

The preparation of the Commission's financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. However, uncertainty about these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of the asset or liability affected in future periods.

#### **Estimates and Assumptions**

The key assumptions concerning the future and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, are described below. The Commission based its assumptions and estimates on parameters available when the financial statements were prepared. However, existing circumstances and assumptions about future developments may change due to market changes or circumstances arising beyond the control of the Commission. Such changes are reflected in the assumptions when they occur. (IPSAS 1.140)

#### **Useful Lives and Residual Values**

The useful lives and residual values of assets are assessed using the following indicators to inform potential future use and value from disposal:

- The condition of the asset based on the assessment of experts employed by the Commission
- The nature of the asset, its susceptibility and adaptability to changes in technology and processes
- The nature of the processes in which the asset is deployed
- Availability of funding to replace the asset
- Changes in the market in relation to the asset

### **o) Subsequent Events – IPSAS 14**

There have been no events subsequent to the financial year end with a significant impact on the financial statements for the year ended June 30, 2020.





## NOTES TO THE FINANCIAL STATEMENTS

For the Year Ended 30th June, 2020

### 1. Exchequer Issues

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
<b>Recurrent Exchequer Releases:</b>		
Total Exchequer Received in Q1	692,517	538,000
Total Exchequer Received in Q2	1,521,835	1,180,240
Total Exchequer Received in Q3	931,096	1,130,874
Total Exchequer Received in Q4	1,518,499	1,732,270
<b>Total</b>	<b>4,663,947</b>	<b>4,581,384</b>

There was no budget allocation for the Commission's Development (2031) vote.  
The Commission did not receive any funding from the development partners.

### 2. Appropriation in Aid (AIA)

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Nomination Fees & Charges Collected	508	768
Sale of Tender Documents, Registers & Maps	306	368
Fines & Penalty Charges on Aspirants	77	300
<b>Total</b>	<b>891</b>	<b>1,436</b>

The nomination fees received in the year were from the candidates cleared to contest in the by - elections.



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 3. Employee Costs

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Salaries & Wages Permanent Employees	1,239,307	1,120,078
Salaries & Wages Contractual Employees	61,879	115,420
Personal Allowances	910,250	957,847
Contributions to Pensions & Health Schemes	177,273	167,447
Domestic Travel & Subsistence & Other	198,055	252,373
Foreign Travel & Subsistence	1,400	24,743
<b>Total</b>	<b>2,588,164</b>	<b>2,637,907</b>

### 4. Gratuity Expense

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Accrued gratuities payable in the year	11,834	10,755
Gratuity payments made during the Year	-	4,068
<b>Total</b>	<b>11,834</b>	<b>14,823</b>





## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 5. Depreciation and Amortization Expense

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Property, Plant & Equipment	888,743	1,241,912
Intangible Assets	849	1,213
<b>Total</b>	<b>889,592</b>	<b>1,243,124</b>

### 6. Repairs & Maintenance Expenditure

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Routine Maintenance of Vehicles	46,138	47,639
Routine Maintenance of Other Assets	4,147	113,695
<b>Total</b>	<b>50,285</b>	<b>161,334</b>

### 7. Operating Expenses

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Bank Services, Commission & Charges	510	-
Contracted Guards	7,207	7,316
Membership Fees, Dues & Subscriptions to Professional & Trade Bodies	2,842	6,564
Legal Dues, Arbitration & Compensation	21,081	372,671
Contracted Technical services	-	2,258
Witness Expenses	270	-
Parking Charges	7,235	12,000
Payment of Duty	-	51,844
<b>Total</b>	<b>39,146</b>	<b>452,653</b>



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 8. General Expenses

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Utilities, Supplies & Services	12,238	9,935
Communications, Supplies & Services	207,075	153,077
Printing & Advertising	24,225	35,866
Rentals of Produced Assets	262,623	292,428
Training Expenses	47,513	126,583
Hospitality Supplies & Services	44,736	119,173
Insurance Costs	226,703	229,069
Specialized Materials & Supplies	9,074	20,009
Office & General Supplies & services	28,281	42,718
Fuel, Oil & Lubricants	42,670	36,892
<b>Total</b>	<b>905,138</b>	<b>1,065,750</b>





# NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

## 9. Cash and Bank

Bank Account Details	2019/2020 Unaudited KSh 000	2018/2019 Audited KSh 000
KCB IEBC Mombasa A/c - 1116811162	1,032.48	9.52
KCB IEBC Kwale A/c - 1213387787	0.01	0.71
KCB IEBC Kilifi A/c - 1116804042	1,004.71	0.02
KCB IEBC Tana River A/c - 1213382645	684.15	42.82
KCB IEBC Lamu A/c - 1213649188	172.50	-
KCB IEBC Taita Taveta A/c - 1213372356	568.53	3.16
KCB IEBC Garissa A/c - 1116817365	1,821.09	37.78
KCB IEBC Wajir A/c - 1116539934	36.42	2,806.53
KCB IEBC Mandera A/c - 1116539934	6.36	2,001.55
KCB IEBC Marsabit A/c - 1212713311	0.32	1,485.97
KCB IEBC Isiolo A/c - 1116800543	-	1,662.44
KCB IEBC Meru A/c - 1116774127	52.32	155.04
KCB IEBC Tharaka Nithi A/c - 1213689465	313.52	78.22
KCB IEBC Embu A/c - 1213760690	236.00	255.65
KCB IEBC Kitui A/c - 1213362768	2,308.05	6.39
KCB IEBC Machakos A/c - 1116791366	58.40	4.46
KCB IEBC Makueni A/c - 1213508398	324.36	427.97
KCB IEBC Nyandarua A/c - 1213379695	51.89	51.02
KCB IEBC Nyeri A/c - 1116756439	1,354.12	539.75
KCB IEBC Kirinyaga A/c - 1213919738	508.40	141.96
KCB IEBC Murang'a A/c - 1213929717	66.21	7.95
KCB IEBC Kiambu A/c - 1116811553	758.59	2.35
KCB IEBC Turkana A/c - 1213415977	28.60	8.40
KCB IEBC West Pokot A/c - 1213417163	0.82	58.54
KCB IEBC Samburu A/c - 1214135293	3.51	80.00
KCB IEBC Trans Nzoia A/c - 1214152538	5.86	18.08
KCB IEBC Uasin Gishu A/c - 1116791110	31.57	17.90
KCB IEBC E.Marakwet A/c - 1213364442	7.36	8.57
KCB IEBC Nandi A/c - 1213934052	1.39	22.34
KCB IEBC CEM Baringo A/c - 1213382173	189.54	5,075.03
KCB IEBC Laikipia A/c - 1213935350	3.25	1.14
KCB IEBC Nakuru A/c - 1116816857	10.53	8.66
KCB IEBC Narok A/c - 1213928338	4.21	1,397.56
KCB IEBC Kajiado A/c - 1213407435	35.33	1,451.50
KCB IEBC Kericho A/c - 1213840767	7.26	989.59
KCB IEBC Bomet A/c - 1116805243	1.53	580.59
KCB IEBC Kakamega A/c - 1116744694	4.73	706.56
KCB IEBC Vihiga A/c - 1213361087	3.02	89.40
KCB IEBC Bungoma A/c - 1116566443	141.55	363.32
KCB IEBC Busia A/c - 1213393167	3.00	1.49
KCB IEBC Siaya A/c - 1213697832	66.39	517.83
KCB IEBC Kisumu A/c - 1116780445	7.86	4,303.25
KCB IEBC Homa Bay A/c - 1214158560	336.82	2,158.37
KCB IEBC Migori A/c - 1213543320	42.18	748.66
KCB IEBC Kisii A/c - 1116811235	486.49	1,490.08
KCB IEBC Nyamira A/c - 1213365708	723.90	142.30
KCB IEBC Nairobi A/c - 1116817721	14.48	6,179.34
CBK IEBC Recurrent A/c - 1000181729	11,457.14	255.63
CBK IEBC Deposit A/c - 1000181931	36,998.42	37,743.23
CBK IEBC Development A/c - 1000182148	-	-
KCB IEBC University Way A/c - 1117602532	26,281.43	24,300.54
KCB IEBC Dollar A/c - 1211876888	104.52	101.43
KCB IEBC Salary Control A/c - 1126334723	86.50	86.91
<b>Total</b>	<b>88,447.58</b>	<b>98,627.46</b>



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 10. Receivables from Non-Exchange Transactions

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Outstanding Imprests	3,213	2,151
Salary Advances	797	401
Prepayments in the Year	15,319	26,144
AIA Receivables	5,396	5,396
<b>Total</b>	<b>24,725</b>	<b>34,093</b>

### 11. ECK Accounts Receivable

The uncleared old balances of Kshs 11,160,000 consists of Electoral Commission of Kenya staff salary advances and imprests that were outstanding at the time the defunct Electoral Commission of Kenya was disbanded in 2008.

The Commission has provided evidence to the National Treasury's Old Balances Taskforce that the amounts were recovered from the terminal dues and final salaries and wages to the Electoral Commission of Kenya staff.

### 12. ECK Car Loan Accounts Receivable

The debtors outstanding of Kshs. 26,192,965.00 relates to funds recovered from final dues to defunct Electoral Commission of Kenya Staff and Commissioners that were retained by the National Treasury.





## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 13. Property, Plant and Equipment Movement Schedule (Ksh.000)

	Office Buildings	Computers & Equipment	Motor Vehicles	Office Equipment	Furniture and Fittings	Totals
	Kshs. '000	Kshs. '000	Kshs. '000	Kshs. '000	Kshs. '000	Kshs. '000
<b>Cost:</b>						
As at 30th June, 2019	132,806	14,423,172	703,117	366,754	98,440	15,724,288
Add: ICT Equipments 2017/18FY	-	55,196	-	-	-	55,196
Additions in the Year	-	-	15,000	10	985	15,996
Disposals in the Year	-	-	-	-	-	-
As at 30th June 2020	<u>132,806</u>	<u>14,478,369</u>	<u>718,117</u>	<u>366,765</u>	<u>99,425</u>	<u>15,795,480</u>
<b>Depreciation:</b>						
As at 30th June, 2019	(16,382)	(11,671,304)	(615,463)	(204,659)	(53,216)	(12,561,025)
Dep. Adj. ICT Equipments 2017/18FY	-	(28,150)	-	-	-	(28,150)
Less: Acc. Dep. on Disposals	-	-	-	-	-	-
Charge for the Year	(2,911)	(834,369)	(25,663)	(20,024)	(5,776)	(888,743)
As at 30th June 2020	<u>(19,293)</u>	<u>(12,531,509)</u>	<u>(641,126)</u>	<u>(226,595)</u>	<u>(58,992)</u>	<u>(13,477,919)</u>
<b>Net Carrying Amount:</b>						
As at 30th June, 2020	<u>113,513</u>	<u>1,946,860</u>	<u>76,990</u>	<u>140,170</u>	<u>40,432</u>	<u>2,317,966</u>
As at 30th June, 2019	<u>116,424</u>	<u>2,754,183</u>	<u>87,654</u>	<u>160,184</u>	<u>45,223</u>	<u>3,163,667</u>

### 14. Intangible Assets Movement Schedule

	2019/2020	2018/2019
	Kshs. '000	Kshs. '000
<b>Cost:</b>		
As at 1st July, 2019	66,871	66,851
Additions	-	20
As at 30th June 2020	<u>66,871</u>	<u>66,871</u>
<b>Amortization:</b>		
As at 1st July, 2019	(64,042)	(62,829)
Charge for the Year	(849)	(1,213)
As at 30th June 2020	<u>(64,891)</u>	<u>(64,042)</u>
<b>Net Carrying Amount</b>	<u>1,980</u>	<u>2,829</u>

The intangible assets consists of elections transmission system, exchange server systems, OMR scanner software, antivirus software, research/SPSS software, accounting software and security access control systems.



