

HARMONIZED SENATE AND HOUSE ELECTORAL AMENDMENT BILL 2021

A

Bill

For

An Act to Repeal the Electoral Act No. 6, 2010 and Enact the Electoral Act 2021, to Regulate the Conduct of Federal, State and Area Councils in the Federal Capital Territory Elections; and for Related Matters (SB. 122).

[COMMENCEMENT]

CLAUSES	PROVISIONS OF THE REPEALED ACT	PROVISIONS OF THE BILL	COMMITTEE RECOMMENDATION	REMARKS
	LONG TITLE: AN ACT TO REPEAL THE ELECTORAL ACT 2006 AND RE-ENACT THE INDEPENDENT NATIONAL ELECTORAL COMMISSION, REGULATE THE CONDUCT OF FEDERAL, STATE AND AREA COUNCIL ELECTIONS AND FOR RELATED MATTERS, 2010.	THE BILL FOR AN ACT TO AMEND THE ELECTORAL ACT (NO. 6), 2010 AND FOR OTHER RELATED MATTERS, 2019 (H.B. 981)	An Act to repeal the Electoral Act No. 6, 2010 and enact the Electoral Act 2021, to regulate the conduct of Federal, State and Area Councils in the Federal Capital Territory elections; and for related matters.	Long title of the Bill is redrafted
	<i>ENACTED by the National Assembly of the Federal Republic of Nigeria:-</i>	<i>ENACTED by the National Assembly of the Federal Republic of Nigeria:-</i>	ENACTED by the National Assembly of the Federal Republic of Nigeria-	
	PART I ESTABLISHMENT AND FUNCTIONS ETC, OF	PART I ESTABLISHMENT AND FUNCTIONS ETC, OF	PART I- ESTABLISHMENT AND FUNCTIONS ETC, OF INDEPENDENT NATIONAL ELECTORAL COMMISSION	

	INDEPENDENT NATIONAL ELECTORAL COMMISSION	INDEPENDENT NATIONAL ELECTORAL COMMISSION		
1.	1. The Independent National Electoral Commission as established by S. 153 of the Constitution, shall be a body corporate with perpetual succession and may sue and be sued in its corporate name	<i>1. (1) The Independent National Electoral Commission as established by Section 153 of the Constitution, shall be: (a) a body corporate with perpetual succession and a common seal; and (b) may sue, and be sued in its corporate name.</i>	<i>Establishment of Independent National Electoral Commission</i> 1. (1) The Independent National Electoral Commission as established by section 153 of the Constitution (in this Bill referred to as “the Commission”), - (a) shall be a body corporate with perpetual succession; and (b) may sue and be sued in its corporate name. (2) The National Headquarters of the Commission shall be situated in the Federal Capital Territory (FCT).	
2.	FUNCTIONS OF THE COMMISSION 2. In addition to the functions conferred on it by the Constitution, the Commission shall have power to: (a) conduct voter and civic education; (b) promote knowledge of sound democratic election processes; (c) conduct any referendum required to be conducted pursuant to the provision of the 1999 Constitution or any other law or Act of the National Assembly.	FUNCTIONS OF THE COMMISSION 2. Provision of the principal Act retained.	Functions of the Commission 2. In addition to the functions conferred on it by the Constitution, the Commission shall have power to - (a) conduct voter and civic education;	

			<p>(b) promote knowledge of sound democratic election processes;</p> <p>(c) conduct any referendum required to be conducted under the provisions of the 1999 Constitution (as altered) or an Act of the National Assembly.</p>	
3.	<p>ESTABLISHMENT OF THE INDEPENDENT NATIONAL ELECTORAL COMMISSION FUND</p> <p>3. (1) There shall be established for the Commission a fund to be known as Independent National Electoral Commission Fund.</p> <p>(2) There shall be paid into the Fund established in pursuance to subsection (1) of this Section-</p> <p>(a) such sums and payments available to the Commission for carrying out its functions and purposes under the Constitution and this Act and all other assets from time to time accruing to the Commission;</p> <p>(b) such sums as may, from time to time, be credited to the Fund by way of interest from investments made from the fund;</p> <p>(c) <i>Aid and grants</i> that may from time to time accrue to the Commission in order to carry out its functions.</p> <p>(3) Disbursements from the fund shall be made in accordance with rules established by the Commission.</p>	<p>ESTABLISHMENT OF THE INDEPENDENT NATIONAL ELECTORAL COMMISSION FUND</p> <p><i>3. Provision of the principal Act retained.</i></p>	<p>Establishment of the Independent National Electoral Commission Fund</p> <p>3. (1) There shall be established for the Commission a fund to be known as the Independent National Electoral Commission Fund (in this Bill referred to as “the Fund”).</p> <p>(2) There shall be paid into the Fund established under subsection (1) -</p> <p>(a) such sums and payments received from the Federal Government available to the Commission for carrying out its functions this Bill;</p> <p>(b) such sums as may be credited to the Fund by way of interest from investments made from the fund;</p>	

			<p>(c) aid, grants or any other accruals to the Commission in order to carry out its functions.</p> <p>(3) The election funds due to the Commission for any general elections are to be released to the Commission not later than one year before the next general election.</p> <p>(4) Disbursements from the fund shall be made in accordance with rules set out by the Commission.</p>	
4.	<p>EXPENDITURE OF THE COMMISSION</p> <p>4. (1) The Commission may, from time to time, apply the proceeds of the Fund established under section 3(1) of this Act to-</p> <p>(a) defray the cost of administration of the Commission.</p> <p>(b) reimburse members or members of any Committee set up by the Commission for such expenses as may be expressly authorized by the Commission in accordance with the rates approved by it;</p> <p>(c) the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation allowance and</p>	<p>EXPENDITURE OF THE COMMISSION</p> <p>4. Provision of the principal Act retained.</p>	<p>Expenditure of the Commission</p> <p>4. (1) The Commission may apply the proceeds of the Fund established under section 3 (1) to-</p> <p>(a) defray the cost of administration of the Commission;</p> <p>(b) reimburse members or members of any committee set up by the Commission for such expenses as may be expressly authorised by the</p>	

	<p>gratuities payable to the officers and servants of the Commission;</p> <p>(d) the maintenance of any property vested in the Commission; and</p> <p>(e) to all or any of its functions under this Act.</p> <p>(2) No payment of any kind under subsection (1) (c) of this section (except payment as may be expressly authorized) shall be made to any person who is in receipt of emoluments from the Government of the Federation or the Government of a State.</p>		<p>Commission in accordance with the rates approved by it;</p> <p>(c) the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation allowance and gratuities payable to the officers and servants of the Commission;</p> <p>(d) the maintenance of any property vested in the Commission; and</p> <p>(e) all or any of its functions under this Bill.</p> <p>(2) No payment of any kind under subsection (1) (c) (except payment as may be expressly authorised) shall be made to any person who is in receipt of emoluments from the Government of the Federation or of a State.</p>	
5.	<p>ANNUAL ESTIMATES AND ACCOUNTS</p> <p>5. (1) The Commission shall submit to the Ministry of Finance not later than 31st August in each financial year an estimate of its expenditure and income (including payments to the Independent</p>	<p>ANNUAL ESTIMATES AND ACCOUNTS</p> <p>5. <i>Provision of the principal Act retained.</i></p>	<p>Annual estimates and accounts</p> <p>5. (1) The Commission shall submit to the Ministry of Finance not later than 31st August in each financial year an estimate of its expenditure, income and</p>	

	<p>National Electoral Commission) during the next succeeding financial year.</p> <p>(2)The Commission shall keep proper accounts in respect of each financial year and shall cause its accounts to be audited as soon as possible after the end of each financial year by the Auditor General of the Federation.</p>		<p>payments during the next financial year.</p> <p>(2) The Commission shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited as soon as possible after the end of each financial year by the Auditor-General of the Federation.</p>	
6.	<p>ESTABLISHMENT OF OFFICE IN EACH STATE AND FEDERATION CAPITAL TERRITORY</p> <p>6. (1) There shall be established in each State of the Federation and Federal Capital Territory, an office of the Commission which shall perform such functions as may be assigned to it, from time to time, by the Commission.</p> <p>(2) A person appointed to the office of a Resident Electoral Commissioner shall;</p> <p>(a) be answerable to the Commission; and</p> <p>(b) hold office for a period of five years.</p> <p>(3) The Resident Electoral Commissioner appointed pursuant to the Constitution may only be removed by the President, acting on an address supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of the</p>	<p>ESTABLISHMENT OF OFFICE IN EACH STATE AND FEDERATION CAPITAL TERRITORY</p> <p><i>6. Provision of the principal Act retained.</i></p>	<p>Establishment of office in each State, Federal Capital Territory Local Government Area</p> <p>6. (1) There shall be established in each State of the Federation and Federal Capital Territory and Local Government Area, an office of the Commission which shall perform such functions as may be assigned to it by the Commission.</p> <p>(2) A person appointed to the office of a Resident Electoral Commissioner shall -</p> <p>(a) be answerable to the Commission; and</p> <p>(b) hold office for a period of five years from the date of his</p>	

	office (whether arising from infirmity of mind or body or any other cause) or for misconduct.		or her appointment which may be renewable for another period of five years only. (3) The Resident Electoral Commissioner appointed under the Constitution may only be removed by the President, acting on an address supported by two-thirds majority of the Senate praying that the Resident Electoral Commissioner be so removed for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct.	Paragraph 14 Part 1 of the Third Schedule 1999 Constitution
7.	COMMITTEES OF THE COMMISSION 7. The Commission may appoint one or more committees to carry out any of its functions under this Act.	COMMITTEES OF THE COMMISSION <i>7. Provision of the principal Act retained.</i>	Committees of the Commission 7. The Commission may appoint one or more committees to carry out any of its functions under this Bill.	
	PART II STAFF OF THE COMMISSION	PART II STAFF OF THE COMMISSION	PART II STAFF OF THE COMMISSION	
8.	SECRETARY AND OTHER STAFF OF THE COMMISSION 8. (1) There shall be a Secretary to the Commission who shall - (a) be appointed by the Commission;	SECRETARY AND OTHER STAFF OF THE COMMISSION Retained	Secretary and other staff of the Commission 8. (1) There shall be a Secretary to the Commission who shall-	

