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GAZETTE NOTICE NO. 10682

**THE CONSTITUTION OF KENYA
THE SENATE
THE SENATE STANDING ORDERS
SPECIAL SITTING OF THE SENATE**

NOTICE is given to all Senators that pursuant to Standing Order 29 of the Senate Standing Orders, on the request of the Senate Majority Leader, and with the support of fifteen Senators, I have appointed Wednesday, 28th December, 2016 as a day for a special sitting of the Senate. The special sitting shall be held in the Senate Chamber, Ground Floor, Main Parliament Buildings, Nairobi at 10.00 a.m.

The business to be transacted at the special sitting shall be the consideration of:

- (a) The Election Laws (Amendment) Bill, 2015 (National Assembly Bills No. 3 of 2015);
- (b) The Motion on the approval of nominees for appointment to the Climate Change Council;
- (c) The Report of the Standing Committee on Finance, Commerce and Budget on the 2017 Budget Policy Statement;
- (d) The County Statistics Bill, 2016 (Senate Bills No. 11 of 2016);
- (e) The Treaty Making and Ratification (Amendment) Bill, 2016, Senate Bills No. 5 of 2016;
- (f) The Warehouse Receipts Systems Bill, 2015 (National Assembly Bills, No. 12 of 2015);
- (g) The Impeachment Procedure Bill, 2016, (Senate Bills No. 8 of 2016);
- (h) The Local Content Bill, 2016, Senate Bills No. 13 of 2016;
- (i) The Constitution of Kenya (Amendment) Bill, 2015 (Senate Bills No. 16 of 2015);
- (j) The Presidential Memorandum on the Petroleum (Exploration, Development and Production) Bill, 2015 (National Assembly Bills, No. 44 of 2015);
- (k) The Presidential Memorandum on the Energy Bill, 2015 (National Assembly Bills, No. 50 of 2015); and
- (l) Motion on the extension of the mandate of the Sessional Committees of the Senate.

In accordance with Standing Order 29 (5) of the Senate Standing Orders, the business specified in this notice shall be the only business

before the Senate during the special sitting, following which the Senate shall stand adjourned until Tuesday, 14th February, 2017, at 2.30 p.m. when the Senate shall continue with its regular sittings in accordance with the approved calendar of the Senate, by a resolution made on Thursday, 3rd March, 2016.

Dated the 23rd December, 2016.

EKWEE ETHURO,
Speaker of the Senate.

GAZETTE NOTICE NO. 10683

**THE PUBLIC HOLIDAYS ACT
(Cap. 110)**

DECLARATION OF A PUBLIC HOLIDAY

IT IS notified for the general information of the public that the Cabinet Secretary for Interior and Co-ordination of National Government, in exercise of the powers conferred by section 3 of the Public Holidays Act, declares that Tuesday, 27th December, 2016 be a public holiday.

Dated the 23rd December, 2016.

JOSEPH NKAISSERY,
*Cabinet Secretary for Interior
and Co-ordination of National Government.*

GAZETTE NOTICE NO. 10684

**THE STATE CORPORATIONS ACT
(Cap. 446)**

**THE KENYA ACCREDITATION SERVICE (KENAS)
(L.N. 55 of 2009)**

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 (e) of the Kenya Accreditation Service Order, 2009, the Cabinet Secretary for Industry, Trade and Co-operatives appoints—

Joyce Jefwa Mnyazi, (Dr.)
Nancy Nkirote Muriuki,

to be members of the Board of the Kenya Accreditation Service, for a period of three (3) years, with effect from the 22nd December, 2016.

Dated the 22nd December, 2016.

ADAN MOHAMED,
Cabinet Secretary for Industry, Trade and Co-operatives.

GAZETTE NOTICE NO. 10685

THE SPECIAL ECONOMIC ZONES ACT

(No. 16 of 2015)

APPOINTMENT

IN EXERCISE of the powers conferred by section 12 (1) (f) of the Special Economic Zones Act, the Cabinet Secretary for Industry, Trade and Co-operatives appoints—

Thuo Kairu,
Maureen Mujera Ogolla,
Paul Russo,
Meshak Keter,

to be members of the Special Economic Zones Authority, for a period of three (3) years, with effect from the 21st October, 2016.

Dated the 22nd October, 2016.

ADAN MOHAMED,
Cabinet Secretary for Industry, Trade and Co-operatives.