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 15. Recurrent Accounts Payable

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Accounts Payables b/f	4,334,280	4,429,917
Accruals in the Year	213,048	365,525
Accruals Adjustment	(26,993)	-
Negotiation Savings	(284,471)	-
Accruals Settled in the Year	(1,111,050)	(461,162)
<b>Total</b>	<b>3,124,814</b>	<b>4,334,280</b>

### 16. Provision for Gratuity

The Commission operates an unfunded gratuity scheme for its contracted senior employees. The estimated amount for gratuities payable in the financial statement as at the end of year as shown below:

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Balance at the beginning of the year	34,908	-
Prior years' provision for gratuities payable	-	24,152
Gratuities Paid in the Year	(12,987)	-
Accrued Gratuities Payable in the year	11,834	10,756
<b>Total</b>	<b>33,755</b>	<b>34,908</b>

### 17. Retentions and Deposits Payable

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Opening Balance	37,743	37,085
Retention Fees & Other Deposits Withheld	4,528	5,838
Retention Fees & Deposits Paid	(5,273)	(5,180)
<b>Total</b>	<b>36,998</b>	<b>37,743</b>

The retentions and deposits withheld includes monies retained by the Commission from construction companies who are yet to complete the construction works and other refundable deposits on hired ballot boxes and equipments.





## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 18. Related Party Transactions

Entities and other parties related to the entity include those parties who have abilities to exercise control or exercise significant influence over its operating and financial decisions.

The Government of Kenya is the principal financier to the Commission's activities by way of exchequer releases.

During the period under review, the Commission had transactions detailed with related parties as follows:

	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Commissioners' Allowances	6,879	-
Salary advances to staff at zero interest rate	797	2,001
Other Funds returned to National Treasury	7,417	-
Unspent Balances returned to National Treasury	47,724	962,006
<b>Total</b>	<b>62,817</b>	<b>964,007</b>

The Commissioners are paid facilitative allowances and air time as per the SRC rates and their employment contract.



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 19. IEBC Staff Car Loan and Mortgage Scheme

As at the end of the period under review, the Commission had transferred Kshs. 121,000,000.00 and Kshs. 5,200,000.00 to IEBC Staff Mortgage and IEBC Staff Car Loan funds respectively.

The Commission prepares a separate IEBC Staff Car Loan and Mortgage financial statements.

### 20. Budget Information & Other Disclosures

The original budget for 2019/2020 financial year was approved by the National Assembly in June 2019. Subsequent revisions were made to the approved budget in accordance with specific approvals from the National Treasury and National Assembly.

The Commission's budget execution statement was prepared on a cash basis and is informed by the actual income and expenditure as reflected in the IFMIS system.

The financial statements are prepared on accrual basis using a classification based on the nature of expenses in the statement of financial performance, whereas the budget is prepared on a cash basis. The amounts in the financial statements have been adjusted from the cash basis to the accrual basis.

During the period under review, the Commission was allocated a total budget of Kshs 4.808 billion to fund the management of electoral processes and delimitation of electoral boundaries in the 2019/2020 financial year.

The material variances in the budget execution statement (pg.27) can be explained as follows:

#### a) AIA Collections - 18%

Appropriation in aid earned by the Commission was mainly from nomination fees and fines paid by election candidates in the by-elections.

The amounts of appropriation-in-aid (AIA) receivable is largely dependent on the number and type of by-elections held.

Six (6) by-elections were deferred to the next financial year due to Covid-19 pandemic and as a result, the projected nomination fees and other appropriation-in-aid (AIA) were not realized.

#### b) Acquisition of Fixed Capital Assets for Boundaries Activities - 51%

The budgeted fixed capital funds were reallocated to cater for the unplanned by-elections and settlement of pending bills as advised by the National Treasury as first charge.



## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

### 21. Contingent Assets

IPSAS 19 prescribes the accounting treatment for provisions, contingent liabilities and contingent assets and defines their identification and recognition.

During the prior year, the Commission was awarded costs amounting to Kshs.59.854 million (taxed costs) and Kshs. 205.060 million (capped costs). However, collection of capped costs will require taxation before determination of actual amount collectable. Further, some petitions were filed by indigent litigants acting as surrogates for politicians out to cushion themselves against award of costs. This makes the awards qualify as contingent assets.

### 22. Contingent Liabilities

IPSAS 19 prescribes the accounting treatment for provisions, contingent liabilities and contingent assets and defines their identification and recognition.

The Commission has been sued in various cases with the potential exposure of Kshs. 157.351 million to pay various general election pending bills which have not been validated by the National Treasury's internal audit department or have pending court cases.

The Commission is a defendant or co-defendant in various election petition litigations and claims. The outcomes of these litigations and claims are yet to be determined. The Commission has not factored in possible future obligations relating to legal fees on pending court cases and bills owed to suppliers in these financial statements.

### 23. Employee Benefits: Defined Contribution Scheme

IPSAS 25 prescribes the accounting and disclosure requirements for employee benefits and establishes the matching principle that the cost of the employee benefits should be recognized in the period in which the employee provides the services to the entity and not when they are paid or become payable.

The Commission runs a defined contribution pension scheme. The assets of the scheme are held in a separate trustee administered fund, which is funded by contributions from both the Commission as the employer at 15% and employees at 7.5% of basic salary. The scheme is currently managed by ICEA Lion Asset Management.

The Commission's contributions to the above scheme are charged to the income and expenditure account in the period to which they relate.

## NOTES TO THE FINANCIAL STATEMENTS (Continued)

For the Year Ended 30th June, 2020

The last audited fund financial position is as reflected below:

IEBC Staff Pension Scheme	2019/2020	2018/2019
	Unaudited	Audited
	Shs 000	Shs 000
Balance at beginning of the Year	2,216,955	1,897,769
Contribution during the Year	273,554	263,186
Benefits Payable to Seceding Members	(38,838)	(95,462)
Net Returns on Investments	112,997	151,463
<b>Total</b>	<b>2,564,668</b>	<b>2,216,955</b>

### 24. Number of Employees

The average number of permanent and pensionable employees for the Commission as at 30<sup>th</sup> June, 2020 stood at eight hundred and seventy (870). The Commission however engages contractual staff on a need basis.

### 25. Entity Tax Status

The Commission is a government agency, fully funded by the government and is therefore tax exempt. The Commission pays taxes as per the regulations.

### 26. Subsequent Events

The Commission is not aware of any matter or circumstances arising after the end of the financial year, not otherwise dealt with in the financial statements, which would significantly affect the financial position and the results of its operations as laid out in these financial statements.



## PROGRESS ON FOLLOW UP OF AUDIT RECOMMENDATIONS

REFERENCE NO. ON EXTERNAL AUDIT REPORT	ISSUE / OBSERVATION FROM AUDITOR	MANAGEMENT COMMENTS	FOCAL POINT PERSON TO RESOLVE THE ISSUE.	STATUS	TIME FRAME
Auditor General Report of October 2018 for the Financial Year 2016/2017.	1.4 Unsupported account payables.	The Commission undertook an audit of all pending bills and submitted an Internal Audit Report to National on November, 2018.	DF	Unresolved	2019/2020
		Reconciliation and analysis has been done and support documents are availed.			
		The Commission has made realignments in the organizational structure and is in the process of building capacity of the concerned staff			
Auditor General Report of October 2018 for the Financial Year 2016/2017.	1.6 Purchase of Kenya Integrated Election Management Systems (KIEMS) Kit.	1. Matter does not fall under Commission's purview.	DICT	Unresolved	2019/2020
		2. A verification exercise has been done.	DICT	Unresolved	
		3. The Commission has been allocated funds and has planned for support and maintenance of the KIEMS to ensure re-usability of the technology in future.	DICT		
		4. The Commission has put in place accounting and financial controls and procurement systems to enhance compliance with the Public	CEO	Unresolved	
		5. Procurement and Assets Disposal Act as well as the circulars issued by the Public Procurement Regulatory Authority.	DICT		
Auditor General Report of October 2018 for the Financial Year 2016/2017.	2.0 Supply, Delivery, Implementation, and Commissioning of Network Examination of Payment Vouchers (a) Mismanagement of 553 Thuraya Modems and SIM Cards Loaded with Data Transmission.	1.Matter does not fall under Commission's purview.(Office of the Auditor General )	DICT	Unresolved	2019/2020
		2. The Commission has planned to request Communication Authority to provide the Current and future network coverage and plan to ensure 100% transmission of result.	DICT	Unresolved	2019/2020
		3.The satellite modems still remains backup option in areas where there is no coverage and in critical transmission tallying centers	DICT	Unresolved	2019/2020
	(b) Procurement of additional 1,000 Thuraya SIM Cards Loaded with Data.	The Commission has put in place accounting and financial controls and procurement and inventory systems to facilitate timely reconciliations and enhance compliance with the stipulated laws and regulations.	DICT	Unresolved	2019/2020
	(c) Undelivered SIM Cards from Another Firm	The Commission has put in place accounting and financial controls and procurement and inventory systems to facilitate timely reconciliations and enhance compliance with the stipulated	DICT	Unresolved	2019/2020

		laws and regulations.			
Auditor General Report of October 2018 for the Financial Year 2016/2017.	2.2 Management of 1,000 Thuraya Modems and Sim Cards Loaded with Data	For future elections, the Commission shall make an appeal to the Communication Authority in ensuring that the MNOs appreciate that elections are activities of national importance and therefore their services and charges in regards to elections should not be at commercial rates.	DICT	Unresolved	2019/2020
		The rates should be based on actual consumption. This will be enforced during contracting in accordance with the PPDA	DICT	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	2.3 Failure to Provide Payment Vouchers and Other Documents.	For future elections, the Commission shall make an appeal to the Communication Authority in ensuring that the MNOs appreciate that elections are activities of national importance and therefore their services and charges in regards to elections should not be at commercial rates.	DICT	Unresolved	2019/2020
		Record management has been improved and documentation done at all times.			2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	3.1 Procurement of data centres and back up infrastructure (cloud services).	The Commission undertook an audit of all pending bills and submitted an Internal Audit Report to National on November, 2018 for funding.	DICT	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	3.2 Change of Mode of Result Transmission Infrastructure	Matter does not fall under Commission's purview.(Office of the Auditor General )	DICT	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	4. Purchase of Oracle Database and Security Solution.	The Commission has put in place accounting and financial controls, systems and standards to enhance compliance with the stipulated laws and regulations.	CEO	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	5. Procurement of Co-location Services for Data Centre and Disaster Recovery Site.	This was a security solution /systems or software and services procured based on a needs analysis for the operation of the commission including the conduct of the election and therefore it is still required, the system is in use, part of the solution included the support and Maintenance of the BVR IBM Servers – SLA, for which the Communication requested for funds and has been allocated to procure an SLA in the FY2019/2020.	DICT	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	6. Supply and Delivery of Ballot Papers for Elections, Statutory Declaration Forms and The Register of Voters.	The Commission has so far made recoveries worth Kshs. 150,501.71 USD in form of swift transfers.	DICT	Unresolved.	2019/2020
		The Commission has instituted a recovery process for the balance of Kshs.4, 981,474.00.	DICT	Unresolved.	2019/2020
Auditor General Report of October 2018 for	7. Supply and Delivery of Ballot Boxes for the	The Commission has already complied with establishment of framework contracts. This	DICT	Unresolved.	2019/2020




the Financial Year 2016/2017.	General Elections.	exercise is a continuous process.			
Auditor General Report of October 2018 for the Financial Year 2016/2017.	8. Supply and delivery of badges. Audit Findings	The Commission carries out market surveys for procurements to ensure competitiveness and value for money.	CEO	Unresolved.	2019/2020
	(a) Alteration of Contract Price Schedule	The commission has enhanced the capacity of the SCMD to facilitate continuous compliance.	DSCM		2019/2020
	(b) Variation of Contract Price.	The Commission has put in place accounting and financial controls and procurement and inventory systems to facilitate timely reconciliations and enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved.	2019/2020
	(c) Delivery Costs	The Commission has engaged the vendor on negotiations to recover the extra cost of transport not incurred by the vendor.	DSCM	Unresolved.	2019/2020
		The Commission has put mechanisms in place to ensure that contracts are tied to specifications.	DSCM	Unresolved.	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	9. Supply of gas lamp mantles (i) Irregular Award of Contract.	The Commission has put in place accounting and financial controls, systems, standards to enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved.	2019/2020
	(ii) Direct Procurement	The Commission has put in place accounting and financial controls and procurement and inventory systems to facilitate timely reconciliations and enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	10. Supply and delivery of Security Seals	The Commission has put in place accounting and financial controls and procurement and inventory systems to facilitate timely reconciliations and enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	11. Supply, Delivery, Installation Implementation and Commissioning of Wide Area	The Commission has put in place accounting and financial controls, systems, standards to enhance compliance with the stipulated laws and regulations.	DICT	Unresolved.	2019/2020
	Network in Two Hundred and Ninety (290) New Locations, Eighteen (18) Existing Sites	The Commission has appointed a new director supply chain management (DSCM).	DICT	Unresolved.	2019/2020
	Provision of Dedicated Internet Services	The Commission is also enhancing capacity of the procurement function to enhance compliance	DICT	Unresolved.	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	12. Irregular procurement of transport services	The Commission has put in place accounting and financial controls, systems, standards to enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved.	2019/2020
		The Commission has appointed a new director supply chain management (DSCM).	DSCM	Unresolved.	2019/2020