	<p>(b) have such qualifications and experience to be determined by the Commission as are appropriate for a person required to perform the functions of his office under this Act.</p> <p><i>(c) hold office for a period of 4 years from the date of his appointment which may be renewable for another period of 4 years only.</i></p> <p>(2) Subject to the general direction of the Commission, the Secretary shall be-</p> <p>(a) responsible for keeping of proper records of the proceedings of the Commission;</p> <p>(b) the head of the Commission's secretariat and be responsible for its administration; and</p> <p>(c) responsible for the direction and control of all other employees of the Commission with the approval of the Commission.</p> <p>(3) The Commission shall have power to appoint, dismiss and exercise disciplinary control over its staff as may be prescribed by this Act or any other enactment or law.</p>	Retained	<p>(a) be appointed by the Commission;</p> <p>(b) have such qualifications and experience to be determined by the Commission as are appropriate for a person required to perform the functions of his or her office under this Bill; and</p> <p>(c) hold office for a period of four years from the date of his or her appointment which may be renewable for another period of four years only.</p> <p>(2) Subject to the general direction of the Commission, the Secretary shall be-</p> <p>(a) responsible for keeping proper records of the proceedings of the Commission;</p> <p>(b) the head of the Commission's secretariat and be responsible for its administration; and</p> <p>(c) responsible for the direction and control of all other employees of the Commission</p>	
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	<p>(4) All employees of the Commission appointed under subsection (3) of this section excluding persons appointed on a temporary basis for an honorarium shall have the same right and obligation as provided for in the Pension Reform Act.</p>	<p><i>“(5) (a) A person who, being a member of a political party or is beneficially affiliated or connected to a political party, seeks appointment or employment with the Commission, shall disclose this membership, affiliation, or connection to the Commission.</i></p> <p><i>(b) A person who acts in breach of paragraph (a) of this subsection commits an offence and shall be liable, on conviction, to a minimum imprisonment of five (5) years or a minimum fine of N5,000,000, or both.”</i></p>	<p>with the approval of the Commission.</p> <p>(3) The Commission shall have power to appoint, dismiss and exercise disciplinary control over its staff as may be prescribed by this Bill or any other enactment by the National Assembly.</p> <p>(4) All employees of the Commission appointed under subsection (3) excluding persons appointed on a temporary basis for an honorarium shall have the same rights and obligations as provided for in the Pension Reform Act.</p> <p>(5) A person who, being a member of a political party, misrepresents himself by not disclosing his membership, affiliation, or connection to any political party in order to secure an appointment with the Commission in any capacity, commits an offence and is liable on conviction, to a fine of N5,000,000 or imprisonment for a term not exceeding two years or both.</p>	<p>Act No. 4, 2014</p>
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	PART III NATIONAL REGISTER OF VOTERS AND VOTERS' REGISTRATION	PART III NATIONAL REGISTER OF VOTERS AND VOTERS' REGISTRATION	PART III- NATIONAL REGISTER OF VOTERS AND VOTERS' REGISTRATION	
9.	<p>NATIONAL REGISTER OF VOTERS AND VOTERS' REGISTRATION</p> <p>9. (1) The Commission shall compile, maintain, and update, on a continuous basis, a National Register of Voters, in this Act referred to as the (“Register of Voters”) which shall include the names of all persons entitled to vote in any Federal, State or Local Government or Area Council elections.</p> <p>New Insertion</p> <p>(2) The Commission shall maintain as part of the National Register of Voters, a register of voters for each State of the Federation and for the Federal Capital Territory;</p> <p>(3) The Commission shall maintain as part of the Register of Voters for each State and the Federal Capital Territory, a Register of Voters for each Local Government/Area Council within the State and the Federal Capital Territory.</p> <p>(4) The register shall contain, in respect of every person, the particulars required</p>	<p>NATIONAL REGISTER OF VOTERS AND VOTERS' REGISTRATION</p> <p>9. Retained</p> <p><i>“(1A) The Commission shall keep the register of voters as the National Register of Voters in both manual and electronic formats in its National Headquarter and other locations as the Commission may deem.”; and</i></p> <p>Retained</p>	<p>National Register of voters and voters’ registration</p> <p>9. (1) The Commission shall compile, maintain, and update, on a continuous basis, a National Register of Voters (in this Bill referred to as “the Register of Voters”) which shall include the names of all persons –</p> <p>(a) entitled to vote in any Federal, State, Local Government or FCT Area Council election; and</p> <p>(b) with disability status disaggregated by type of disability.</p> <p>(2) The Commission shall keep the Register of Voters in its National Headquarters and other locations as the Commission may determine:</p>	

	<p>in the Form prescribed by the Commission.</p> <p>(5) The registration of voters, updating and revision of the register of voters under this section shall stop not later than 30 days before any election covered by this Act.</p> <p>(6) The registration of voters shall be at the registration centers designated for that purpose by the Commission and notified to the public.</p>	<p>(5) The registration of voters, updating and revision of the register of voters under this section shall stop not later than 60 days before any election covered by this Act.</p> <p>Retained</p>	<p>Provided that the Commission shall keep the Register of Voters in –</p> <p>(a) electronic format in its central database, and</p> <p>(b) manual, printed, paper-based record or hard copy format.</p> <p>(3) The Commission shall maintain as part of the Register of Voters, a register of voters for each State of the Federation and for the Federal Capital Territory.</p> <p>(4) The Commission shall maintain as part of the Register of Voters for each State and the Federal Capital Territory, a Register of Voters for each Local Government or Area Council within the State and the Federal Capital Territory.</p> <p>(5) The Register of Voters shall contain, in respect of each person, the particulars required in the Form prescribed by the Commission.</p> <p>(6) The registration of voters, updating and revision of the</p>	
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			<p>Register of Voters under this section shall stop not later than 90 days before any election covered by this Bill.</p> <p>(7) The registration of voters shall be at the registration centers designated for that purpose by the Commission and notified to the public.</p>	
<p>10.</p>	<p>CONTINUOUS REGISTRATION</p> <p>10. (1) Without prejudice to section 9(5), there shall be continuous registration of all persons qualified to be registered voters.</p> <p>(2) Each applicant for registration under the continuous registration system shall appear in person at the registration venue with any of the following documents, namely—</p> <ul style="list-style-type: none"> (a) birth or baptismal certificate; (b) national passport, identity card or driver’s licence; or (c) any other document that will prove the identity, age and nationality of the applicant. <p>(3) The Commission shall within 60 days after each year, make available to every political party the names and address of each person registered during that year.</p> <p>(4) When a general election is notified by the Commission pursuant to section 30 of this Act, the current official register of</p>	<p>CONTINUOUS REGISTRATION</p> <p>10. Retained</p>	<p>Continuous registration</p> <p>10. (1) Without prejudice to section 9 (6), there shall be continuous registration of all persons qualified to be registered voters.</p> <p>(2) Each applicant for registration under the continuous registration system shall appear in person at the registration venue with any of the following documents —</p> <ul style="list-style-type: none"> (a) birth certificate; (b) national passport, identity card or driver’s licence; or (c) any other document that will prove the identity, age and nationality of the applicant. <p>(3) The Commission shall, within 60 days after each year, make</p>	

	<p>voters certified by the Commission in accordance with the provision of this Act shall be the official voters' register for those elections.</p> <p>(5) In the case of every <i>bye-election</i> conducted under this Act, the official voters' register for use at such elections shall be the existing current register relating to the senatorial district or the constituency concerned.</p> <p>(6) As soon as claims and objections have been dealt with or the period for making claims and objections has expired, the supplementary list shall be included in the revised register, which shall be certified by the Commission as the official register of voters for the purposes of any election conducted under this Act and supersedes all previous registers.</p>		<p>available to every political party the names and address of each person registered during that year.</p> <p>(4) When a general election is notified by the Commission under section 28 of this Bill, the current official Register of Voters certified by the Commission in accordance with the provisions of this Act shall be the official voters' register for those elections.</p> <p>(5) In the case of every bye-election conducted under this Bill, the official voters' register for use at such elections shall be the existing current register relating to the senatorial district or the constituency concerned.</p> <p>(6) As soon as claims and objections have been dealt with or the period for making claims and objections has expired, the supplementary list shall be included in the revised register, which shall be certified by the Commission as the official Register of Voters for the purposes of any election</p>	
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			conducted under this Bill and supersedes all previous registers.	
11.	<p>APPOINTMENT OF OFFICERS</p> <p>11. (1) For the purpose of maintaining and updating the Voters' Register, the Commission shall appoint such registration, revision or update officers as it may require, provided that such officers shall not be members of any political party.</p> <p>(2) Any person may raise an objection against any officer during the registration or updating exercise provided that failure to raise such objection shall not vitiate the register.</p> <p>(3) The officers appointed under subsection (1) of this section shall exercise such functions and duties as may be specified by the Commission, in accordance with the provisions of this Act, and shall not be subject to the direction or control of any person or authority other than the Commission in the performance of their functions and duties.</p>	<p>APPOINTMENT OF OFFICERS</p> <p>11. Retained</p>	<p>Appointment of Officers</p> <p>11. (1) For the purpose of maintaining and updating the Voters' Register, the Commission shall appoint such registration, revision or update officers as it may require, provided that such officers shall not be members of any political party.</p> <p>(2) Any person may raise an objection against any officer during the registration or updating exercise provided that failure to raise such objection shall not vitiate the register.</p> <p>(3) The officers appointed under subsection (1) shall exercise such functions and duties as may be specified by the Commission, in accordance with the provisions of this Bill, and shall not be subject to the direction or control of any person or authority other than the Commission in the performance of their functions and duties.</p>	