GAZETTE NOTICE NO. 10686

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTION (GENERAL) REGULATIONS, 2012

BY-ELECTION FOR BARINGO COUNTY ASSEMBLY—MUMBERES/MAJI MAZURI WARD

IN EXERCISE of the powers conferred by Articles 84, 85, 88 (4), 177, 193 and 194 (1) (a) of the Constitution of Kenya, sections 2, 13 (3), 19, 22, 25, 26, 31 (2B), (2C), 32, 33, 38 and 74 of the Elections Act, and Regulations 11 (3), 12 (1), 15 (1) (a) and Part III and V of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission gives notice that:

- (a) A vacancy occurred in Baringo County Assembly in the office of Member of Mumberes/Maji Mazuri Ward Representative, Eldama Ravine Constituency, on 26th October, 2016.
- (b) Independent candidates to submit their names and symbols on or before Friday, 30th December, 2016 being twenty-one (21) days before the nominations.
- (c) Each political party shall submit to the Commission the name of the person contesting in its primary and the date of the primary on or before Friday, 30th December, 2016 being twenty-one (21) days before nomination day.
- (d) The Commission shall Gazette the names of persons contesting in a party primary within seven (7) days of receipt of the names of party candidates.
- (e) Dispute(s) relating to or arising from nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission which dispute(s) must be lodged within 24 hours of occurrence.
- (f) The days for nomination of political parties candidates and independent candidates for the by-election will be on Thursday, 19th, January, 2017 and Friday, 20th, January, 2017 nomination papers shall be delivered by candidates to the Returning Officer between the hours of eight O' clock in the morning and four O'clock in the afternoon with a 1 hour break between 1.00 p.m. and 2.00 p.m.
- (g) Dispute(s) relating to or arising from decisions of the Returning Officer after nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission which dispute(s) be lodged within 24 hours of occurrence.
- (h) Pursuant to the provisions of regulation 57 (1) and (2) of the Elections (General) Regulations, 2012 every political party and every independent candidate at the by-election shall submit to

the Commission names of the chief agents on or before Wednesday, 8th March, 2017.

- (i) The campaign period for purposes of the Wednesday, 22nd March, 2017, by-election shall commence on, Thursday, 19th January, 2017 cease on Sunday, 19th March, 2017 being 48 hours before the by-election day.
- (j) The campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
- (k) If the by-election is contested, the poll will take place on Wednesday, 22nd March, 2017.

NOTES

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Part III and VIII of the Elections (General) Regulations 2012. First Schedule to the Leadership and Integrity Act (No. 19 of 2012) and Chapter Six of Constitution of Kenya.
2. Every political party and every person who participates in the by-election shall subscribe to and observe the Electoral Code of Conduct set out in the Second Schedule of the Elections Act, 2011.
3. In pursuance to the provisions of section 26 of the Elections Act, 2011 any candidate who intends to vie for the by election should not participate in public fundraising.
4. The provisions of section 43 (5) of the Elections Act, 2011 are drawn to any public officer who intends to contest the said by-election.

Dated the 22nd December, 2016.

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

GAZETTE NOTICE NO. 10687

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTION (GENERAL) REGULATIONS, 2012

BY-ELECTION FOR MIGORI COUNTY ASSEMBLY-CENTRAL KANYAMKAGO WARD

IN EXERCISE of the powers conferred by Articles 84, 85, 88 (4), 177, 193 and 194 (1) (a) of the Constitution of Kenya, sections 2, 13 (3), 19, 22, 25, 26, 31 (2B), (2C), 32, 33, 38 and 74 of the Elections Act, and Regulations 11 (3), 12 (1), 15 (1) (a) and Part III and V of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission gives notice that:

- (a) A vacancy occurred in Migori County Assembly in the office of Member of Central Kanyamkago Ward Representative, Uriri Constituency and notice issued by the Speaker on 11th October 2016.
- (b) Independent candidates to submit their names and symbols on or before Friday, 30th December, 2016 being twenty-one (21) days before the nominations.
- (c) Each political party shall submit to the Commission the name of the person contesting in its primary and the date of the primary on or before Friday, 30th December, 2016 being twenty-one (21) days before nomination day.
- (d) The Commission shall Gazette the names of persons contesting in a party primary within 7 days of receipt of the names of party candidates.
- (e) Dispute(s) relating to or arising from nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission which dispute(s) must be lodged within 24 hours of occurrence.

- (f) The days for nomination of political parties candidates and independent candidates for the by-election will be on Thursday, 19th January, 2017 and Friday, 20th January, 2017 nomination papers shall be delivered by candidates to the Returning Officer between the hours of eight O' clock in the morning and four O'clock in the afternoon with a 1 hour break between 1.00 p.m. and 2.00 p.m.
- (g) Dispute(s) relating to or arising from decisions of the Returning Officer after nominations shall be determined within seven (7) days of lodging the dispute(s) with the Commission which dispute(s) be lodged within 24 hours of occurrence.
- (h) Pursuant to the provisions of regulation 57 (1) and (2) of the Elections (General) Regulations, 2012 every political Party and every Independent Candidate at the by-election shall submit to the Commission names of the chief agents on or before Wednesday, 8th March, 2017.
- (i) The campaign period for purposes of the Wednesday, 22nd March, 2017, by-election shall commence on, Thursday, 19th January, 2017 cease on Sunday, 19th March, 2017 being 48 hours before the by-election day.
- (j) The campaign time shall run from 7.00 a.m. to 6.00 p.m. during the campaign period.
- (k) If the by-election is contested, the poll will take place on Wednesday, 22nd March, 2017.