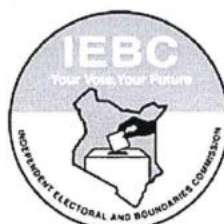
		The Commission is also enhancing capacity of the procurement function to enhance compliance.	DSCM	Unresolved.	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	13. Supply of BVR kit internal batteries	The batteries are in good and usable state are continuously being used for the maintenance of the BVR Kits and to support the CVR activities that are ongoing in the field.	DSCM	Unresolved	2019/2020
		The batteries are continuously being used for the maintenance of the BVR Kits and to support the CVR activities that are ongoing in the field.	DSCM	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	14. Provision of Strategic Communication and Integrated Media Campaign Consultancy Services	The Commission has conducted status and situation analysis.	DVEP	Unresolved.	2019/2020
	(i). Award of the contract	The Commission is in the process of developing the strategic media campaign manual.	DVEP	Unresolved.	2019/2020
	(ii). Payment before confirmation of Delivery of Services	The manual will be tabled upon finalization. The Commission undertook an audit of all pending bills and submitted an Internal Audit Report to National on November, 2018.	DVEP	Unresolved.	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	15. Unauthorized Notification of Awarded Contracts	The Commission has put in place mechanisms to ensure that only the Accounting Officer notifies the successful and unsuccessful bidders on the awards.	DSCM	Unresolved	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	16. Failure to Provide Performance Security	The Commission has put in place accounting and financial controls, systems, standards to enhance compliance with the stipulated laws and regulations.	DSCM	Unresolved.	2019/2020
Auditor General Report of October 2018 for the Financial Year 2016/2017.	17. Undisclosed Court Awards to the Commission	The detailed report on the recovery of costs has been prepared.	DLPA	Unresolved.	2019/2020
Auditor General Report of 23 <sup>rd</sup> May 2016.	Irregular Procurement and payment of Additional 4600 Electronic Voter Identification Devices (EVIDs).	The payment of the handheld EVIDs were procured within the law and payment were based on subsisting contract between the parties and not the subject of variation	CEO	Matter in court.	2019/2020
Auditor General Report of 23 <sup>rd</sup> May 2016.	Irregular Payment for transportation of Election Materials	Mr. Abdullah Yusuf Farah swore an affidavit claiming that he was also the owner of the Alhamdul Company. The commission is streamlining its records management system.	CEO	Not within the purview of the Commission.	2019/2020



Auditor General Report of 23 <sup>rd</sup> May 2016.	Irregular procurement of election materials due to lack of approved procurement plan for the year.	The priorities were in the procurement plan. The procurement plan was available for review.	CEO	Unresolved	2019/2020
Auditor General Report of March 2017.	Irregular Payment of Legal Dues, Arbitration & Compensation	The additional pending bills paid were paid with due approvals and adequately support based on ARO	DLPA	Unresolved	2019/2020
Auditor General Report of March 2017.	Use of Law Firms that were not Prequalified.	The Commission has used the prequalification lists of other public entities as is permissible under section 32 of the now repealed Public Procurement and Disposal Act, 2005.	DLPA	Unresolved	2019/2020
Auditor General Report of March 2017.	Legal Representation without valid contracts.	Letter of Instructions duly signed based on the ARO.	DLPA	Unresolved	2019/2020
Auditor General Report of March 2017.	Procurement of air tickets totaling to Kshs.9, 247,782.00 through direct procurement contrary to Section 74 (3) of the Public Procurement and Disposal Act, 2005.	The tickets were procured directly from vendors who are registered by I.A.T.A.	DSCM	Unresolved	2019/2020

  
 .....  
**Marjan H. Marjan**  
**ICPAK M/No. 2786**  
**Ag. Commission Secretary**

  
 .....  
**W.W. Chebukati**  
**Chairperson**



INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

**IEBC STAFF MORTGAGE & CAR LOAN FUND**  
**ANNUAL FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30TH JUNE, 2020.**

Prepared in accordance with the Accrual Basis of Accounting Method under the International Public Sector  
Accounting Standards (IPSAS)



## TABLE OF CONTENTS

KEY COMMISSION INFORMATION AND MANAGEMENT.....	127
THE IEBC COMMISSION.....	129
CORPORATE GOVERNANCE STATEMENT.....	134
MANAGEMENT DISCUSSION AND ANALYSIS.....	136
REPORT OF THE CEO/COMMISSION SECRETARY.....	138
REPORT OF THE CHAIRPERSON.....	139
REPORT OF THE INDEPENDENT AUDITOR.....	140
STATEMENT OF FINANCIAL PERFORMANCE.....	141
STATEMENT OF FINANCIAL POSITION.....	142
STATEMENT OF CASH FLOWS .....	143
STATEMENT OF CHANGES IN NET ASSETS.....	144
STATEMENT OF BUDGET EXECUTION.....	145
PROGRESS ON FOLLOW UP OF AUDIT RECOMMENDATIONS.....	153
CERTIFICATE OF BANK BALANCES.....	154
INTER-ENTITY TRANSFERS.....	156

## KEY COMMISSION INFORMATION AND MANAGEMENT

### 10. Background information

The Independent Electoral and Boundaries Commission is a Constitutional body established under Article 88 of the Constitution of Kenya and is a body corporate pursuant to Article 253 of the Constitution of Kenya. As per Article 88 of the Constitution of Kenya 2010, the Commission is responsible for conducting or supervising referenda and elections to any elective body or office established by the constitution, and any other elections as prescribed by an Act of Parliament. Article 88 and IEBC Act 2011 further enumerate the mandate of the Commission to include, inter alia, continuous registration of voters, revision of the voter's roll; delimitation of constituencies and wards boundaries; regulation of political parties process; development of a code of conduct for candidates and parties and monitoring of compliance with legislation on nomination of candidates by parties.

### 11. General Information

The IEBC Mortgage and Car Loan Fund was set up in March, 2017 as per the powers conferred by Sections 18, 19 and 31 of the Independent Electoral and Boundaries Commission Act, 2011 and pursuant to the Salaries and Remuneration Commission Circular No SRC/ADM/CIR/1/13 Vol. III (128) of 17th December, 2014 on Car Loan and Mortgage Schemes for State officers and other Public Officers of Government of Kenya.

The financial year of the Fund is a period of twelve months ending on 30th June each year.

The Commission is mandated to submit its Annual Financial Statements to the Auditor-General by 30th September, 2020 and a copy of the statement to the Controller of Budget, the National Treasury and the Commission on Revenue Allocation within the statutory timelines as stipulated in Section 81 of the Public Finance Management Act, 2012.

### 12. Key Management

The Commission's day-to-day activities are run by the Secretariat. The secretariat's management team was as follows:

(k) Marjan H. Marjan	Ag. Commission Secretary/CEO.
(l) Obadiah Keitany	Ag. Deputy CEO/Director Finance.
(m) Lorna Agnes Onyango	Director Human Resources and Administration.
(n) Immaculate Kassait	Director Voter Education and Partnerships.
(o) Catherine Kamindo	Ag. Director Research and Development.
(p) Silas Njeru	Ag. Director Information and Communication Technology.
(q) Rasi Masudi	Director Voter Registration and Elections Operations.
(r) Michael Goa	Director Legal Affairs and Public Affairs.
(s) Osman H. Ibrahim	Director Audit Risk and Compliance.
(t) Harley K. Mutisya	Director Supply Chain Management.



## KEY COMMISSION INFORMATION AND MANAGEMENT

### 13. Fiduciary Management

The key management personnel who held office during the period ended 30<sup>th</sup> June, 2020 and had direct fiduciary responsibility were:

No.	Designation	Name
1.	Ag. Commission Secretary/CEO	Marjan H. Marjan
2.	Ag. Deputy CEO/Director Finance	Obadiah K. Keitany
3.	Director Supply Chain Management	Harley K. Mutisya
4.	Director Audit Risk & Compliance	Osman H. Ibrahim
5.	Director Human Resources & Administration	Lorna A. Onyango
6.	Ag. Director Information & Communication Technology	Silas Njeru
7.	Director Voter Registration & Elections Operations	Rasi M. Masudi
8.	Ag. Director Research & Development	Catherine Kamindo
9.	Director Voter Education & Partnerships	Immaculate N. Kassait
10.	Director Legal Affairs & Public Affairs	Michael Goa

### 14. Commission Bankers

Central Bank of Kenya  
Haille Sellasie Avenue  
P.O. Box 60000-00200  
NAIROBI.

Housing Finance Company  
Rehani House, Kenyatta Avenue  
P.O. Box 30088 - 00100  
Nairobi, Kenya.

### 15. Commission Auditors

The Auditor General  
Kenya National Audit Office  
Anniversary Towers  
P.O. Box 30084- 00100  
NAIROBI.

### 16. Commission Headquarters

The Independent Electoral and Boundaries Commission  
Anniversary Towers, 6<sup>th</sup> Floor,  
P.O Box 45371-00100  
NAIROBI.

### 17. Principal Legal Advisor

The Attorney General  
State Law Office  
Harambee Avenue  
P.O. Box 40112-00200  
NAIROBI.

## THE IEBC COMMISSION



**Chairperson: Mr. Wafula W. Chebukati**

**Key Qualifications**

- Master of Business Administration from Jomo Kenyatta University of Agriculture and Technology.
- Bachelor of Law Degree from the University of Nairobi.
- Post Graduate Diploma from the Kenya School of Law.

**Experience**

- Over 30 years' experience in legal practice specializing in litigation and dispute resolution, conveyancing, labour laws, company mergers and acquisitions, maritime and treaties.
- Works on a full time basis as a chairperson of the Commission.
- Chairs the Legal Committee, the Dispute Resolution Committee and the Electoral Code of Conduct Committee.

**Commissioner: Mr. Boya Molu**

**Key Qualifications:**

- Master in Business Administration (HR Management Option), Periyar University, India.
- Bachelor of Business Administration from Karnatak University, India.
- Higher National Diploma in Human Resources Management (KNEC), IHRM Kenya.

**Experience:**

- Has over 13 years' experience in Human Resource Management and administration mainly in public sector.
- Prior to joining the Commission Mr. Molu served in various capacities at the Central Bank of Kenya (CBK) and the Judiciary in Human Resource and Administration Directorate.
- Chairs the Human Resource Administration and Training Committee, Finance and Procurement Committee and is a member of the Legal Committee, the Dispute Resolution Committee, the Electoral Code of Conduct Committee, Research, Technology and Strategy Committee, Voter Education Committee and Elections Technical and Operations Committee.