<p>12.</p>	<p>QUALIFICATION FOR REGISTRATION</p> <p>12. (1) A person shall be qualified to be registered as a voter if such a person:</p> <p>(a) is a citizen of Nigeria;</p> <p>(b) has attained the age of 18 years;</p> <p>(c) is ordinarily resident, works in, originates from the Local Government/Area Council or Ward covered by the registration centre;</p> <p>(d) presents himself to the registration officers of the Commission for registration as a voter; and</p> <p>(e) is not subject to any legal incapacity to vote under any law, rule or regulations in force in Nigeria.</p> <p>(2) A person shall not register in more than one registration centre or register more than once in the same registration centre.</p> <p>(3) Any person who contravenes the provisions of subsection (2) of this section commits an offence and is liable on conviction to a fine not exceeding N100,000.00 or imprisonment for a term not exceeding one year or both.</p>	<p>QUALIFICATION FOR REGISTRATION</p> <p>12. Retained</p>	<p>Qualification for registration</p> <p>12. (1) A person shall be qualified to be registered as a voter if such a person -</p> <p>(a) is a citizen of Nigeria;</p> <p>(b) has attained the age of 18 years;</p> <p>(c) is ordinarily resident, works in, originates from the Local Government, Area Council or Ward covered by the registration centre;</p> <p>(d) presents himself to the registration officers of the Commission for registration as a voter; and</p> <p>(e) is not subject to any legal incapacity to vote under any law, rule or regulations in force in Nigeria.</p> <p>(2) A person shall not register in more than one registration centre or register more than once in the same registration centre.</p>	
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			(3) A person who contravenes the provisions of subsection (2) commits an offence and is liable on conviction to a fine not more than N100,000.00 or imprisonment for a term not more than one year or both.
13.	<p>TRANSFER OF REGISTERED VOTERS.</p> <p>13. (1) A person who before the election is resident in a constituency other than the one in which he was registered may apply to the Resident Electoral Commissioner of the State where he is currently resident for his name to be entered on the transferred voters List for the constituency.</p> <p>(2) An application under subsection (1) of this section shall be accompanied by <i>a copy of</i> the applicant's voters' card and shall be made not less than 60 days before the date of an election in the constituency where the applicant is resident.</p> <p>(3) The Resident Electoral Commissioner to whom an application is made under the provision of this Section shall cause to be entered the applicant's name in the Transferred Voters' List if he is satisfied that the applicant is resident in a polling area in the constituency and is registered in another constituency.</p>	<p>TRANSFER OF REGISTERED VOTERS.</p> <p>13. Retained</p>	<p>Transfer of registered voters.</p> <p>13. (1) A person who before the election is resident in a constituency other than the one in which he or she was registered may apply to the Resident Electoral Commissioner of the State where he or she is currently resident for his or her name to be entered on the transferred voters List for the constituency.</p> <p>(2) An application under subsection (1) shall be accompanied by a copy of the applicant's voters' card and shall be made not later than 90 days before the date of an election in the constituency where the applicant is resident.</p> <p>(3) The Resident Electoral Commissioner to whom an application is made under this section shall cause the</p>

	<p>(4) Whenever an Electoral Officer on the direction of the Resident Electoral Commissioner enters the name of any person on the Transferred Voters' List for his constituency he shall-</p> <p>(a) assign that person to a polling station or a polling area in his Constituency and indicate in the list the Polling area or polling station to which that person is assigned;</p> <p>(b) issue the person with a new voters' card and retrieve his previous voter's card; and</p> <p>(c) send a copy of the entry to the Electoral Officer of the constituency where the person whose name has been so entered was originally registered and upon receipt of this entry, that Electoral Officer shall delete the name from his voters' list.</p>		<p>applicant's name to be entered in the Transferred Voters' List if he or she is satisfied that the applicant is resident in a polling area in the constituency and is registered in another constituency.</p> <p>(4) Whenever an Electoral Officer on the direction of the Resident Electoral Commissioner enters the name of any person on the Transferred Voters' List for his or her constituency, he or she shall-</p> <p>(a) assign that person to a polling station or a polling area in his or her constituency and indicate in the list the Polling area or polling station to which that person is assigned;</p> <p>(b) issue the person with a new voters' card and retrieve his or her previous voter's card; and</p> <p>(c) send a copy of the entry to the Electoral Officer of the constituency where</p>	
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			the person whose name has been so entered was originally registered and upon receipt of this entry, that Electoral Officer shall delete the name from the voters' list.	
14.	<p>DEMAND FOR INFORMATION REGARDING REGISTRATION</p> <p>14. In the performance of his or her duties under this Act, a registration officer and an update officer shall -</p> <p>(a) demand from any applicant the information necessary to enable him to ascertain whether the applicant is qualified to be registered as a voter in accordance with the provisions of this Act; and</p> <p>(b) require any voter or applicant to complete an application form for the purpose of the registration; however, in the case of an illiterate or disabled person such application form may be completed by the registration officer on the applicant's request.</p>	<p>DEMAND FOR INFORMATION REGARDING REGISTRATION</p> <p>14. Retained</p>	<p>Demand for information regarding registration</p> <p>14. In the performance of his or her duties under this Bill, a registration officer and an update officer shall -</p> <p>(1) demand from any applicant the information necessary to enable him or her to ascertain whether the applicant is qualified to be registered as a voter in accordance with the provisions of this Bill; and</p> <p>(2) require any voter or applicant to complete an application form for the purpose of the registration; however, in the case of an illiterate or disabled person such application form may be completed by the registration officer on the applicant's request.</p>	

<p>15.</p>	<p>POWER TO PRINT AND ISSUE REGISTER OF VOTERS</p> <p><i>15. The Commission shall cause a voters' register for each State to be printed, and any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified copy of any voters' register for the State or for a Local Government or Area Councilor registration area within it.</i></p>	<p>POWER TO PRINT AND ISSUE REGISTER OF VOTERS</p> <p><i>15. The Commission shall cause a voters' register for each State to be printed, or reproduced, copied, duplicated or saved in an electronic format". and any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified copy of any voters' register for the State or for a Local Government or Area Councilor registration area within it.</i></p>	<p>Power to print or issue Register of Voters</p> <p>15. The Commission shall cause a voters' register for each State to be printed, reproduced, copied, duplicated or saved in electronic format and any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified copy of any voters' register for the State or for a Local Government or Area Councilor registration area within it.</p>	<p>This redraft grounds application for certified electronic copies of the voters' register in law and it makes it possible to apply for such CTCs covering Wards and Polling Units alone</p>
<p>16.</p>	<p>POWERS TO PRINT AND ISSUE VOTERS' CARD</p> <p>16. (1) The Commission shall design, cause to be printed and control the issuance of voters' cards to voters whose names appear in the register. (2) No voter shall hold more than one valid voters' card. (3) Any person who contravenes subsection (2) of this section commits an offence and shall be liable on conviction, to a fine not exceeding N100,000.00 or imprisonment not exceeding one year or both.</p>	<p>POWERS TO PRINT AND ISSUE VOTERS' CARD</p> <p>16. Retained</p>	<p>Power to print or issue voters card</p> <p>16. (1) The Commission shall design, cause to be printed and control the issuance of voters' cards to voters whose names appear in the register. (2) No voter shall hold more than one valid voters' card. (3) Any person who contravenes subsection (2) commits an offence and is liable on conviction, to a fine not more than N100,000.00 or</p>	

	(4) The Commission may, whenever it considers it necessary, replace all or any voters' cards for the time being held by voters.		imprisonment for a term not more than one year or both. (4) The Commission may, whenever it considers it necessary, replace all or any voters' cards for the time being held by voters.	
17.	CUSTODY OF VOTERS' REGISTER 17. Each electoral officer shall take custody of the voters register for his Local Government Area under the general supervision of the Resident Electoral Commissioner.	CUSTODY OF VOTERS' REGISTER 17. Retained	Custody of voters' register 17. Each electoral officer shall take custody of the voters register for his or her Local Government Area under the general supervision of the Resident Electoral Commissioner.	
18.	POWER TO ISSUE DUPLICATE VOTERS' CARDS 18. (1) Whenever a Voter's card is lost, destroyed, defaced, torn or otherwise damaged, the owner of such card shall, not less than <i>sixty (60)</i> days before polling day, apply in person to the Electoral Officer or any other officer duly authorized for that purpose by the Resident Electoral Commissioner, stating the circumstances of the loss, destruction, defacement or damage. (2) If the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or	POWER TO ISSUE DUPLICATE VOTERS' CARDS 18. Retained	Power to issue replacement permanent voters' cards 18. (1) Whenever a Voter's card is lost, destroyed, defaced, torn or otherwise damaged, the owner of such card shall, not less than 90 days before polling day, apply in person to the Electoral Officer or any other officer duly authorised for that purpose by the Resident Electoral Commissioner, stating the circumstances of the loss, destruction, defacement or damage.	"DUPLICAT E" The permanent voter card has no duplicate. 'REPLACEMENT' is more appropriate. Extension of the replacement period to 90 days is for the Commission's administrative convenience.

