



THE REPUBLIC OF KENYA

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THE ELECTION CAMPAIGN FINANCING ACT

NO. 42 OF 2013

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ELECTION CAMPAIGN FINANCING ACT

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NO. 42 OF 2013

ELECTION CAMPAIGN FINANCING ACT

[Date of assent: 24th December, 2013.]

[Date of commencement: 10th January, 2014.]

AN ACT of Parliament to provide for the regulation, management, expenditure and accountability of election campaign funds during election and referendum campaigns; and for connected purposes

[Act No. 42 of 2013, Act No. 1 of 2017.]

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Election Campaign Financing Act, 2013.

1A. Suspension of operation of Act

The operation of this Act is suspended and the Act shall come into force immediately after the general elections to be held in the year 2017.

[Act No. 1 of 2017, s. 32.]

2. Interpretation

(1) In this Act, unless the context otherwise requires—

"anonymous donation" means a donation which the recipient is, unable to ascertain the identity of the donor;

"bank" means a bank as defined under the Banking Act (Cap. 488);

"candidate" means a person contesting for an elective post;

"campaign expenses" means expenses incurred by a candidate, a political party, a referendum committee or an organisation registered by the Commission to campaign in support of a candidate, a political party or a referendum committee during an election period;

"campaign financing" means resources spent by a candidate or a political party during an election period for purposes of campaign;

"campaign period" has the meaning assigned to it under the Elections Act (No. 24 of 2011);

"Commission" means the Independent Electoral and Boundaries Commission established under Article 88 of the Constitution;

"contribution" means monetary and non-monetary contributions including loans, donations, grants, gifts, property, services provided to a candidate or political party, and money spent on behalf of a candidate, political party or referendum committee in paying any expenses incurred directly or indirectly, but does not include volunteer services;

"election" means a presidential, parliamentary or county election, and includes a referendum and a by-election;

"election expenses" means all funds expended or expenses incurred in respect of the conduct and management of a nomination process, election