**Commissioner: Prof. Abdi Yakub Guliye**

**Key Qualifications:**

- PhD in Animal Nutrition from Rowett Research Institute/ University of Aberdeen, Scotland, UK
- Master of Science in Animal Production from University of Aberdeen, Scotland, UK
- Bachelor of Science in Animal Production from Egerton University.

**Experience:**

- Prof. Guliye has over 25 years of university teaching experience, of which in the last seven years he had additional administrative/ managerial roles. He also served in various Boards of Institutions/Organizations, having chaired





committees such as Audit and Risk Management as well as Finance.

- He Chairs Research, Technology and Strategy Committee, Elections, Technical and Operations Committee and Voter Education Committee. He is a member of the Audit Risk and Compliance Committee, Human Resources Administration and Training Committee, Finance and Procurement and Legal Committee.

## THE IEBC MANAGEMENT TEAM



**Name: Marjan H. Marjan**

**Ag. CEO/Commission Secretary**

**Profession/Qualifications:**

- MBA in Strategic Management - University of Nairobi (UoN).
- BCom (Accounting Option) - (UoN).
- Certified Public Accountant (CPA-K).
- Certified Information Systems Auditor (CISA).
- Certified Internal Auditor (CIA).
- Certification in Control Self-Assessment (CCSA)
- Certified Quality Assessor (CQA)
- Practicing Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA)
- Member of Institute Internal Auditor (IIA)



**Name: Obadiah K. Keitany**

**Ag. Deputy CEO/Director Finance**

**Profession/Qualifications:**

- MBA Finance – University of Nairobi (UoN).
- BCom Insurance (UoN)
- Certified Public Accountant (CPA-K).
- Certified Internal Auditor (CIA).
- Certified Information Systems Auditor (CISA).
- Certified Public Secretary (CPS-K).
- Certified Quality Assessor (CQA).
- Post Graduate Diploma in Corporate Governance (KCA).
- Member of ICPAK in good standing.
- Member of Information Systems Audit & Control Association (ISACA).
- Member of Institute of Internal Auditors (IIA).
- Member of Institute of Certified Secretaries of Kenya.



**Name: Osman H. Ibrahim**

**Director Audit Risk and Compliance**

**Profession/Qualifications:**

- Masters in Business Administration in Finance (MBA)
- Bachelor of Commerce from the University of Nairobi.
- Certified Public Accountant.
- Member of ICPAK in good standing.



## STATEMENT OF CASH FLOWS

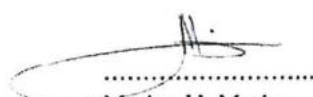
As at 30th June, 2020			
	Note	2019/2020 Unaudited Kshs 000	2018/2019 Audited Kshs 000
<b>Cash flows from Operating Activities:</b>			
Operating Surplus/(Deficit)		12,600	16,830
<b>Adjustments for Non-Cash Items:</b>		-	-
<b>Changes in Working Capital:</b>			
Decrease/(Increase) in Short Term Receivables	8	26,879	2,067
Decrease/(Increase) in Tax Payables	10	(2,217)	(1,433)
<b>Net Cash Flow from Operating Activities</b>		<b>37,263</b>	<b>17,464</b>
<b>Cash flows from Investing Activities:</b>			
Decrease/(Increase) in Long Term Receivables	9	(63,103)	(143,278)
<b>Net Cash Flow from Investing Activities</b>		<b>(63,103)</b>	<b>(143,278)</b>
<b>Cash flows from Financing Activities:</b>			
Increase in Staff Mortgage Fund		121,000	113,000
Increase in Staff Car Loan Fund		5,200	31,100
<b>Net Cash Provided by Financing Activities</b>		<b>126,200</b>	<b>144,100</b>
<b>Net (Decrease)/Increase in Cash &amp; Cash Equivalent</b>		<b>100,360</b>	<b>18,286</b>
Cash & Cash Equivalent at Beginning		311,677	293,391
<b>Cash &amp; Cash Equivalents at the End</b>		<b>412,037</b>	<b>311,677</b>

The notes on page 22 to 27 form an integral part of these financial statements.


## STATEMENT OF FINANCIAL POSITION

As at 30th June 2020			
	Note	2019/2020 Unaudited Kshs 000	2018/2019 Audited Kshs 000
<b><u>Assets</u></b>			
<b><u>Current Assets</u></b>			
Cash and Cash Equivalents	7	412,038	311,677
Short Term Receivables	8	5,823	32,702
		<u>417,861</u>	<u>344,379</u>
<b><u>Non-Current assets</u></b>			
Long Term Receivables	9	391,660	328,557
<b>Total Assets</b>		<u>809,520</u>	<u>672,936</u>
<b><u>Current Liabilities</u></b>			
Taxes Payable	10	-	(2,217)
<b>Total Liabilities</b>		<u>-</u>	<u>(2,217)</u>
		<u>809,520</u>	<u>670,720</u>
<b><u>Financed by:</u></b>			
Mortgage Reserves		26,607	17,433
Car Loan Reserves		23,507	20,081
Mortgage Revolving Fund		647,012	526,012
Car Loan Revolving Fund		112,394	107,194
		<u>809,520</u>	<u>670,720</u>

The notes on page 22 to 27 form an integral part of these financial statements.



Marjan H. Marjan  
ICPAK M/No. 2786  
Ag. Commission Secretary



Obadiah K. Keitany  
ICPAK M/ No. 3055  
Director Finance



W.W. Chebukati  
Chairperson



## STATEMENT OF FINANCIAL PERFORMANCE

For the Year Ended 30th June, 2020			
	Note	2019-2020 Unaudited Kshs 000	2018-2019 Audited Kshs 000
<b><u>Revenue</u></b>			
Interest on Free Funds	3	14,824	19,800
Interest on Loans	4	10,931	7,975
<b>Total Revenue</b>		<b>25,755</b>	<b>27,775</b>
<b><u>Expenses</u></b>			
Taxes on Interest Earned	5	(2,224)	(2,970)
Fund Administrative costs	6	(10,931)	(7,975)
<b>Total Expenses</b>		<b>(13,155)</b>	<b>(10,945)</b>
<b>Surplus</b>		<b>12,600</b>	<b>16,830</b>

The notes on page 22 to 27 form an integral part of these financial statements.

## REPORT OF THE INDEPENDENT AUDITOR



## REPORT OF THE CHAIRPERSON

It gives me great pleasure to present the Commission's Staff Mortgage and Car Loan annual financial statements.

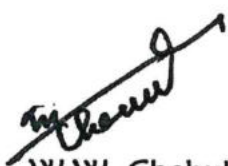
Staff welfare is a major concern for robust Commission culture. In this respect, the Commission has continued to implement Staff Mortgage and Car Loan schemes in line with Government regulation to which I have the pleasure of presenting for the period ending 30<sup>th</sup> June, 2020.

In the 2019/2020 financial year, the Fund was allocated Kshs.121 million to fund mortgage scheme and Ksh 5.2 million to support the car loan fund scheme. Since inception, a total of seventy nine (79) members of staff have benefited from the mortgage and car loan schemes with an affordable interest rate of three percent (3%).

The Commission ensured prudent financial management and reporting in line with Public Finance Management Act (PFMA) 2012, Government Financial Regulations, 2015 and International Public Sector Accounting Standards (IPSAS) resulting in efficient and effective administration of the Scheme.

I encourage all staff members to optimally utilize the facility for improvement of their welfare and to remain resilient and focused in the performance of the Commission mandate.

My gratitude goes out to the National Government, the National Treasury, Parliament, the Judiciary, other Commissions and Independent Offices, fellow Commissioners and the staff of the Commission for their support towards fulfilling our mandate.



W.W. Chebukati

Chairperson

## REPORT OF THE CEO/COMMISSION SECRETARY

The Public Finance Management Act, 2012, requires the Accounting Officer to prepare financial statements for each financial year that give a true and fair view of the state of affairs of the Commission as at the end of each financial year and of its operating results. It also requires the Accounting Officer to ensure that the Commission maintains proper accounting records that disclose, with reasonable accuracy at any time, the financial position of the Fund. The Accounting Officer is also responsible for safeguarding the Commission's assets.

The Accounting Officer is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (IPSAS) and in a form that complies with the standards prescribed by the Public Sector Accounting Standards Board (PSASB). This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, safeguarding the assets, selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

The Accounting Officer accepts responsibility for the annual financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with International Public Sector Accounting Standards (IPSAS), and in the manner required by the PFM Act, 2012. The Accounting Officer is of the opinion that the financial statements give a true and fair view of the state of financial affairs of the Fund and of its financial position. The Accounting Officer further accept responsibility for the maintenance of accounting records that may be relied upon in the preparation of financial statements, as well as adequate systems of internal financial control.

Nothing has come to the attention of the Accounting Officer to indicate that the funds will not remain as going concerns for at least the next twelve months from the date of this statement.



**Marjan Hussein Marjan**

**Ag. Commission Secretary/CEO**



- **Operational Risks:** The risk of direct or indirect loss or inability to provide core services, especially to stakeholders, resulting from inadequate or failed internal processes, resources and systems.

### **Statutory and Financial Obligations**

In the period under review, the fund was able to satisfy all the applications, except where the necessary information to support compliance and due diligence was not available. Further the commission complied with all the necessary laws and regulations applicable in the management of the funds.

### **Financial Probity and Governance**

To obtain assurance on compliance and prudence in the management fund finances, the Commission prepares the financial statements for the Mortgage and Car Loan funds which are be subjected to both internal and external audit. The audit findings and recommendations enable the Commission to strengthen the fund operational and financial systems.

During the period under review, the Commission operationalised the following manuals that are aimed at improving the level of governance and compliance:-

- Finance and Accounts Policies and Procedures Manual.
- Procurement Policies and Procedures Manual.
- Human Resource and Administrative Policies and Procedures Manuals.

To obtain assurance on compliance and prudence in the management of the Fund finances, the Commission has collaborated with the relevant statutory oversight bodies and continues to undertake internal financial reviews whose outcome enables the Commission to strengthen its operational and financial systems.

## MANAGEMENT DISCUSSION AND ANALYSIS

### Operational and Financial Performance

The Commission's Mortgage and Car Loan revolving fund is managed by Housing Finance Corporation of Kenya and was set up in March 2017. During the period under review, the Commission disbursed Kshs. 121,000,000.00 and Kshs. 5,200,000.00 to IEBC Staff Mortgage and IEBC Staff Car Loan funds respectively.

Since its inception, a total of fifty two (52) members of staff had been issued with mortgages valued at Kshs. 355.235 million whereas twenty seven (27) members of staff had been issued with car loans valued at Kshs. 35.646 million. Further, the Fund earned a total of 12.6 million from high interest earning bank balances.

The mortgage and car loan utilization ratio is as shown below:

March 2017 to 30 <sup>th</sup> June, 2020	Fund Utilization Rate		Fund Utilization Rate
	No. of Applications Made	Successful Applications	
Mortgage Fund Applications	75	52	56%
Car Loan Fund Applications	31	27	51%
<b>Total</b>	<b>106</b>	<b>79</b>	

### Compliance with Statutory Requirements

The Fund complied with its tax obligations and all its statutory obligations in the implementation of its mandate.

### Key Projects and Investment

The Commission has continued to invest in the mortgage and car loan schemes for the staff. This is intended to provide affordable housing for the staff while at the same time facilitating the staff to conveniently commute to and from work.

### Risk Management Activities

The Commission has put in place a risk management framework for risk identification and mitigation. Further, it has embedded risk management in all its planning, execution, evaluation and business continuity arrangements.

Some of the key risks facing the Scheme Fund include:

- **Strategic Risks:** These are risks that affect the ability to carry out the long term goals and objectives as articulated in the Fund Policy.
- **Compliance Risks:** These are risks associated with non-compliance with applicable laws and regulations which could result in litigation and conflicts of interest.
- **Financial Risks:** The risk of financial loss that may include ineffectiveness of internal controls, inadequate funding, inability to service the loans and delay in financial reporting due reliance on third party financial information. The delayed funding may also result in the commission's inability to fund all the applications hence the delay in issuing of loans and acquisition of the properties.