	<p>damage of the Voter's card, he shall issue to the voter another copy of the voter's original voter's card with the word "DUPLICATE" clearly marked or printed on it, showing the date of issue.</p> <p>(3) No person shall issue a duplicate voter's card to any voter on polling day or less than sixty (60) days before polling day.</p> <p>(4) Any person who contravenes subsection (3) of this section commits an offence and is liable on conviction, to a fine not exceeding N200,000 or imprisonment not exceeding two years or both.</p>		<p>(2) Where the Electoral Officer or any other officer is satisfied as to the circumstances of loss, destruction, defacement or damage of the voter's Card, he or she shall issue to the voter a replacement permanent voter's card.</p> <p>(3) No person shall issue a replacement permanent voter's card to any voter less than 90 days before polling day.</p> <p>(4) Where the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the voter's card, he or she shall issue to the voter another copy of the voter's original voter's card with the word "REPLACEMENT" clearly marked or printed on it, showing the date of issue.</p> <p>(5) Any person who contravenes subsection (3) of this section commits an offence and is liable on conviction, to a fine not more than N200,000.00 or imprisonment for a term not more than two years or both.</p>	
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<p>19.</p>	<p>DISPLAY OF THE COPIES OF THE VOTERS' LIST</p> <p>19. (1) Subject to the provisions of section 9(5) of this Act, the Commission shall, by notice, appoint a period of not less than 5 days and not exceeding 14 days, during which a copy of the voters' register for each Local Government, Area Council or ward shall be displayed for public scrutiny and during which period any objection or complaint in relation to the names omitted or included in the voters' register or in relation to any necessary correction, shall be raised or filed.</p> <p>(2) During the period of the display of the Voters' list under this Act, any person may:</p> <p>(a) raise an objection on the form prescribed by the Commission against the inclusion in the supplementary Voters' register of the name of a person on grounds that the person is not qualified to be registered as a voter in the State, Local Government/Area Council, Ward or Registration Area or that the name of a deceased person is included in the register; or</p> <p>(b) make a claim on the form prescribed by the Commission that the name of a</p>	<p>19. “(1) Subject to the provisions of section 9(5) of this Act, the Commission shall, not later than 30 days to a general election, appoint a period of 7 days during which a copy of the voters' register for each Local Government, Area Council or Ward shall be displayed or published for public scrutiny at every Registration Area and on its official website or any website established by the Commission for that purpose.”;</p> <p>“(1A) Upon displaying or publishing the voters register in accordance with this section, the Commission shall accept and consider objections and complaints in relation to the names omitted or included in the voters' register or in relation to any necessary correction, within 14 days of publishing the voters register in accordance with this section.”; and</p> <p>Retained</p>	<p>Display of the copies of the voters' list</p> <p>19. (1) Subject to the provisions of section 9 (5) of this Bill, the Commission shall, not later than 90 days to a general election, appoint a period of seven days during which a copy of the voters' register for each Local Government, Area Council or Ward shall be displayed or published for public scrutiny at every Registration Area and on its official website or any website established by the Commission for that purpose.</p> <p>(2) Upon displaying or publishing the voters register in accordance with this section, the Commission shall accept and consider objections and complaints in relation to the names omitted or included in the voters' register or in relation to any necessary correction, within 14 days after displaying the voters register in accordance with this section.</p>	<p>This redraft gives voters the freedom to ascertain their registration status online.</p> <p>It attaches penal sanction to failure to display the register of voters and attend t registration complaints.</p>
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	<p>person registered to vote has been omitted.</p> <p>(3) Any objection or claim under subsection (2) of this section shall be addressed to the Resident Electoral Commissioner through the Electoral Officer in charge of the Local Government/Area Council.</p>	<p>Retained</p> <p>“(4) Failure to display or publish the voters’ register as provided under subsection (1) of this section shall constitute an offence for which any officer or staff of the Commission responsible for such default shall be guilty and liable, on conviction, to imprisonment for a minimum term of 6 months or a minimum fine of N100,000.”</p>	<p>(3) During the period of the display of the voters’ list under this Bill, any person may -</p> <p>(a) raise an objection on the form prescribed by the Commission against the inclusion in the supplementary voters’ register of the name of a person on grounds that the person is not qualified to be registered as a voter in the State, Local Government or Area Council, Ward or Registration Area or that the name of a deceased person is included in the register; or</p> <p>(b) make a claim on the form prescribed by the Commission that the name of a person registered to vote has been omitted.</p> <p>(4) Any objection or claim under subsection (2) shall be addressed to the Resident Electoral Commissioner through the Electoral Officer in</p>	
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			<p>charge of the Local Government or Area Council.</p> <p>(5) An official or staff of the Commission, who fails to display or publish the voters' register as provided under subsection (1) commits an offence and is liable on conviction to a fine of N100,000.00 or imprisonment for a term of six months or both.</p>	
20.	<p>TIME FOR PUBLICATION OF SUPPLEMENTARY VOTERS' REGISTER</p> <p>20. The supplementary voters' list shall be integrated with the voters' register and published not later than 30 days before a general election.</p>	<p>TIME FOR PUBLICATION OF SUPPLEMENTARY VOTERS' REGISTER</p> <p>20. Deleted</p>	20. Deleted	
21.	<p>REVISION OFFICER FOR HEARING OF CLAIMS, ETC.</p> <p>21. (1) The Commission may appoint as a Revision Officer any person to hear and determine claims for and objection to any entry in or omission from the preliminary list of voters and may appoint such number of other persons as it deems necessary to assist the Revision Officer.</p> <p>(2) Any person dissatisfied with the determination by a revision officer or person or persons assisting a revision officer of his claims or objection as mentioned in subsection (1) of this</p>	<p>REVISION OFFICER FOR HEARING OF CLAIMS, ETC.</p> <p>21. Retained</p>	<p>Revision officer for hearing of claims, etc.</p> <p>21. (1) The Commission may appoint as a Revision Officer any person to hear and determine claims for and objection to any entry in or omission from the preliminary list of voters and may appoint such number of other persons as it deems necessary to assist the Revision Officer.</p>	

	<p>section, shall within seven days, appeal against the decision to the Resident Electoral Commissioner in charge of that State whose decision shall be final.</p>		<p>(2) Any person dissatisfied with the determination by a Revision Officer or person or persons assisting a Revision Officer of his or her claims or objection as mentioned in subsection (1), shall within seven days, appeal against the decision to the Resident Electoral Commissioner in charge of that State whose decision shall be final.</p>	
22.	<p>PROPRIETARY RIGHTS IN THE VOTERS' CARD 22. The proprietary rights in any voters' card issued to any voter shall vest in the Commission.</p>	<p>PROPRIETARY RIGHTS IN THE VOTERS' CARD 22. Retained</p>	<p>Proprietary rights in the voters' card 22. The proprietary rights in any voters' card issued to any voter shall vest in the Commission.</p>	
23.	<p>OFFENCES OF BUYING AND SELLING VOTERS' CARDS 23. Any person who - (a) is in unlawful possession of any voter's card whether issued in the name of any voter or not; or (b) sells or attempts to sell or offers to sell any voter's card whether issued in the name of any voter or not; or (c) buys or offers to buy any voters' card whether on his own behalf or on behalf of any other person; commits an offence and shall be liable, on conviction, to a fine not exceeding N500,000.00 or imprisonment not exceeding two years or both.</p>	<p>OFFENCES OF BUYING AND SELLING VOTERS' CARDS 23. Deleted</p>	<p>Offences of buying and selling voters' cards 23. Deleted</p>	

24.	<p>OFFENCES RELATING TO REGISTRATION OF VOTERS</p> <p>24. (1) Any person who-</p> <p>(a) makes a false statement in any application for registration as a voter knowing it to be false;</p> <p>(b) after demand or requisition made of him under this Act without just cause, fails to give any such information as he or she possesses or does not give the information within the time specified;</p> <p>(c) in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter;</p> <p>(d) transmits or is involved in transmitting to any person as genuine a declaration relating to registration which is false in any material particular, knowing it to be false;</p> <p>(e) by himself or any other person procures the registration of himself or any other person on a voters' register for a State, knowing that he or that other person is not entitled to be registered on that voters' register or is already registered on it or on another voters' register;</p>	<p>OFFENCES RELATING TO REGISTRATION OF VOTERS</p> <p>24. Retained</p>	<p>Offences relating to registration of voters</p> <p>24. (1) Any person who-</p> <p>(a) Deleted;</p> <p>(b) after demand or requisition made of him or her under this Bill without just cause, fails to give any such information as he or she possesses or does not give the information within the time specified;</p> <p>(c) in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter;</p> <p>(d) transmits or is involved in transmitting to any person as genuine a declaration relating to registration which is false in any material particular, knowing it to be false;</p>	<p>Repetition of Section 114 of the Bill</p>

