

**BILLS
SUPPLEMENT No. 11**

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BILLS SUPPLEMENT

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National Council for Disability

Bill No. 17

(Amendment) Bill

2015

**THE NATIONAL COUNCIL FOR DISABILITY (AMENDMENT)
BILL, 2015.**

MEMORANDUM

The object of this Bill is to amend the National Council for Disability Act, 2003 to provide for the mode of electing members of the national council and the councils for disability at the village, parish or ward, subcounty or town, division, municipality or district; and to provide for related matters.

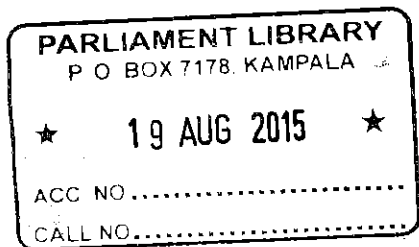
Article 68(1) of the Constitution requires that voting at a public election shall be by secret ballot using one ballot box at each station for all candidates.

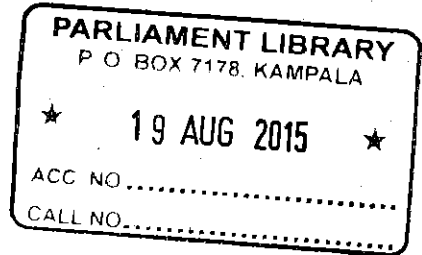
Whereas article 68(6) of the Constitution enjoins Parliament with power to exempt by law any public election from the requirements of article 68(1) that it should be held by secret ballot, the National Council for Disability Act, 2003 does not explicitly provide for the mode of election for councils and committees at the village, parish or ward, subcounty, division town.

The Bill seeks to amend the National Council for Disability Act, 2003 in accordance with article 68(6) of the Constitution, to exempt the elections at village, parish or ward, subcounty, division or town diasability committee from the requirements of article 68(1), that the election should be held by secret ballot.

The Bill proposes that the elections at these levels should be conducted by lining up behind the candidates, their representatives, their portraits or symbols.

ANITE EVELYN (MP)
Minister of State for Youth and Children Affairs.





A Bill for and Act

ENTITLED

**THE NATIONAL COUNCIL FOR DISABILITY
(AMENDMENT) ACT, 2015.**

An Act to amend the National Council for Disability Act, 2003, to provide for the mode of electing members of the national council and the councils for disability at the village, parish or ward, subcounty or town, division, municipality or district; and to provide for related matters.

BE IT ENACTED by Parliament as follows:

1. Amendment of the National Council for Disability Act, 2003
The National Council for Disability Act, 2003 is amended by inserting immediately after section 31A, the following new section—

“31AA. Election of councils and committees.

(1) Elections for the national council and the district or city council for disability shall be by secret ballot.

(2) Elections for the village, parish or ward, subcounty, division or town council or committee for disability shall be by the electorate lining up behind the candidates nominated for the office, their representatives, portraits or symbols.”