### **Mortgage and Car Loan Committee**

The Mortgage and Car Loan funds are managed by the following members as per Regulations 2016:

<b>Members</b>	<b>Responsibility</b>
Obadiah Keitany	Chairperson
Lorna Onyango	Vice Chairperson
Dr. Eroo Mele	Member
Sahara Ibrahim	Member
Salome Oyugi	Member
Immaculate Kassait	Member
Joseph Ayatta	Member

### **Impartiality and Independence of Members**

Every member of the Commission and employee shall perform their functions impartially and independently without influence from any person, authority or organization.

### **Disclosure of Conflict of Interests**

If a member of the Commission or an employee is directly or indirectly interested in any matter before the Commission and is present at any meeting of the Commission at which the matter is the subject of consideration, he/she shall as soon as practicable disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the matter or be counted in the quorum of the meeting during consideration of the matter.

A member or employee whose personal interest conflicts with their official duties shall in writing, declare as soon as practicable the personal interests to their supervisor or other appropriate person or body and comply with any directives given to avoid the conflict and refrain from participating in any deliberations with respect to the matter.

## CORPORATE GOVERNANCE STATEMENT

The Commission is accountable to the public and stakeholders through Parliament for ensuring that it complies with the highest standards of corporate governance and operational ethics. The Commission has embraced corporate governance by promoting the right corporate culture and values.

The Commission exercises reasonable care to ensure that the management of the Commission is carried out in the best interest of the citizens of Kenya. The overall management of the Commission is the responsibility of the Commissioners.

The Commission recognizes the need to conduct its affairs with integrity and in accordance with generally accepted corporate practices and internationally developed principles of corporate governance.

### **The Commission**

The size, composition and appointment of the Commission is prescribed by Article 250 of the Constitution and by the IEBC Act 2011. There were three Commissioners who worked on a full time basis during the year under review. Each member was appointed to serve for a single term of six years.

The Commission is well composed in terms of range and diversity of skills, knowledge, age and experience in various sectors which makes it effective and provides an appropriate skills balance for the oversight of the Commission's mandate.

### **The Commission Committees and their Responsibilities**

The Commission delegates certain functions to committees without abdicating its own responsibilities. The Commission has developed a committee structure that assists in the execution of its duties, powers and authorities. The Committees are appropriately constituted drawing membership from amongst the Commissioners with the appropriate set of skills and experience and directors co-opted from various directorates.

The Commission has in place an independent Audit Committee that is chaired by a non-executive member. It also has two independent audit committee members, from the National Treasury and Ministry of ICT, and one Commissioner.

The Audit, Risk and Compliance Committee oversees the internal audit activity charged with the responsibility of continuous review and providing assurance on effectiveness of the Commission's Governance, Risk and Control.





**Name: Rasi Masudi**

**Director Voter Registration and Electoral Operations**

**Profession/Qualifications:**

- Executive MBA.
- Bachelor of Science in Agricultural Economics.
- Diploma in Farm Management.



**Name: Harley Kisyula Mutisya**

**Director Supply Chain Management**

**Profession/Qualifications:**

- PHD in Business Administration (UoN)
- MBA in Procurement & Supply Chain Management (UoN)
- BCOM in Supply Chain Management (UoN)
- Diploma in Logistical Management from Cerford Institute.
- Certified Procurement and Supply Professional (CPSP-K)
- Chartered Associate (ACI Arb)
- Member Kenya Institute of Supplies Management (KISM)
- Certified Practitioner (KISM)
- Fellow Logistics Society of Kenya
- Member Chartered Institute of Procurement and Supply (UK)



**Name: Silas Njeru**

**Ag. Director ICT**

**Profession/Qualifications:**

- Master of Science in Computer Science (University of Nairobi).
- Bachelor of Science in Computer Science (Egerton University).
- Member of Computer Society of Kenya.
- Member ISACA Kenya Chapter (ISACA).
- Project Management Professional (PMP).



**Name: Lorna A. Onyango**

**Director Human Resource & Administration**

**Profession/Qualifications:**

- Certified Human Resource Professional.
- Masters in Human Resource Management.
- Bachelor of Arts Degree (UoN).
- Post Graduate Diploma.





**Name: Michael Goa**

**Director Legal and Public Affairs.**

**Profession/Qualifications:**

- Executive MBA
- Bachelors of Law degree (LLB) - University of Nairobi.
- Post Graduate Diploma in Legal Education (Kenya School of Law)
- Certified Public Secretary
- Advocate of the High Court of Kenya.
- Commissioner of Oaths
- Notary Public
- Member of the Institute of Certified Public Secretaries of Kenya



**Name: Dr. Catherine M. Kamindo**

**Ag. Director Research Boundaries & Development**

**Profession/Qualifications:**

- PhD Education Policy and Management- University of Durham (UK)
- Master of Education Educational Administration- Kenyatta University
- Bachelor of Education - Kenyatta University
- Certificate in Strategic Communication- The World Bank
- Certificate in Management of Democratic Elections in Africa- University of South Africa
- Professional Certificate in Electoral Processes-International Centre for Parliamentary Studies (UK)
- Full Member (FKIM) Kenya Institute of Management.
- African Union Certified Long and Short-Term Elections Observer.
- Member of Kenya Association of Educational Administration (KAEM).
- Member of the American Political Science Association (APSA)



**Name: Immaculate Kassait**

**Director Voter Education**

**Profession/Qualifications:**

- Advocate of the High Court of Kenya
- Accrediting/Facilitator/Building Resource in Elections Democracy and Governance (BRIDGE)
- Executive Masters in Business Administration- GEMBA-USIU.
- Post Graduate Diploma in Law from Kenya School of Law.
- Bachelor in Law degree from the Makerere University.
- Member of LSK-in good standing
- Member of FIDA Kenya
- Commissioner of Oaths, notary, public



## STATEMENT OF CHANGES IN NET ASSETS

For the Period Ended 30th June, 2020					
	Mortgage Fund	Car Loan Fund	Mortgage Reserve	Car Loan Reserve	Total
	KShs. 000	KShs. 000	KShs. 000	KShs. 000	KShs. 000
Balance as at 30 June 2016	-	26,094	-	-	26,094
Surplus/(Deficit) for the Year	-	-	2,492	1,775	4,267
National Treasury Funding	200,000	100,000	-	-	300,000
Balance as at 30th June 2017	200,000	126,094	2,492	1,775	330,361
Surplus/(Deficit) for the Year	-	-	8,417	7,999	16,417
National Treasury Funding	63,012	100,000	-	-	163,012
Balance as at 30th June 2018	263,012	226,094	10,909	9,774	509,789
Surplus/(Deficit) for the Year	-	-	6,524	10,307	16,830
Inter-fund transfers	150,000	(150,000)	-	-	-
National Treasury Funding	113,000	31,100	-	-	144,100
Balance as at 30th June 2019	526,012	107,194	17,433	20,081	670,720
Surplus/(Deficit) for the Year	-	-	9,174	3,426	12,600
National Treasury Funding	121,000	5,200	-	-	126,200
Balance as at 30th June 2020	647,012	112,394	26,607	23,507	809,520

## STATEMENT OF BUDGET EXECUTION

Item	Budget	Actual	Performance
Incomes	KShs '000	KShs '000	KShs '000
Housing Loans to Public Servants	121,000	121,000	100%
Car Loans to Public Servants	5,200	5,200	100%
Other Incomes - Interest Earned	-	14,824	-
<b>Total Incomes</b>	<b>126,200</b>	<b>141,024</b>	<b>112%</b>
Housing Loans to Public Servants	121,000	121,000	100%
Car Loans to Public Servants	5,200	5,200	100%
Other Fund Costs	-	14,824	-
<b>Total Expenditure</b>	<b>126,200</b>	<b>141,024</b>	<b>112%</b>

**Note:**

**Other Incomes:** Represents interest received from car loan and mortgage bank balances.

**Other Fund costs:** Represents costs incurred in the scheme such as taxes on interest and the administration costs paid to the scheme administrator.



# NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

## 1. Statement of compliance and basis of preparation – IPSAS 1

The Commission's Staff Mortgage and Car Loan Scheme financial statements have been prepared in accordance with and comply with the International Public Sector Accounting Standards (IPSAS). The financial statements are presented in Kenya shillings, which is the functional and reporting currency of the Commission and all values are rounded to the nearest thousand (Kshs 000) which may in some cases make the added decimal balances to vary. The accounting policies have been consistently applied in all the years presented.

The financial statements have been prepared on the basis of historical cost, unless where stated otherwise. The cash flow statement is prepared using the indirect method. The financial statements are prepared on accrual basis.

## 2. Summary of Significant Accounting Policies:

### p) Revenue Recognition - Revenue from Non-Exchange Transactions (Fees, Charges and Fines) – IPSAS 23

The Commission recognizes revenues from high interest bank balances earned and the asset recognition criteria are met. To the extent that there is a related condition attached that would give rise to a liability to repay the amount, deferred income is recognized instead of revenue. Other non-exchange revenues are recognized when it is probable that future economic benefits or service potential associated with the asset will flow to the Commission and the fair value of the asset can be measured reliably.

### Interest Income

Interest income is accrued using the effective yield method. The effective yield discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount. The method applies this yield to the principal outstanding to determine interest income each period.

### q) Budget Information – IPSAS 24

The annual budget is prepared and presented in a single statement to determine the needs of the Commission. The Commission has adopted the standard which requires budget information to be presented in the financial statements.

### r) Taxes – IAS 12

### Income tax

Income tax assets and liabilities for the current period are measured at the amount expected to be recovered from or paid to the tax authorities. The tax rates and tax laws used to compute the amount are those that are enacted or substantively enacted, at the reporting date in the area where the Commission operates and generates taxable income.

## NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

Current income tax relating to items recognized directly in net assets is recognized in net assets and not in the statement of Financial Performance. Management periodically evaluates positions taken in the tax returns with respect to situations in which applicable tax regulations are subject to interpretation and establishes provisions where appropriate.

### **s) Provisions – IPSAS 19**

Provisions are recognized when the Commission has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Where the Commission expects some or all of a provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognized as a separate asset only when the reimbursement is virtually certain.

The expense relating to any provision is presented in the statement of financial performance net of any reimbursement.

### **Contingent Liabilities**

The Commission does not recognize a contingent liability, but discloses details of any contingencies in the notes to the financial statements, unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

### **Contingent Assets**

The Commission does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Commission in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

### **t) Nature and Purpose of Reserves**

The Commission creates and maintains reserves in terms of specific requirements. Commission to state the reserves maintained and appropriate policies adopted.

### **u) Changes in Accounting Policies and Estimates – IPSAS 3**

The Commission recognizes the effects of changes in accounting policy retrospectively. The effects of changes in accounting policy are applied prospectively if retrospective application is impractical.



## NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

### **v) Cash and Cash Equivalents**

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year.

### **w) Comparative Figures**

Comparative figures for the year have been provided.

### **x) Significant Judgments and Sources of Estimation Uncertainty – IPSAS 1**

The preparation of the Commission's financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. However, uncertainty about these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of the asset or liability affected in future periods.

### **Estimates and Assumptions**

The key assumptions concerning the future and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, are described below. The Commission based its assumptions and estimates on parameters available when the financial statements were prepared. However, existing circumstances and assumptions about future developments may change due to market changes or circumstances arising beyond the control of the Commission. Such changes are reflected in the assumptions when they occur. (IPSAS 1.140)

### **y) Subsequent Events – IPSAS 14**

There have been no events subsequent to the financial year end with a significant impact on the financial statements for the year ended June 30, 2020.

## NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

### 3. Interest on Free Funds

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Interest from Mortgage Free Funds Account	10,793	7,675
Interest from Car Loan Free Funds Account	4,031	12,125
<b>Total</b>	<b>14,824</b>	<b>19,800</b>

### 4. Interest on Loans

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Interest on Mortgage	9,943	7,184
Interest on Car Loans	988	791
<b>Total</b>	<b>10,931</b>	<b>7,975</b>

### 5. Tax Costs on Interest Earned

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Tax Costs on Mortgage Interest	1,619	1,151
Taxes on Car Scheme Interest	605	1,819
<b>Total</b>	<b>2,224</b>	<b>2,970</b>

### 6. Fund Administrative Costs



	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Mortgage Administration Costs	9,943	7,184
Car Loan Administration Costs	988	791
<b>Total</b>	<b>10,931</b>	<b>7,975</b>

## NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

### 7. Cash and Bank

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
<b>Bank Details</b>		
HFCK IEBC Mortgage A/c - 2172923102	308,208	233,491
HFCK IEBC Car Loan A/c - 2172923103	103,829	78,186
<b>Total</b>	<b>412,038</b>	<b>311,677</b>

### 8. Short Term Receivables

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Opening Balance	32,702	34,769
Mortgage Interest Receivables in the year	-	5,966
Car Loan Interest Receivables in the year	-	8,811
Mortgage Interest Received in the year	(5,966)	(12,834)
Car Loan Interest Received in the year	(8,811)	(11,499)
Repaid Mortgage Capital	(12,545)	-
Repaid Car Loan Capital	(5,380)	-
Accrued Mortgage Capital	4,934	3,566
Accrued Car Loan Capital	889	3,923
<b>Total</b>	<b>5,823</b>	<b>32,702</b>

9. Long Term Receivables

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Staff Mortgage Receivables	360,477	292,338
Staff Car Loan Receivables	31,182	36,219
<b>Total</b>	<b>391,660</b>	<b>328,557</b>



## NOTES TO THE FINANCIAL STATEMENTS

For the Period Ended 30<sup>th</sup> June, 2020

### 10. Tax Payable

	2019-2020	2018-2019
	Unaudited	Audited
	Shs 000	Shs 000
Opening Balance	2,217	3,650
Tax Payable on Mortgage Interest accrued	(895)	895
Taxes Payable on Car Loan Interest accrued	(1,322)	1,322
Tax Paid on Mortgage interest in the Year	-	(1,925)
Tax Paid on Car Loan interest in the Year	-	(1,725)
<b>Total</b>	<b>-</b>	<b>2,217</b>

### 11. Number of Beneficiaries

The following table provides the number of beneficiaries from the funds creation date:

	2019-2020	2018-2019
	Unaudited	Audited
Staff who have benefited from Mortgage Fund	52	51
Staff who have benefited from Car Loan Fund	27	24
<b>Total</b>	<b>79</b>	<b>75</b>

### 12. Transfers from IEBC Vote 2031

As at the end of the period under review, the Commission had transferred Kshs. 121,000,000.00 and Kshs. 5,200,000.00 to IEBC Staff Mortgage and IEBC Staff Car Loan funds respectively.

### 13. Entity Tax Status

The Commission is a government agency, fully funded by the government and is therefore tax exempt. The Commission pays taxes as per the regulations.

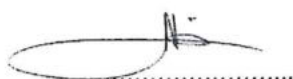
### 14. Subsequent Events



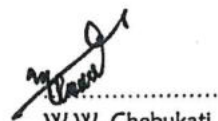
The Commission is not aware of any matter or circumstances arising after the end of the financial year, not otherwise dealt with in the financial statements, which would significantly affect the financial position and the results of its operations as laid out in these financial statements.

## PROGRESS ON FOLLOW UP OF AUDIT RECOMMENDATIONS

The Fund did not have any audit follow up issues for the previous financial year 2018/2019 for the Staff Mortgage and Car Loan Fund.



Marjan H. Marjan  
ICPAK M/ No. 2786  
Ag. Commission Secretary



W.W. Chebukati

Chairperson



CERTIFICATE OF BANK BALANCES





Dreams Made Possible

Head Office: Rehani House  
Koinange Street/Kenyatta Avenue  
P.O. Box 30088 - 00100  
Nairobi, Kenya  
Tel: (+254 20) 3262000  
Fax: (+254 20) 2250858  
Email: mybank@hfgroup.co.ke  
Website: www.hfgroup.co.ke

August 19, 2020

Our Ref.: AMM/TM/ 2172923102/2172923103/  
2172923104 & 2172923105.

INDEPENDENT ELECTORAL AND  
BOUNDARIES COMMISSION,  
P.O. BOX 45371-00100,  
NAIROBI.

Dear Sir/Madam,

**RE: CERTIFICATE OF BALANCE: INDEPENDENT ELECTORAL AND  
BOUNDARIES COMMISSION.**

The information requested is as follows:

The above client operates a fixed deposit accounts and a deposit account mortgage scheme whose full title and balances as at 30<sup>th</sup> June 2020 is as follows (see attached statements).

Type of Account	Title of account	Account Number	Balance as at 30 <sup>th</sup> June 2020
Mortgage Scheme Deposit	IEBC Staff Mortgage Loan Scheme - High Interest	2172923102	Kshs. 308,208,239.17
Mortgage Scheme Deposit	IEBC Staff Car Loan Scheme - High Interest	2172923103	Kshs. 103,829,281.60
Mortgage Scheme Deposit	IEBC Staff Car Loan Scheme - Back Up	2172923104	Kshs. 32,071,655.63
Mortgage Scheme Deposit	IEBC Staff Mortgage Loan Scheme	2172923105	Kshs. 365,410,851.21

We trust the information provided will be of importance to you.

Yours faithfully,

FOR: HFC

  
ANNSITY MBAYA

MANAGER - LOAN QUERY MANAGEMENT





## INTER-ENTITY TRANSFERS

INTER -ENTITY TRANSFERS			
ENTITY NAME : INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)			
BREAK DOWN OF TRANSFERS			
FY 2019/2020			
1.DIRECT PAYMENTS TO HOUSING FINANCE CORPORATION (HFC) -MORTGAGE FUND			
BANK STATEMENT DATE	AMOUNT (KSHS)	SWIFT REF. NO.	FY TO WHICH THE AMOUNTS RELATE
18-Oct-19	30,250,000.00	FT192919JF2K	IEBC STAFF MORTGAGE LOAN SCHEME
2-Mar-20	60,500,000.00	FT20062HYQB7	IEBC STAFF MORTGAGE LOAN SCHEME
15-Jun-20	30,250,000.00	FT201675FH15	IEBC STAFF MORTGAGE LOAN SCHEME
<b>SUB TOTAL</b>	<b>121,000,000.00</b>		
2.DIRECT PAYMENTS TO HOUSING FINANCE CORPORATION (HFC)-CAR LOAN FUND			
BANK STATEMENT DATE	AMOUNT (KSHS)	SWIFT REF. NO.	FY TO WHICH THE AMOUNTS RELATE
18-Oct-19	1,300,000.00	FT19291H6JTG	IEBC STAFF CAR LOAN SCHEME
2-Mar-20	2,600,000.00	FT200625ORHK	IEBC STAFF CAR LOAN SCHEME
16-Jun-20	1,300,000.00	FT20168BV2Z6	IEBC STAFF CAR LOAN SCHEME
<b>SUB TOTAL</b>	<b>5,200,000.00</b>		
The above amounts have been communicated to and reconciled with the relevant ministry or party.			



## ANNEXTURES

### Annex 1: Litigation in 2019-2020 Financial Year

S/NO	FILE NUMBER	COURT CASE NUMBER	PETITIONER(S)	RESPONDENT(S)
CONSTITUTIONAL PETITIONS 2019				
1	IEBC/CP/1/2019	NAIROBI PETITION NO. 93 OF 2019	KIMANI WAWERU & EDWIN MCMILLAN	LAW SOCIETY OF KENYA, HON. ATTORNEY GENERAL, IEBC & 5 OTHERS
2	IEBC/CP/2/2019	NAIROBI PETITION NO. 94 OF 2019	MARK NDUNG'U NDUMIA	LAW SOCIETY OF KENYA, HON. ATTORNEY GENERAL, IEBC, ALLAN W. GICHUHI & ANOTHER
3	IEBC/CP/3/2019	CHUKA HIGH COURT PETITION NO. 4 OF 2019	ISAAC NYAGA & 13 OTHERS	DR. FRED OKENGO MATINAGI, HON. ATTORNEY GENERAL, IEBC & ANOTHER
4	IEBC/CP/4/2019	NAIROBI PETITION NO. 162 OF 2019	ALOISE ONYANGO ODHIAMBO	IEBC, HON. ATTORNEY GENERAL
5	IEBC/CP/5/2019	MURANGA PETITION NO. 53 OF 2019	MARGARET WAIRIMU MWANGI & ANOTHER	EACC, IEBC & ANOTHER
6	IEBC/CP/6/2019	NAIROBI PETITION NO. 295 OF 2019-	TIMOTHY ODHIAMBO	IEBC
7	IEBC/CP/7/2019	NAIROBI PETITION NO. 297 OF 2019	DAVID KARIUKI NGARI	IEBC, THIRD WAY ALLIANCE KENYA & 52 OTHERS
8	IEBC/CP/8/2019	NAIROBI PETITION NO. 304 OF 2019	MARION NJERI NJOROGE	IEBC, HON. ATTORNEY GENERAL
9	IEBC/CP/9/2019	NAIROBI PETITION NO. 8 OF 2019	HON. CLEMENT KUNGU WAIBARA	ANN WANJIKU KIBE & IEBC
10	IEBC/CP/10/2019	NAIROBI PETITION NO. 375 OF 2019	WILSON KINYUA	HON. ATTORNEY GENERAL, IEBC & KENYA PRISONS SERVICES
11	IEBC/CP/11/2019	NAIROBI PETITION NO. 325 OF 2019	YAHYA MOHAMUD HASSAN	HON. SOFIA SHEIKH HASSAN ADAN & 3 OTHERS
12	IEBC/CP/12/2019	NAIROBI PETITION NO. 440 OF 2019	ORANGE DEMOCRATIC MOVEMENT	IEBC
13	IEBC/CP/13/2019	NAIROBI PETITION NO. 488 OF 2019	COUNTY GOVERNMENT OF THARAKA NITHI & DOROTHI IGOKI KINYUA	IEBC, KENYA NATIONAL BUREAU OF STATISTIC & OTHERS
14	IEBC/CP/1/2020	NAIROBI PETITION NO. 1 OF 2020	FORUM FOR REPUBLICAN DEMOCRACY & AUGUSTINE NJERU KATHANGA	IEBC & HON. ATTORNEY GENERAL