	<p>(f) by himself or any other person procures the registration of a fictitious person; commits an offence and is liable on conviction to a fine not exceeding N100,000.00 or imprisonment not exceeding one year or both.</p> <p>(2) Any person who:</p> <p>(a) by duress, including threats of any kind causes or induces any person or persons generally to refrain from registering as a voter or voters; or</p> <p>(b) in any way hinders another person from registering as a voter; commits an offence and shall be liable on conviction, to a fine not exceeding N500,000.00 or imprisonment not exceeding 5 years.</p>		<p>(e) intentionally procures the inclusion in the Register of voters of his or herself or any other person with the knowledge that he or she or that other person ought not to have been registered; or</p> <p>(f) by his or herself or any other person procures the registration of a fictitious person, commits an offence and is liable on conviction to a fine not more than N100,000.00 or imprisonment for a term not more than one year or both.</p> <p>(2) Any person who -</p> <p>(a) by duress, including threats of any kind causes or induces any person or persons generally to refrain from registering as a voter or voters; or</p> <p>(b) in any way hinders another person from registering as a voter; commits an offence and is liable on conviction, to a fine not more than N500,000.00 or</p>	
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			imprisonment for a term not exceeding five years.	
	PART IV PROCEDURE AT ELECTION	PART IV PROCEDURE AT ELECTION	PART IV- PROCEDURE AT ELECTION	
25	DAYS OF ELECTION <i>25. (1) Election to each House of the National Assembly shall hold on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.</i> <i>(2) The date mentioned in subsection (1) of this section shall not be earlier than 150 days and not later than 30 days before the House stands dissolved, or where the election is to fill a vacancy occurring more than 90 days before such date, not later than 30 days.</i> <i>(3) Elections to the House of Assembly of a State shall be held on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.</i> <i>(4) The date mentioned in subsection (3) of this section shall not be earlier than 150 days and not later than 30 days before the House stands dissolved, or where the election is to fill a vacancy occurring more than 90 days' before such date, not later than 30 days.</i> <i>(5) An election to the office of President shall be held on a date to be appointed by</i>	DAYS OF ELECTION 25. Retained	25. Deleted	

	<p><i>the Independent National Electoral Commission in accordance with the Constitution and this Act.</i></p> <p><i>(6) An election to the said office of the President shall be held on a date not earlier than 150 days and not later than 30 days before the expiration of the term of office of the last holder of that office.</i></p> <p><i>(7) An election to the office of the Governor of a State shall be held on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.</i></p> <p><i>(8) An election to the office of the Governor of a State shall be held on a date not earlier than 150 days and not later than 30 days before the expiration of the term of office of the last holder of that office.</i></p>			
<p>26.</p>	<p>CONDUCT AND POSTPONEMENT OF ELECTION IN EMERGENCY</p> <p>26. (1) <i>In the event of an emergency affecting an election, the Independent National Electoral Commission shall, as far as possible, ensure that persons displaced as a result of the emergency are not disenfranchised;</i></p> <p>(2) Where a date has been appointed for the holding of an election, and there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or it is</p>	<p>CONDUCT AND POSTPONEMENT OF ELECTION IN EMERGENCY</p> <p>26. Retained</p>	<p>Conduct and postponement of election in emergency</p> <p>26. (1) In the event of an emergency affecting an election, the Commission shall, as far as practicable, ensure that persons displaced as a result of the emergency are not disenfranchised.</p> <p>(2) Where a date has been appointed for the holding of an election, and</p>	

	<p>impossible to conduct the elections as a result of natural disasters or other emergencies, the Commission may postpone the election and shall in respect of the area, or areas concerned, appoint another date for the holding of the postponed election, provided that such reason for the postponement is cogent and verifiable.</p> <p>(3) Where an election is postponed under this Act on or after the last date for the delivery of nomination papers, and a poll has to be taken between the candidates nominated, the Electoral Officer shall, on a new date being appointed for the election, proceed as if the date appointed were the date for the taking of the poll between the candidates.</p> <p>(4) Where the Commission appoints a substituted date in accordance with subsections (1) and (2) of this section, there shall be no return for the election until polling has taken place in the area or areas affected.</p> <p>(5) Notwithstanding the provision of subsection (3) of this section, the Commission may, if satisfied that the result of the election will not be affected by voting in the area or areas in respect of which substituted dates have been appointed, direct that a return of the election be made.</p> <p>(6) The decision of the Commission under subsection (4) may be challenged</p>		<p>there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or it is impossible to conduct the elections as a result of natural disasters or other emergencies, the Commission may postpone the election and shall in respect of the area, or areas concerned, appoint another date for the holding of the postponed election, provided that such reason for the postponement is cogent and verifiable.</p> <p>(3) Where an election has commenced and there is reason to believe that there is or has been substantial disruption of election in a polling unit or constituency or it is impossible to continue with the election occasioned by threat to peace and security of electoral officials and materials, the Commission shall suspend the election and appoint another date for the continuation of the election or the process.</p> <p>(4) Where the Commission appoints a substituted date in accordance with subsections (2), (3) and (4), there shall be no</p>	
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	<p>by any of the contestants at a court or tribunal of competent jurisdiction and on such challenge, the decision shall be suspended until the matter is determined.</p>		<p>return for the election until polling has taken place in the area or areas affected.</p> <p>(5) Notwithstanding the provision of subsection (3), the Commission may, if satisfied that the result of the election will not be affected by voting in the area or areas in respect of which substituted dates have been appointed, direct that a return of the election be made.</p> <p>(6) The decision of the Commission under subsection (4) may be challenged by any of the contestants at a court or tribunal of competent jurisdiction and on such challenge, the decision shall be suspended until the matter is determined.</p>	
<p>27.</p>	<p>ANNOUNCEMENT OF ELECTION RESULTS 27. (1) The Results of all the elections shall be announced by-</p> <p>(a) the Presiding Officer at the Polling unit; (b) the Ward Collation Officer at the Ward Collation Centre;</p>	<p>ANNOUNCEMENT OF ELECTION RESULTS 27. Retained</p>	<p>Announcement and declaration of election results</p> <p>27. (1) The Results of all the elections shall be announced by the -</p> <p>(a) Presiding Officer at the Polling unit;</p>	

	<p>(c) the Local Government or Area Council Collation Officer at the Local Government/Area Council Collation Centre;</p> <p>(d) the State Collation Officer at the State Collation Centre;</p> <p>(2) The Returning Officer shall announce the result and declare the winner of the election at:</p> <p>(a) Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory;</p> <p>(b) Area Council Collation Centre in the case of Chairmanship and Vice Chairmanship election in the Federal Capital Territory;</p> <p>(c) State Constituency Collation Centre in the case of State House of Assembly election;</p> <p>(d) Federal Constituency Collation Centre in the case of election to the House of Representatives;</p> <p>(e) Senatorial District Collation Centre in the case of election to the Senate;</p> <p>(f) State Collation Centre in the case of election of a Governor of a State;</p> <p>(g) National Collation Centre in the case of election of the President.</p> <p>(3) the Chief Electoral Commissioner shall be the Returning Officer at the Presidential election.</p>		<p>(b) Ward Collation Officer at the Registration Area or Ward Collation Centre;</p> <p>(c) Local Government or Area Council Collation Officer at the Local Government <i>or</i> Area Council Collation Centre;</p> <p>(d) State Collation Officer at the State Collation Centre;</p> <p>(2) The Returning Officer shall announce the result and declare the winner of the election at-</p> <p>(a) Registration Area or Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory;</p> <p>(b) Area Council Collation Centre in the case of Chairmanship and Vice Chairmanship election in the Federal Capital Territory;</p> <p>(c) State Constituency Collation Centre in the case of State House of Assembly election;</p> <p>(d) Federal Constituency Collation Centre in the case of</p>	
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			<p>election to the House of Representatives;</p> <p>(e) Senatorial District Collation Centre in the case of election to the Senate;</p> <p>(f) State Collation Centre in the case of election of a Governor of a State;</p> <p>(g) State Collation Centre in the case of a Presidential election; and</p> <p>(h) National Collation Centre in the case of election of the President.</p> <p>(3) The Chief Electoral Commissioner shall be the Returning Officer at the Presidential election.</p>	
28.	<p>OATH OF NEUTRALITY BY ELECTION OFFICERS</p> <p>28. (1) All staff appointed by the Commission taking part in the conduct of an election shall affirm or swear before <i>any court of law or Commissioner for Oaths</i> an Oath of Neutrality as in the second schedule to this Act.</p> <p>(2) All Electoral officers, Presiding Officers, Returning Officers and all staff</p>	<p>OATH OF NEUTRALITY BY ELECTION OFFICERS</p> <p>28. Retained</p>	<p>Oath of neutrality by election officials</p> <p>28. (1) All staff, Electoral Officers, Presiding Officers, Returning Officers and security officials taking part in the conduct of an election shall affirm or swear to an oath of loyalty and neutrality as in the Second Schedule, indicating that they will not</p>	Second Schedule

