



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

FOURTH YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
SECOND SEMESTER, 2023/2024
(JANUARY-APRIL, 2024)

LLBK 425: ELECTION LAW

STREAM: Y4 S2

TIME: 2 HOURS

DAY: MONDAY, 9:00 – 11:00 A.M.

DATE: 08/04/2024

INSTRUCTIONS

- 1. Do not write anything on this question paper.**
- 2. Answer Question ONE and any TWO other Questions.**
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.**

QUESTION ONE

- a) 'The principle of universal suffrage has been progressively realized. Voting is now a basic right possessed by all mentally competent adults except those convicted of felonies.' Discuss. (14 Marks)
- b) Duncan is a member of Kura Sasa civil society and a registered voter from Kipsewet Constituency. He has observed with dismay the shenanigans of Bwana Dawa, MP Shinyalu, who in the recent disbursement of funds for Constituency Development Fund (CDF) kept for himself a colossal sum of the cash meant to assist the needy students. Bwana Dawa is in the first year of his tenure in office. Duncan has come to your chambers with a list of names and signatures of twenty percent of the registered voters in Shinyalu Constituency only from the Murembe tribe.
Discuss the legal issues that arise from the above. (16 Marks)

QUESTION TWO

- a) Tom and Jerry are desirous of forming a political party catering to men only since in their view the boy-child has been left behind in the nation's development agenda. Jerry member of the governing body is a convict having been released from a three month incarceration, where he witnessed firsthand the oppression of men behind bars. Their slogan is 'Patriarchy forever' and symbol a bloody sword.

You are the Registrar of Political Parties in Kenya. Advise, of the tenability of their registration application. (6 Marks)

- b) Outline the conditions that have to be met by political parties to obtain full registration. (14 marks)

QUESTION THREE

Outline ten offences emanating from the Election Offences Act 37 of 2016. (20 Marks)

QUESTION FOUR

- a) Discuss ten functions of Independent Electoral and Boundaries Commission appertaining to campaign financing. (20 Marks)

QUESTION FIVE

Elaborate on how technology has aided the accuracy and verifiability of Kenyan elections. (20 Marks)