S/NO	FILE NUMBER	COURT CASE NUMBER	PETITIONER(S)	RESPONDENT(S)
15	IEBC/CP/2/2020	NAIROBI PETITION NO. 102 OF 2020	HON.ABDULLAH BASHIR SHEIKH & 4 OTHERS	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
16	IEBC/CP/3/2020	NAIROBI PETITION NO. 103 OF 2020	COUNTY GOVERNMENT OF MANDERA,ALI IBRAHIM ROBA & ANOTHER	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
17	IEBC/CP/4/2020	NAIROBI PETITION NO. 106 OF 2020	HON.ADAN KEYNAN WAHLIYE & 4 OTHERS	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
18	IEBC/CP/5/2020	NAIROBI PETITION NO. 107 OF 2020	COUNTY GOVERNMENT OF WAJIR,HON.MOHAMED ABDI MOHAMUD	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
19	IEBC/CP/6/2020	NAIROBI PETITION NO. 110 OF 2020	HON.ABDI OMAR SHURIE & 3 OTHERS	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
20	IEBC/CP/7/2020	NAIROBI PETITION NO. 111 OF 2020	COUNTY GOVERNMENT OF GARISSA & OTHERS	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
21	IEBC/CP/8/2020	GARISSA PETITION NO. 3 OF 2020	ABDULLAHI MOHAMMED KANYARE & 3 OTHERS	KENYA NATIONAL BUREAU OF STATISTICS & 4 OTHERS
22	IEBC/CP/9/2020	NAIROBI PETITION NO. 138 OF 2020	NDINDI OSCAR OKUMU	INSTITUTE OF CERTIFIED PUBLIC ACCOUNTS & ANOTHER
PARTYLIST CASES				
1	IEBC/PL/HC/1/2019	KAJIADO JR NO. 8 OF 2019	HON.ELIZABETH JEBET KIBOR	IEBC & ANOTHER
2	IEBC/PL/HC/2/2019	NAIROBI PETITION NO. 371 OF 2019	LEINA KONCHELLA	IEBC & ANOTHER
3	IEBC/PL/MISC/1/2019	KAJIADO CMCC NO 1 OF 2019	ISAAC SUMARE OSEUR,ARNOLD OCHIENG	IEBC& ANOTHER
4	IEBC/PL/MISC/2/2019	NAIROBI CMCC NO. 1 OF 2019	TAUSI ROSELYNE ATEMOPATI	PERPETUA MPONJIWA,ODM,IEBC
5	IEBC/PL/MISC/3/2019	KAJIADO JR MISC NO. 6 OF 2019	SANDRA MARIO	IEBC& ANOTHER
6	IEBC/HC/PL/1/2020	NAIROBI PETITION NO. E002 OF 2020	ORANGE DEMOCRATIC MOVEMENT	SPEAKER NAIROBI COUNTY, PERPETUA MPOJIWA,IEBC
APPEALS				
1	IEBC/CA/2/2019	NAIROBI CIVIL APPEAL NO. 431 OF 2019	HON. CLEMENT KUNGU WAIBARA	HON. ANNE WANJIKU KIBE & IEBC
2	IEBC/CA/3/2019	NAIROBI CIVIL APPEAL NO. 267 OF 2019	INDIGO TELECOM LIMITED	IEBC

S/NO	FILE NUMBER	COURT CASE NUMBER	PETITIONER(S)	RESPONDENT(S)
3	IEBC/CA/4/2019	NAIROBI CIVIL APPEAL NO. 239 OF 2019	ROYAL MEDIA SERVICES LIMITED	IEBC
4	IEBC/CA/5/2019	NAIROBI COURT OF APPEAL NO. 285 OF 2019	INDEPENDENT SOCIETY	IEBC
5	IEBC/CA/6/2019	NAIROBI COURT OF APPEAL NO. 653 OF 2019	ORANGE DEMOCRATIC MOVEMENT	IEBC
6	IEBC/CA/1/2020	NAIROBI CIVIL APPEAL NO. E002 OF 2020	PELSOM ENTERPRISES LIMITED	IEBC
<b>CIVIL SUITS</b>				
1	IEBC/CS/1/2019	NAIROBI CMCC NO. 789 OF 2019	OFFICE TECHNOLOGIES	IEBC
2	IEBC/CS/2/2019	NAIROBI CMCC NO. 1249 OF 2019	GREENWOOD & STATIONERS LTD	IEBC
3	IEBC/CS/3/2019	NAIROBI CMCC NO. 3221 OF 2019	THE COPY CAT LTD	IEBC
4	IEBC/CS/1/2020	NAIROBI CIVIL SUIT NO. E188 OF 2020-	TRANSCEND MEDIA GROUP	IEBC
5	IEBC/CS/2/2020	NAIROBI CIVIL SUIT NO. E085 OF 2020	SCANAD KENYA LTD	IEBC
<b>EMPLOYMENT &amp; LABOUR COURT CASES</b>				
1	IEBC/IC/1/2019	NAIROBI EMPLOYMENT & LABOUR COURT NO. 15 OF 2019	ABDI ELEMA ALI	IEBC
2	IEBC/IC/2/2019	NAIROBI EMPLOYMENT & LABOUR COURT NO. 51 OF 2019	HENRY MUTUNDU	IEBC
3	IEBC/IC/3/2019	NAIROBI EMPLOYMENT & LABOUR COURT NO. 104 OF 2019	CHAMA CHA MAWAKILI	IEBC
4	IEBC/IC/4/2019	NAIROBI EMPLOYMENT & LABOUR COURT NO. 152 OF 2019	KENYA INDEPENDENT COMMISSIONS WORKERS UNION(KICOWU)	IEBC
5	IEBC/IC/5/2019	NAIROBI EMPLOYMENT & LABOUR COURT NO. 617 OF 2019	EZRA CHILOBA	IEBC



S/NO	FILE NUMBER	COURT CASE NUMBER	PETITIONER(S)	RESPONDENT(S)
6	IEBC/IC/6/2019	BUNGOMA EMPLOYMENT & LABOUR COURT NO. 11 OF 2019	WANYAMA MURABWA JOHN	IEBC
7	IEBC/IC/1/2020	NAIROBI EMPLOYMENT & LABOUR COURT NO. 359 OF 2020	BONIFACE KIRIMI	IEBC
<b>JUDICIAL REVIEW APPLICATIONS</b>				
1	IEBC/JR/MISC/4/19	NAIROBI JR MISC NO. 8 OF 2019	MURIU MUNGAI & CO. ADVOCATES	IEBC
2	IEBC/JR/MISC/5/2019	NAIROBI JR MISC NO. 132 OF 2019	EVE MALENYA	IEBC & OTHERS
3	IEBC/JR/MISC/6/2019	THE HIGH COURT OF KENYA AT MILIMANI MISC APPLICATION NO. 141 OF 2019	IDEMA IDENTITY & SECURITY FRANCE OF FRANCIA	THE NATIONAL ASSEMBLY OF REPUBLIC OF KENYA, SPEAKER OF NATIONAL ASSEMBLY, DPP, DCT, IEBC, PUBLIC PROCUREMENT & REGU
4	IEBC/JR/MISC/7/2019	NAIROBI HIGH COURT JR NO. 24 OF 2019	ODHIAMBO & ODHIAMBO ADVOCATES	IEBC
5	IEBC/JR/MISC/8/2019	MOMBASA HCC MISC APPLICATION NO. 332 OF 2019	JOHN OMOLLO T/A GANIJEE & SONS	IEBC
6	IEBC/JR/MISC/9/2019	NAIROBI HIGH COURT JR MISC NO. 272 OF 2019	REPUBLIC EX-PARTE KHELEF KHALIFA	VS & ANOTHER
7	IEBC/JR/MISC/10/2019	NYERI JR NO.7 OF 2019	REPUBLIC EX-PARTE APPLICANT OMARI WANJIKU ESHA	IEBC
8	IEBC/JR/MISC/11/2019	NAIROBI MISC APPLICATION NO. 663 OF 2019	KITHI & CO. ADVOCATES	IEBC
9	IEBC/JR/MISC/12/2019	NAIROBI MISC APPLICATION NO. 16 OF 2019	AHMED ABDULAH MOHAMED	IEBC
10	IEBC/JR/MISC/13/2019	MOMBASA MISC APPLICATION NO. 454 OF 2019	JOHN OMOLLO T/A GANIJEE & SONS	IEBC
11	IEBC/JR/MISC/1/2020	NAIROBI JR NO. 47 OF 2020	STEPHEN HARRY OUMA	IEBC

## Annex 2: Other Elections at the County Level

No.	County	Constituency	Title/type of elections
1.	Kwale	Msambweni	i. Mekaela Likunda School
			ii. Genesis Ukunda Academy
			iii. Diani Busara Junior school, Ukunda
		Matuga	i. Kwale High school student's board election
			ii. DICECE ECDE college board elections at Waa girls High school
			iii. DEFOCA elections at Kwale probation hall
			iv. Waa boys students council election
2.	Kilifi		The Kenya Red Cross Society(KRCS) Election of Youth Board held on the at the KRCS County headquarters
			The Kenya Red Cross Society (KRCS) Kilifi County Board elections at the KRCS headquarters
		Malindi Constituency	Mwalimu National Sacco (Malindi Branch) Elections: held on the at Kibokoni secondary school
			Kilifi County Assembly Staff Welfare Association Elections within the Kilifi County Assembly premises.
		Kilifi South	Student Council Elections at the Mudzini School
3.	Makueni	Mbooni	Board elections at Mbooni Community Forest Association in Mbooni Constituency
		Makueni	Board of students elections at Makueni Boys' High school in Makueni Constituency
		Makueni	Board of students elections at Unoa Primary school in Makueni Constituency
4.	Turkana		<ul style="list-style-type: none"> <li>Kenya Football Federation.</li> <li>Turkana University.</li> <li>Turkana South Constituency Drivers Association Elections.</li> </ul>
		Turkana South	<ul style="list-style-type: none"> <li>Turkana South Constituency Bodabodas Association Elections.</li> </ul>
5.	Uasin Gishu		<ul style="list-style-type: none"> <li>Eldoret High court in February 2020.</li> <li>Red cross society October 2019</li> <li>Rift valley technical and training institute January 2020</li> <li>Eldoret National Polytechnic in January 2020</li> <li>Uasin Gishu Drama schools festivals February 2020</li> </ul>
6.	Kajiado		Conducted elections in four schools, one tertiary institution and the Kenya Red Cross.
		Kajiado North	P.C.E.A Enchoro-Emuny Primary School
		Kajiado Central	Kajiado Township Secondary School, Kenya Red Cross Elections, Maasai Technical Training Institute
		Kajiado East	Arc Junior School



No.	County	Constituency	Title/type of elections
		Kajiado West	Kiserian Adventist Primary School
			Election of County speaker of Kisumu County Assembly
7.	Nyamira		Free and fair elections of two local schools
8.	Embu		<p>Conducted more than seven elections</p> <p>The county managed to supervise and monitor the</p> <ul style="list-style-type: none"> <li>• Embu university student council elections,</li> <li>• Jeremiah Nyaga technical institute elections,</li> <li>• train and observer Kiambere school complex student elections,</li> <li>• Kenya red cross elections,</li> <li>• armed forces retirees association (KAFOCA) elections for Embu,</li> <li>• Embu university non-teaching staff observation of elections</li> </ul>
9.	Samburu	Samburu North	3 elections conducted in schools in.
10.	Baringo	Baringo Central	<ul style="list-style-type: none"> <li>• Elections for pupils' representative at St Marys primary school on.</li> </ul>
		Eldama Ravine	<ul style="list-style-type: none"> <li>• Student leaders elections at Dreams Hill Academy</li> </ul>
11.	Bomet	Sotik	<ul style="list-style-type: none"> <li>• Kamirai Secondary school</li> </ul>
12.	Busia		<ul style="list-style-type: none"> <li>• School elections i.e. Primary, Secondary and University</li> <li>• Organizational elections i.e. Red cross</li> <li>• Societies such as Law Society of Kenya (LSK)</li> </ul>
			<ul style="list-style-type: none"> <li>• Red cross elections held on at Busia Red cross offices.</li> </ul>
13.	Migori		Secondary School elections for St. Augustine's Kakrao Mixed Secondary school.
14.	Muranga	Kangema	School elections Michuki Technical Institute
		Gatanga	Moi Primary school
			Red Cross Elections
		Mukurweini	Mukurweini Technical Training Institute (MTTI)
			St. Augustine Gikondi Boys High School
		Kieni	Mt. Kenya West Narumoru Community Forest Association (CFA)
			Red cross society of Kenya Election for Officials at the county and regional level
15.	Tana River		Hola Primary School
		Garsen	local catholic justice and peace committee in Wema
16.	Transzoia		Red Cross Elections
17.	Vihiga		Carried out preparations and training for Kaimosi Friends University College (KAFUCO) Students Council Elections
18.	Kirinyaga		Red Cross Elections
19.	Kakamega		<ul style="list-style-type: none"> <li>• Kenya Red Cross Branches Elections</li> <li>• A number of schools and academies</li> <li>• Masinde Muliro University Student organization</li> </ul>