	<p>appointed by the Commission taking part in the conduct of an election shall affirm or swear to an Oath of Loyalty and Neutrality indicating that they would not accept bribe or gratification from any person, and shall perform their functions and duties impartially and in the interests of the Federal Republic of Nigeria without fear or favour.</p>		<p>accept bribe or gratification from any person, and shall perform their functions and duties impartially and in the interest of the Federal Republic of Nigeria without fear or favour.</p> <p>(2) Any person who violates subsection (1), commits an offence and is punishable under section 120 (dereliction of duty).</p>	
<p>29.</p>	<p>APPOINTMENT OF OTHER OFFICERS FOR THE CONDUCT OF REGISTRATION OF VOTERS AND ELECTIONS</p> <p>29. (1) The Commission shall for the purposes of an election or registration of voters under this Act, appoint and designate such officers as may be required provided that no person who is a member of a political party or who has openly expressed support for any candidate shall be so appointed.</p> <p>(2) The Officers appointed under subsection (1) of this section shall exercise such functions and duties as may be specified by the Commission, in accordance with the provisions of this Act, and shall not be subject to the direction or control of any person or authority other than the Commission in</p>	<p>APPOINTMENT OF OTHER OFFICERS FOR THE CONDUCT OF REGISTRATION OF VOTERS AND ELECTIONS</p> <p>29. Retained</p>	<p>Appointment of other officers for the conduct of registration of voters and elections</p> <p>29. (1) The Commission shall for the purposes of an election or registration of voters under this Bill, appoint and designate such officers as may be required provided that no person who is a member of a political party or who has openly expressed support for any candidate shall be so appointed.</p> <p>(2) The Officers appointed under subsection (1) shall exercise such functions and duties as may be specified by the Commission, in accordance with the provisions of</p>	

	<p>the performance of their functions and duties.</p> <p>(3) Notwithstanding the provisions of any other law and for purposes of securing the vote, the Commission shall be responsible for requesting for the deployment of relevant security personnel necessary for elections or registration of voters and shall assign them in the manner determined by the Commission in consultation with the relevant security agencies.</p> <p>PROVIDED that the Commission shall only request for the deployment of the Nigerian Armed Forces only for the purpose of securing the distribution and delivery of election materials and protection of election officials.</p>		<p>this Bill, and shall not be subject to the direction or control of any person or authority other than the Commission in the performance of their functions and duties.</p> <p>(3) Notwithstanding the provisions of any other law and for purposes of securing the vote, the Commission shall be responsible for requesting for the deployment of relevant security personnel necessary for elections or registration of voters and shall assign them in the manner determined by the Commission in consultation with the relevant security agencies.</p> <p>PROVIDED that the Commission shall only request for the deployment of the Nigerian Armed Forces for the purpose of securing the distribution and delivery of election materials and protection of election officials.</p>	
<p>30.</p>	<p>NOTICE OF ELECTION</p> <p>30. (1) The Commission shall, not later than 90 days before the day appointed for holding of an election under this Act, publish a notice in each State of the Federation and the Federal Capital Territory-</p>	<p>NOTICE OF ELECTION</p> <p>30. Retained</p>	<p>Notice of election</p> <p>30. (1) The Commission shall, not later than 360 days before the day appointed for holding of an election under this Bill, publish a notice in each State of the</p>	

	<p>(a) stating the date of the election; and (b) appointing the place at which nomination papers are to be delivered.</p> <p>(2) The notice shall be published in each constituency in respect of which an election is to be held.</p> <p>(3) In the case of a by-election, the Commission shall, not later than 14 days before the date appointed for the election, publish a notice stating the date of the election.</p>		<p>Federation and the Federal Capital Territory-</p> <p>(a) stating the date of the election; and</p> <p>(b) appointing the place at which nomination papers are to be delivered.</p> <p>(2) The notice shall be published in each constituency in respect of which an election is to be held.</p> <p>(3) In the case of a by-election, the Commission shall, not later than 14 days before the date appointed for the election, publish a notice stating the date of the election.</p> <p>(4) There shall not be substitution of candidates in a by-election except where a candidate of a political party in a by-election dies, the party shall submit to the Commission the name of its substitute candidate within seven days of the death of the candidate in the Form prescribed by the Commission.</p>	
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<p>31.</p>	<p>SUBMISSION OF LIST OF CANDIDATES AND THEIR AFFIDAVITS BY POLITICAL PARTIES</p> <p>31. (1) <i>Every political party shall, not later than 60 days before the date appointed for a general election under the provisions of this Act, submit to the Commission, in the prescribed forms, the list of the candidates the party proposes to sponsor at the elections, provided that the Commission shall not reject or disqualify the candidate(s) for any reason whatsoever.</i></p> <p>(2) The list or information submitted by each candidate shall be accompanied by an Affidavit sworn to by the candidate at the <i>Federal High Court, High Court of a State, or Federal Capital Territory</i> indicating that he has fulfilled all the constitutional requirements for election into that office.</p> <p>(3) The Commission shall, within 7 days of the receipt of the personal particulars of the candidate, publish same in the constituency where the candidate intends to contest the election.</p> <p>(4) Any person may apply to the Commission for a copy of nomination form, affidavit and any other document submitted by a candidate at an election and the Commission shall, upon payment of a prescribed fee, issue such person</p>	<p>SUBMISSION OF LIST OF CANDIDATES AND THEIR AFFIDAVITS BY POLITICAL PARTIES</p> <p>31. Retained</p>	<p>Submission of list of candidates and their affidavits by political parties</p> <p>31. (1) Every political party shall, not later than 180 days before the date appointed for a general election under this Bill, submit to the Commission, in the prescribed Forms, the list of the candidates the Party proposes to sponsor at the elections, who must have emerged from valid primaries conducted by the political party.</p> <p>(2) The list or information submitted by each candidate shall be accompanied by an affidavit sworn to by the candidate at the Federal High Court, indicating that he or she has fulfilled all the constitutional requirements for election into that office.</p> <p>(3) The Commission shall, within seven days of the receipt of the personal particulars of the candidate, publish same in the constituency where the</p>	
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	<p>with a certified copy of document within 14 days”.</p> <p>(5) <i>Any person who has reasonable grounds to believe that any information given by a candidate in the affidavit or any document submitted by that candidate is false may file a suit at the Federal High Court, High Court of a State or FCT against such a person seeking a declaration that the information contained in the affidavit is false.</i></p> <p>(6) If the Court determines that any of the information contained in the affidavit or any document submitted by that candidate is false, the Court shall issue an order disqualifying the candidate from contesting the election.</p> <p>(7) A candidate for an election shall, at the time of submitting the prescribed form, furnish the Commission with an identifiable address in the State where he intends to contest the election at which address all documents and court processes from either the Commission or any other person shall be served on him.</p> <p>(8) A political party which presents to the Commission the name of a candidate who does not meet the qualifications stipulated in this section, shall be guilty of an offence and on conviction shall be liable to a maximum fine of N500,000.00.</p>		<p>candidate intends to contest the election.</p> <p>(4) Any person may apply to the Commission for a copy of nomination form, affidavit and any other document submitted by a candidate at an election and the Commission shall, upon payment of a prescribed fee, issue such person with a certified copy of document within 14 days.</p> <p>(5) Any aspirant who participated in the primaries of his political party who has reasonable grounds to believe that any information given by his political party’s candidate in the affidavit or any document submitted by that candidate in relation to his constitutional requirements to contest the election is false, may file a suit at the Federal High Court against that candidate seeking a declaration that the information contained in the affidavit is false.</p> <p>(6) Where the Court determines that any of the information contained in the affidavit is false only as it relates to constitutional requirements of</p>	
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eligibility, the Court shall issue an order disqualifying the candidate and the sponsoring political party and then declare the candidate with the second highest number of valid votes and who satisfies the constitutional requirement as the winner of the election.

(7) A candidate for an election shall, at the time of submitting the prescribed form, furnish the Commission with an identifiable address in the State where he or she intends to contest the election at which address all documents and court processes from either the Commission or any other person shall be served on him or her.

(8) A political party which presents to the Commission the name of a candidate who does not meet the qualification stipulated in this section, commits an offence and is liable on conviction to a fine of N10,000,000.00.

<p>32.</p>	<p>PROHIBITION OF DOUBLE NOMINATION</p> <p>32. (1) A candidate for an election shall be nominated in writing by such number of persons whose names appear on the register of voters in the constituency as the Commission may prescribe.</p> <p>(2) A person shall not nominate more than one person for an election to the same office.</p> <p>(3) Any person who contravenes subsection (2) of this section shall be guilty of an offence and on conviction be liable to a maximum fine of N100,000.00 or imprisonment for 3 months or both but his action shall not invalidate the nomination.</p> <p>(4) An account shall not be taken of the signature of a person on a nomination paper where the candidate had died, withdrawn or the nomination paper was held invalid.</p> <p>(5) A person who has subscribed as a nominator shall not, so long as the candidate stands nominated withdraw his nomination.</p>	<p>PROHIBITION OF DOUBLE NOMINATION</p> <p>32. Retained</p>	<p>Prohibition of double nomination</p> <p>32. (1) A candidate for an election shall be nominated in writing by such number of persons whose names appear on the register of voters in the constituency as the Commission may prescribe.</p> <p>(2) A person shall not nominate more than one person for an election to the same office.</p> <p>(3) Any person who contravenes subsection (2) commits an offence and is liable on conviction to a fine not more than N100,000.00 or imprisonment for a term of three months or both; but his or her action shall not invalidate the nomination.</p> <p>(4) An account shall not be taken of the signature of a person on a nomination paper where the candidate had died, withdrawn or the nomination paper was held invalid by a Court of competent jurisdiction.</p> <p>(5) A person who has subscribed as a nominator shall not, so long as</p>	
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			the candidate stands nominated withdraw his or her nomination.	
33.	<p>WITHDRAWAL OF CANDIDATE</p> <p>33. A candidate may withdraw his candidature by notice in writing signed by him and delivered by himself to the political party that nominated him for the election and the political party shall convey such withdrawal to the Commission not later than 45 days to the election.</p>	<p>WITHDRAWAL OF CANDIDATE</p> <p>33. Retained</p>	<p><i>Withdrawal of candidate</i></p> <p>33. A candidate may withdraw his or her candidature by notice in writing signed by him and delivered personally by the candidate to the political party that nominated him for the election and the political party shall convey such withdrawal to the Commission not later than 90 days to the election.</p>	
34.	<p>PUBLICATION OF NOMINATION</p> <p>34. The Commission shall, at least 30 days before the day of the election publish by displaying or causing to be displayed at the relevant office or offices of the Commission and on the Commission's web site, a statement of the full names and addresses of all candidates standing nominated.</p>	<p>PUBLICATION OF NOMINATION</p> <p>34. Retained</p>	<p>Publication of nomination</p> <p>34. (1) The Commission shall, at least 150 days before the day of the election, publish by displaying or causing to be displayed at the relevant office or offices of the Commission and on the Commission's web site, a statement of the full names and addresses of all candidates standing nominated.</p> <p>(2) Any registered political party that observes that the name of its candidate is missing on the list published in accordance with subsection (1) shall notify the</p>	