NOTES

1. The attention of candidates and persons subscribing nomination papers is drawn to the provisions of Part III and VIII of the Elections (General) Regulations 2012. First Schedule to the Leadership and Integrity Act (No. 19 of 2012) and Chapter Six of Constitution of Kenya.
2. Every political party and every person who participates in the by-election shall subscribe to and observe the Electoral Code of Conduct set out in the Second Schedule of the Elections Act, 2011.
3. In pursuance to the provisions of section 26 of the Elections Act, 2011 any candidate who intends to vie for the by-election should not participate in public fundraising.
4. The provisions of section 43 (5) of the Elections Act, 2011 are drawn to any public officer who intends to contest the said by-election.

Dated the 22nd December, 2016.

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

GAZETTE NOTICE No. 10688

THE ENERGY ACT
THE ENERGY TRIBUNAL RULES, 2008
NOTIFICATION OF FILING OF APPEAL

PURSUANT to Rule 15 of the Energy Tribunal Rules, 2008 (G.N. No. 9163 of 2008, the Secretary issues notification on filing of appeals as under:

Appeal Case No.	Appellant's Name	Respondent's Name	Date of Filing Appeal	Decision to which the Appeal relates and the person by whom it was made	Particulars of the relief sought by the Appellant	Summary of the Principal grounds sought by the Appellant
001 of 2016	Hashi Energy Limited	Energy Regulatory Commission	17/05/2016	Respondent's decision contained in Gazette Notice No. 2823 published in the Kenya Gazette of 22/4/2016.	Setting aside of the Respondent's decision contained in Gazette Notice No. 2823/2016 published on 22/4/2014.	Interpretation of Open Tender System (OTS) agreement of 1st April, 2015 with Reference to Tender No. PMS 514/2015.
002 of 2016	Total Kenya Limited	Energy Regulatory Commission	17/5/2016	Respondent's decision contained in gazette Notice No. 2823 published in the Kenya Gazette of 22/4/2016.	Setting aside of Respondent's decision gazette on 22/04/2016 under Gazette Notice No. 2823/2016	Application for change of escalation/de-escalation factor on cargoes PMS KR01/2015, K513, 511, K14, K15, K16 & 514.
003/2016	Libya Oil (K) Limited, Vivo Engery (K) Limited; Gapco Kenya Limited; Fossil Fuel Limited ORYX Energies (K) Limited; Petro Oil Kenya Limited; Regnol Oil (K) Limited.	Energy Regulatory Commission	25/05/2016	Respondent's decision in gazette Notice No. 2822/2016 published in the Kenya Gazette of 22/4/2016.	Setting aside of Respondent's decision gazetted on 22/04/2016 under Gazette Notice No. 2822/2016	Yield shift cost Recovery
004/2016	Total (K) Limited	Energy Regulatory Commission	24/05/2016	Respondent's decision gazetted on 22/04/2016 vide gazette Notice Nos 2824 & 2825/2016	Setting aside of Respondent's decision gazetted on 22/04/2016 under Gazette Notice Nos. 2824 & 2825/2016	Recovery of levies under the Road maintenance Levy.
005/2016	Libya Oil (K) Limited	Energy Regulatory Commission	25/05/2016	Respondent's decision gazetted on 19/04/2016 vide gazette Notice No. 2824/2016	Setting aside of Respondent's decision gazetted on 19/04/2016 vide Gazette Notice No. 2824/2016	Recovery of levies under the Road maintenance Levy.
006/2016	Total (K) Ltd	Energy Regulatory Commission	20/05/2016	Respondent's decision gazetted on 19/04/2016 vide gazette Notice No. 2822/2016	Setting aside of Respondent's decision gazetted on 19/04/2016 vide Gazette Notice No. 2822/2016	Yield shift cost recovery

any person who considers that he/she has sufficient interest may apply to intervene in the proceedings, in accordance with Rule 17, within fourteen (14) days from the date of publication of the notice.

Take further notice that the above mentioned appeal cases are coming up for mention before the Tribunal on 17th January, 2017 at 2.30 p.m. at the Tribunal Courtroom, Nyayo House, 24th Floor, Kenyatta Avenue/Uhuru Highway Junction, Nairobi.

Dated the 22nd December, 2016.

JOHN K. K. GICHURU,
Secretary, Energy Tribunal.