No.	County	Constituency	Title/type of elections
			elections
			University of Kabianga student council elections.
			Kenya Primary Schools Heads Association (KEPSHA) elections. This event was conducted on at the Bureti CDF hall.
			Kenya Red Cross Elections.
20.	Machakos		Scott University elections
			Machakos University elections
21.	Siaya	Alego Usonga	Repeat election for The Kenya Red Cross society for the position of Youth Representative

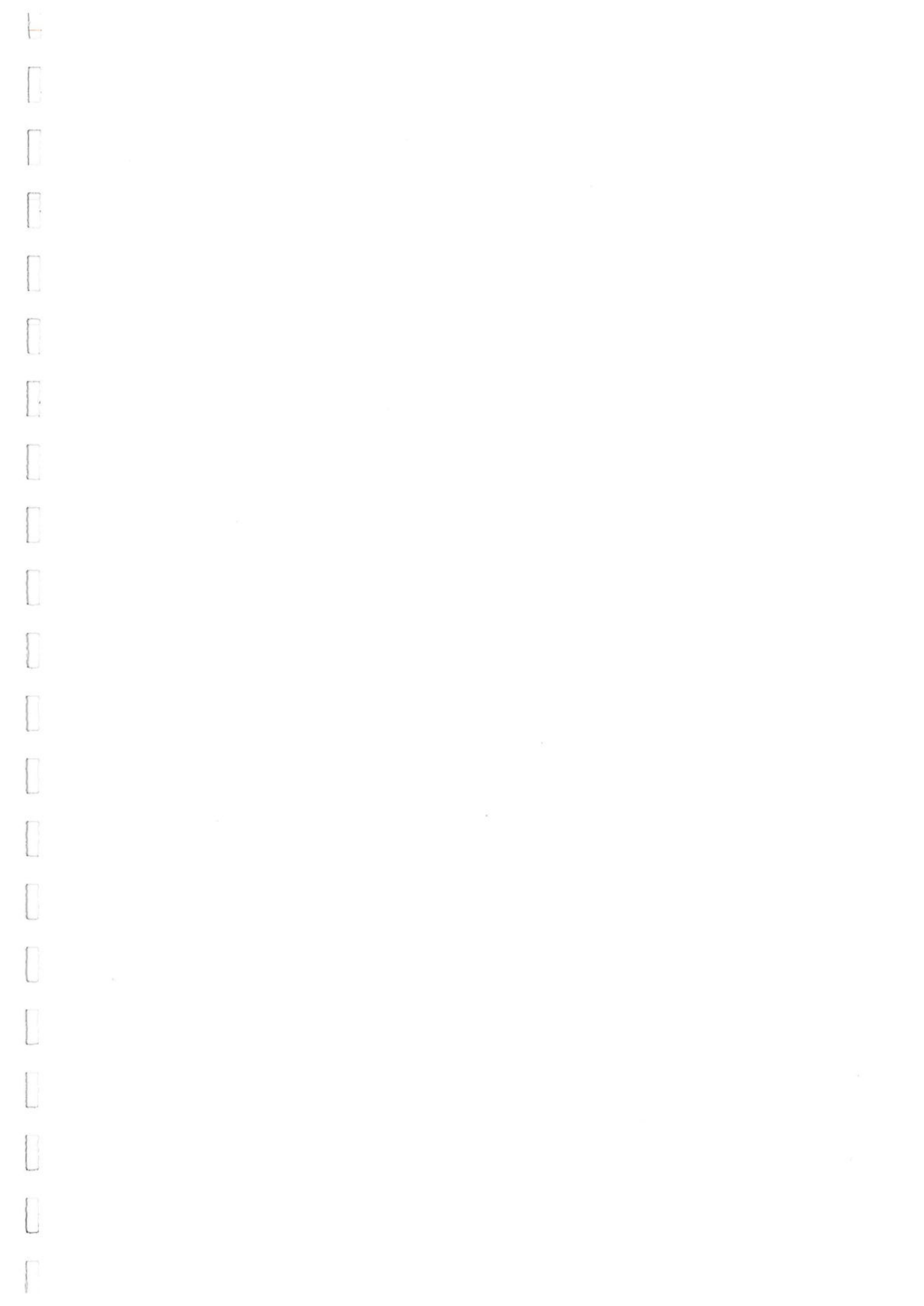


### Annex 3: Data and information Requests

NO.	NAME OF REQUESTER	DATE OF REQUEST	TITLE	RESPONSE DATE
1	Simon Rotich, EBS	21/06/2019	Stake holder engagement- Request for comments on the draft Public Service Commission Strategic plan (2019-2024)	
2	Kate Carter	26/07/2019	Request for Documents on Boundaries history	09/08/2019
3	Edith Lubanga	17/09/2019	Request to conduct pilot study	30/09/2019
4	David Muriuki	03/2020	Request for data on women performance in civic elections since 1992-Meru	16/03/2020
5	Peninnah Nkamba		Request for Election Results year 2013&2017	05/06/2020
6	Samuel kisika	02/06/2020	Request for number of Rejected Votes For Gubernatorial, Senatorial and Woman Member to the National Assembly in the 2019 General Election.	08/06/2020
7	Edwin Cheuiyot	23/04/2020	Request for Information	05/06/2020
8	John Nyandeje Achilla	17/02/2020	Suba South Constituency Map	26/01/2020
9	Mulle Musau	06/11/2019	Request for disaggregated data of the 2017 August 8th and October FPE	13/02/2020
10	Antony Mbithi	16/01/2020	Request for Election data	22/01/2020
11	Hosea Kipruto	08/11/2019	Request for Election data for Nandi County for the 2017 General Election	19/11/2020
12	Njata TV & Njata FM	01/10/2019	Request for the Fresh Presidential Election results for Broadcast purposes	04/10/2019
13	Njata TV & Njata FM	19/09/2019	Request for final presidential Election Results for Broadcast purposes	01/10/2019
14	Dr. Samantha Balaton-Chrimes	14/11/2019	Requesting access to IIBRC repository	13/02/2020
<b>Boundaries Delimitation Information</b>				
1	Zachary Mwangi, EBS	17/3/2020	Provision of Copies of Constituencies and Ward Maps	01/04/2020
2	Hon. (AMB) Ukur Yatani, EGH	27/01/2020	Request for a meeting to discuss collaboration between KNBS and IEBC on the 2019 Census Reports	





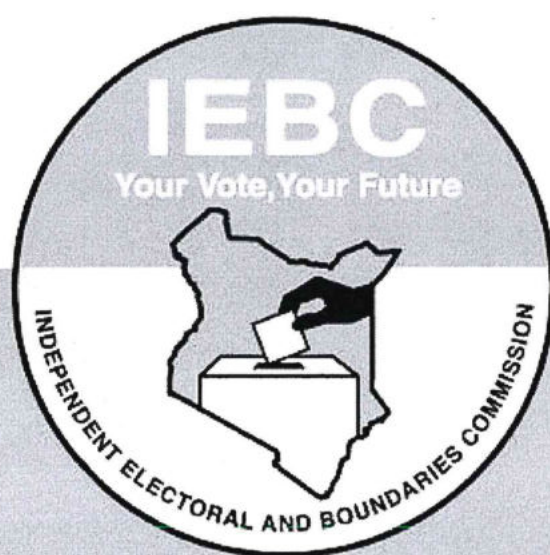


NO.	NAME OF REQUESTER	DATE OF REQUEST	TITLE	RESPONSE DATE
3	Hon. (AMB) Ukur Yatani, EGH	17/12/2019	Request for Confirmation of Shapefiles for Constituencies and Wards	08/01/2020
4	Zachary Mwangi, EBS	04/12/2019	Confirmation of the Draft Shapefiles for the Constituency and Ward Boundaries	04/12/2019
5	Zachary Mwangi, EBS	08/11/2019	Request for Shapefiles indicating Constituency and Ward Boundaries	03/12/2019
6	Zachary Mwangi, EBS	27/11/2019	Request for 2020 Economic Survey Data	
7	Marigat Sub-County Residents	02/07/2019	Request for your intervention in disputed Electoral Boundary between Ilchamus and Saimo Soi wards of Baringo County	12/07/2019
8	Charlse M Hinga	28/05/2019	Appointment of the Ad-Hoc Committee for the deliniation of Boundaries of Thika and Ruiru Municipalities	17/07/2019
9	Charlse M Hinga	05/12/2019	Delineation of Boundaries of Urban areas in Siaya County	17/12/2019
10	Charlse M Hinga	24/01/2020	Delineation of Boundaries of Urban areas in Homabay County	12/02/2020
11	Hon. Silas K.Tiren	25/03/2020	Boundaries Review for Moiben Sub County	
12	Enosh M. Onyango	09/09/2019	Delineation of Boundaries of Marsabit Municipality and Other urban areas in Marsabit County	
13	Hon. Augustine Kavindu	14/01/2020	Delimitation of Mwingi County	27/01/2020
14	Hon. Augustine Kavindu	14/01/2020	Delimitation of kyanika ward, Mwingi County	27/01/2020
15	Daniel Oigo Ogachi	08/05/2020	Request for a polling station	28/05/2020
16	M'mungania Karunju	16/03/2020	Request By Igoki Residents to have their own ward	24/04/2020
17	P.K Kamau & CO,Advocated	28/02/2020	Purported Constituency Boundary Demarcation Between Wajir North & Eldas Constituencies	24/03/2020
18	Hon (Rtd) Maj. John Waluke	29/04/2020	Erroneous placement of Changara Location into Busia County from Bungoma County	28/05/2020



NO.	NAME OF REQUESTER	DATE OF REQUEST	TITLE	RESPONSE DATE
19	Hon (Rtd) Maj. John Waluke	30/04/2020	Proposed IEBC polling Centres-Sirisia Constituency	26/05/2020
20	Hon (Rtd) Maj. John Waluke	05/05/2020	Request for a new Ward and Proposed IEBC centres	26/05/2020
21	Theta Residents	14/02/2020	Boundaries Alignment for Theta Ward	04/06/2020
22	Solomon Kuria	16/03/2020	Request for Nyandarua County map in Hard Copy A0/A1	
23	Hon Charlse Kamuren	15/01/2020	Detailed Map of Baringo South Constituency	12/02/2020
24	Eun Kyung Kim	09/01/2020	Request to access IEBC data for Academic Research	22/01/2020
25	Julius M. Kaloi	09/09/2019	Intercounty boundary between Makueni and machakos Counties, Makueni and Kajiado and subsequent boundary between Machakos town and Kilome Constituencies	22/11/2019
26	Hon. Ahmed Abisalan Ibrahim	04/09/2019	Wajir North- Wajir West political boundary	21/11/2019
27	Bhukayo West Ward	16/10/2020	Petition to sub-divide Bhukayo West Ward into two Wards	21/11/2019
28	Hon. Julius musili mawathe	22/10/2019	Request for Maps for Embakasi South Constituency	30/10/2020
29	Mary N. Mwangi		Political Boundaries	23/10/2019
30	Hassan A. Roble	21/11/2019	Political Boundaries	
31	Hon. Charles Kamuren	15/01/2020	Request for a detailed map of Baringo South Constituency	12/02/2020
32	Sagana, Biriq & Co-advocates	02/12/2019	Impunged 2019 Population and Housing census results Tarbaj Sub-County	03/02/2020
33	Michael Sialai, EBS	05/03/2020	Parliamentary Question (No. 039/2020) regarding demarcation of Boundaries of mall constituencies in Marsabit county	12/03/2020





# Your Vote, Your Future

Independent Electoral and Boundaries Commission (IEBC)  
Anniversary Towers, University Way  
P.O Box 45371-00100, Nairobi. Tel: 020 - 2877 00



[info@iebc.or.ke](mailto:info@iebc.or.ke)



[www.iebc.or.ke](http://www.iebc.or.ke)



[@IEBCKenya](https://twitter.com/IEBCKenya)



[facebook.com/IEBCKenya](https://facebook.com/IEBCKenya)



[@IEBCKenya](https://www.instagram.com/IEBCKenya)