			<p>Commission in writing, signed by its National Chairman and Secretary, supported with an affidavit not later than 90 days to the election.</p> <p>(3) Failure of the political party to notify the Commission in accordance with subsection (2) shall not be a ground to invalidate the election.</p>	
35.	<p>POLITICAL PARTIES CHANGING CANDIDATES <i>35. A political party shall not be allowed to change or substitute its candidate whose name has been submitted pursuant to section 31 of this Act, except in the case of death or withdrawal by the candidate.</i></p>	<p>POLITICAL PARTIES CHANGING CANDIDATES 35. Retained</p>	<p>Political parties changing candidates</p> <p>35. A political party shall not be allowed to change or substitute its candidate whose name has been submitted pursuant to section 29 of this Bill, except in the case of death or withdrawal by the candidate:</p> <p>Provided that in the case of such withdrawal or death of a candidate, the political party affected shall, within 14 days of the occurrence of the event, hold a fresh primary election to produce and submit a fresh candidate to the Commission for the election concerned.</p>	<p>Moved from section 33 of the Principal Act</p>
36.	<p>DEATH OF A CANDIDATE 36. (1) If after the time for the delivery of nomination paper and before the</p>	<p>36. (1) If after the time for the delivery of nomination paper and</p>	<p>Death of a candidate</p> <p>36. (1) If after the time for the delivery of nomination paper and before</p>	<p>a. The deletion of the words “<i>or the Resident Electoral</i>”</p>

	<p>commencement of the poll, a nominated candidate dies, the Chief National Electoral Commissioner or the Resident Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days.</p> <p>(2) The list of voters to be used at a postponed election shall be the official voters register, which was to be used if the election had not been postponed.</p>	<p>before the commencement of the poll, a nominated candidate dies, the Chief National Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days.</p> <p>Retained</p> <p><i>“(3) If after the commencement of polls and before the announcement of the final result and declaration of a winner, a candidate dies,</i></p> <p><i>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;</i></p> <p><i>(b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and</i></p>	<p>the commencement of the poll, a nominated candidate dies, the Chief National Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days.</p> <p>(2) The list of voters to be used at a postponed election shall be the official voters register which was to be used if the election had not been postponed.</p> <p>(3) If after the commencement of polls and before the announcement of the final result and declaration of a winner, a candidate dies -</p> <p>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days; and</p> <p>(b) in the case of election into a legislative</p>	<p><i>Commissioner”</i> in subsection (1) removes ambiguity on who the duty lies to act in the circumstances stated.</p> <p>b. The new insertion [section (3)] fills a <i>lacuna</i> in the Repealed Act, which was made manifest in the 2015 Governorship Election in Kogi State where a candidate died before the final result of that election was announced.</p>
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		<p><i>submit the name of a new candidate to the Commission; and</i></p> <p><i>(c) subject to paragraphs (a) and (b) of this subsection, the Commission shall continue with the election, announce the final result and declare a winner.”</i></p>	<p>House, the election shall start afresh and the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit the name of a new candidate to the Commission to replace the dead candidate:</p> <p>Provided that in the case of Presidential or gubernatorial election, the running mate will continue with the election and nominate a new running mate.</p>	
37.	<p>INVALIDITY OF MULTIPLE NOMINATION</p> <p>37. Where a candidate knowingly allows himself to be nominated by more than one political party and or in more than one constituency his nomination shall be void.</p>	<p>INVALIDITY OF MULTIPLE NOMINATION</p> <p>37. Retained</p>	<p>Invalidity of multiple nomination</p> <p>37. Where a candidate knowingly allows himself to be nominated by more than one political party or in more than one constituency, his nomination shall be void.</p>	
38.	<p>FAILURE OF NOMINATION</p> <p>38. Where at the close of nomination there is no candidate validly nominated,</p>	<p>FAILURE OF NOMINATION</p> <p>38. Retained</p>	<p>Failure of nomination</p> <p>38. Where at the close of nomination there is no candidate validly</p>	

	the Commission shall extend the time for nomination and fix a new date for the election.		nominated, the Commission shall extend the time for nomination and fix a new date for the election.	
39.	<p>CONTESTED ELECTION</p> <p>39. Subject to any other provisions of this Act, if after the latest time for the delivery of nomination papers and the withdrawal of candidates for an election under this Act, more than one person remains validly nominated, a poll shall be taken.</p>	<p>CONTESTED ELECTION</p> <p>39. Retained</p>	<p>Contested election</p> <p>39. Subject to any other provisions of this Bill, if after the latest time for the delivery of nomination papers and the withdrawal of candidates for an election under this Bill more than one person remains validly nominated, a poll shall be taken.</p>	
40.	<p>WHEN POLL IS REQUIRED</p> <p>40. A poll shall take place in accordance in the case of an election to-</p> <p>(a) to the office of President or Governor of a State, whether or not only one person is validly nominated in respect of such office; and</p> <p>(b) any other office, if after the expiry of the time for delivery of nomination papers there is more than one person standing nominated.</p>	<p>WHEN POLL IS REQUIRED</p> <p>40. Retained</p>	<p>When poll is required</p> <p>40. A poll shall take place in accordance with the provisions of this Bill in the case of an election to-</p> <p>(a) the office of President or Governor of a State, whether or not only one person is validly nominated in respect of such office; and</p> <p>(b) any other office, if after the expiry of the time for delivery of nomination papers there is more than one person standing nominated.</p>	

<p>41.</p>	<p>UNCONTESTED ELECTION 41. (1) If after the expiration of time for delivery of nomination papers and withdrawal of candidates and the extension of time as provided for in this Act there is only one person whose name is validly nominated in respect of an election, other than to the office of the President or Governor, that person shall be declared elected. (2) Where a person is declared elected under the provision of subsection (1) of this section, a declaration of Result Form as may be prescribed shall be completed and copy thereof issued to the person by the Returning Officer while the original of the form shall be returned to the Commission as in the case of a contested election.</p>	<p>UNCONTESTED ELECTION 41. Retained</p>	<p>Uncontested election</p> <p>41. (1) Where after the expiration of time for delivery of nomination papers and withdrawal of candidates and the extension of time as provided for in this Bill there is only one person who is validly nominated in respect of an election, other than to the office of the President or Governor, that person shall be declared elected.</p> <p>(2) Where a person is declared elected under subsection (1), a Declaration of Result Form as may be prescribed by the Commission shall be completed and a copy thereof issued to the person by the Returning Officer while the original of the form shall be returned to the Commission as in the case of a contested election.</p>	
<p>42.</p>	<p>ESTABLISHMENT OF POLLING UNITS 42. The Commission shall establish sufficient number of Polling units in each Registration Area and shall allot voters to such Polling units.</p>	<p>ESTABLISHMENT OF POLLING UNITS 42. Retained</p>	<p>Establishment of polling units</p> <p>42. (1) The Commission shall divide each Local Government Area into Registration Areas or Electoral Wards not being less</p>	

			<p>than 10 and not more than 20 as the circumstance of the Local Government Area may require.</p> <p>(2) The Commission shall establish adequate number of polling units in each Registration Area or Electoral ward and shall allot voters to such polling units.</p>	
43.	<p>BALLOT BOXES</p> <p>43. (1) The Commission shall provide suitable boxes for the conduct of elections.</p> <p>(2) The forms to be used for the conduct of elections to the offices mentioned in this Act and election petitions arising there from shall be determined by the Commission.</p> <p>(3) The Polling Agents shall be entitled to be present at the distribution of the election materials from the office to the polling booth.</p> <p>(4) <i>The Polling Agent shall be entitled to be present at the distribution of election materials, voting, counting, collation and the announcement of election results.</i></p> <p><i>New insertions</i></p> <p>(5) The Commission shall, before the commencement of voting in each</p>	<p>Retained</p> <p>Retained</p> <p>Retained</p> <p><i>“(4A) Polling Agents who are in attendance at a polling unit, shall be entitled, before the commencement of the election, to have originals of electoral materials to be used by the Commission for the election inspected; and this process may be recorded as evidence in writing, on video or by other means by any</i></p>	<p>Ballot boxes and voting devices</p> <p>43. (1) The Commission shall provide suitable boxes or any other voting device for the conduct of elections.</p> <p>(2) The forms to be used for the conduct of elections to the offices mentioned in this Bill shall be determined by the Commission.</p> <p>(3) The Polling Agents shall be entitled to be present at the distribution of the election materials from the office to the polling booth.</p> <p>(4) Polling Agents who are in attendance at a polling unit, may be entitled, before the commencement of the election, to have originals of electoral</p>	<p>a. This provision gives parties assurance of access to inspection of that electoral materials to ensure that they have not been tampered with, and also prevent exclusive control of election at the polling unit by dominant parties.</p> <p>b. The attachment of penal sanction to the exclusion of</p>

	<p>election, provide all election materials for the conduct of such election at the polling unit.</p>	<p><i>Polling Agent, accredited observer or official of the Commission.</i></p> <p><i>(4B) An election conducted at any polling unit in violation of subsections (3), (4), (4A) or (5) of this section shall be invalid.</i></p> <p><i>(4C) A Presiding Officer who contravenes subsections (3), (4), (4A) or (5) of this section commits an offence and shall be liable, on conviction, to a minimum imprisonment term of one (1) year or a minimum fine of N1,000,000, or both.”</i></p> <p>Retained</p>	<p>materials to be used by the Commission for the election inspected, and this process may be recorded as evidence in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission.</p> <p>(5) A Polling Agent who is in attendance at a polling unit, may observe originals of the electoral materials and this may be recorded as evidence.</p> <p>(6) The Commission shall, before the commencement of voting in each election, provide all election materials for the conduct of such election at the polling unit.</p>	<p>other parties from an election is for deterrence.</p> <p>c. Recording of the election will provide evidence to checkmate irregularities and for prosecution of electoral offenders.</p>
<p>44.</p>	<p>FORMAT OF BALLOT PAPERS</p> <p>44. (1) The Commission shall prescribe the format of the ballot papers which shall include the symbol adopted by the Political Party of the candidate and such other information as it may require.</p> <p>(2) The ballot papers shall be bound in booklets and numbered serially with differentiating colours for each office being contested.</p> <p>New Insertion</p>	<p>Retained</p> <p>Retained</p>	<p>Format of ballot papers</p> <p>44. (1) The Commission shall prescribe the format of the ballot papers which shall include the symbol adopted by the Political Party of the candidate and such other information as it may require.</p> <p>(2) The ballot papers shall be numbered serially with</p>	<p>These amendments are intended to reduce election petitions/rerun elections predicated on unlawful exclusion due to the Commission’s unintended omission or misstatement of parties’</p>

		<p><i>“(3) The Commission shall, not later than 20 days to an election, invite in writing, a political party that nominated a candidate in the election to inspect its identity appearing on samples of relevant electoral materials proposed for the election; and the political party may state in writing within 2 days of being so invited by the Commission that it approves or disapproves of its identity as it appears on the samples.</i></p> <p><i>(4) Unless the political party disapproves of its identity under subsection (3) of this section in writing, it shall not complain of unlawful exclusion from the election under this Act in relation to its identity appearing on electoral materials used for the election.</i></p> <p><i>(5) A political party that fails to comply with an invitation by the Commission under subsection (3) of this section shall be deemed to have approved its identity on samples of electoral materials proposed to be used for an election.”</i></p>	<p>differentiating colours for each office being contested.</p> <p>(3) The Commission shall, not later than 20 days to an election, invite in writing, a political party that nominated a candidate in the election to inspect its identity appearing on samples of relevant electoral materials proposed for the election; and the political party may state in writing within two days of being so invited by the Commission that it approves or disapproves of its identity as it appears on the samples.</p> <p>(4) Unless the political party disapproves of its identity under subsection (3) in writing, it shall not complain of unlawful exclusion from the election under this Bill in relation to its identity appearing on electoral materials used for the election.</p> <p>(5) A political party that fails to comply with an invitation by the Commission under subsection (3) shall be deemed to have approved its identity on samples of electoral materials proposed to be used for an election.</p>	<p>identities (logos, names) on election materials.</p>
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<p>45.</p>	<p>POLLING AGENTS</p> <p>45. (1)) Each political party may, by notice in writing addressed to the Electoral Officer of the Local Government Area or Area Council, appoint a polling agent for each polling unit and collation center in the Local Government Area or Area Council for which it has a candidate and the notice, which sets out the name and address of the polling agent, shall be accompanied by two passport photographs of each polling agent and sample signature of the polling agent and be given to the Electoral officer at least 14 days before the date fixed for the election:</p> <p><i>PROVIDED that no person presently serving as Chairman or Member of a Local Government or Area Council, Commissioner of a State, Deputy Governor, or Governor of a State, Minister or any other person holding political office under any tier of Government and who has not resigned his appointment at least 3 months before the election shall serve as a polling agent of any political party, either at the polling unit or at any centre designated for collection of results of election.</i></p> <p>(2) Notwithstanding the requirement of subsection (1) of this section, a candidate shall not be precluded from doing any act or thing which he has appointed a polling agent to do on his behalf under this Act.</p>	<p>POLLING AGENTS</p> <p>45. Retained</p>	<p>Polling agents</p> <p>45. (1) Each Political Party, in consultation with its candidate, may, by notice in writing addressed to the Resident Electoral Commissioner of the State, appoint a polling agent for each polling unit and collation centre in the Local Government Area or Area Council for which it has candidate and the notice, which sets out the name, address and contact details of the polling agent, shall be accompanied by two passport photographs of each polling agent and sample signature of the polling agent and be given to the Electoral Officer at least 14 days before the date fixed for the election:</p> <p><i>PROVIDED that no person who is serving as Chairman or member of a Local Government Area or Area Council; Commissioner, Deputy Governor or Governor of a State; Minister of the Federal Government; or any other person holding elective or appointive political office under any tier of government and who</i></p>	
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	<p>(3) Where in this Act, an act or thing is required or authorized to be done by or in the presence of a polling agent, the non-attendance of the Polling Agent at the time and place appointed for the act or thing or refusal by the Polling Agent to do the act or thing shall not, if the act or thing is otherwise done properly, invalidate the act or thing.</p>		<p>has not resigned from his office at least three months prior to the said election shall serve as a polling agent of any political party, either at the polling unit or at any centre designated for collation of results of election.</p> <p>(2) Notwithstanding the requirement of subsection (1), a candidate shall not be precluded from doing any act or thing which his political party, in consultation with him, has appointed a polling agent to do on his or her behalf under this Bill.</p> <p>(3) Where in this Bill, an act or thing is required or authorised to be done by or in the presence of a polling agent, the non-attendance of the Polling Agent at the time and place appointed for the act or thing or refusal by the Polling Agent to do the act or thing shall not, if the act or thing is otherwise done properly, invalidate the act or thing.</p>	
<p>46.</p>	<p>NOTICE OF POLL 46. The Commission shall, not later than 14 days before the day of the election, cause to be published, in such manner as it may deem fit, a notice specifying -</p>	<p>NOTICE OF POLL 46. Retained</p>	<p>Notice of poll</p> <p>46. The Commission shall, not later than 14 days before the day of the election, cause to be published, in</p>	

	(a) the day and hours fixed for the poll; (b) the persons entitled to vote; and (c) the location of the polling units.		such manner as it may deem fit, a notice specifying the - (a) day and hours fixed for the poll; (b) persons entitled to vote; and (c) location of the polling units.	
47.	HOURLY OF POLLS <i>47. Voting in any particular election under this Act shall take place on the date and time appointed by the Commission throughout the Federation.</i>	HOURLY OF POLLS 47. Retained	Hour of polls 47. Voting in any particular election under this Bill shall take place on the date and time appointed by the Commission.	
48.	DISPLAY OF BALLOT BOXES 48. (1) At the hour fixed for opening of the poll, before the commencement of voting, the Presiding Officer shall open the empty ballot box and show same to such persons as may lawfully be present at the Polling unit and shall then close and seal the box in such manner as to prevent its being opened by unauthorized person. (2) The ballot box shall then be placed in full view of all present, and be so maintained until the close of poll.	DISPLAY OF BALLOT BOXES 48. Retained	Display of ballot boxes 48. (1) At the hour fixed for opening of the poll before the commencement of accreditation and voting, the Presiding Officer shall open the empty ballot box or present the voting device and show same to such persons as may lawfully be present at the Polling unit and shall then close and seal the box in such manner as to prevent its being opened by any unauthorised person.	This is to accommodate the Commission adoption of simultaneous accreditation and voting.

			(2) The ballot box shall then be placed in full view of all present and be so maintained until the close of poll.	
49.	<p>ISSUE OF BALLOT PAPER</p> <p>49. (1) Any person intending to vote with his voter’s card, shall present himself to a Presiding Officer at the polling unit in the constituency in which his name is registered with his voter’s card</p> <p>(2) The Presiding Officer shall, on being satisfied that the name of the person is on the register of voters, issue him a ballot paper and indicate on the Register that the person has voted.</p>	<p>ISSUE OF BALLOT PAPER</p> <p>“49. Accreditation of Voters, Transmission of accreditation data, Issuance of ballot papers to voters, etc</p> <p>(1) A person intending to vote in an election shall present himself with his voter’s card to a Presiding Officer, or any other designated officer of the Commission, for accreditation at a polling unit where he is a registered voter.</p> <p>(2) The Presiding Officer shall use a Smart Card Reader or any other technological device prescribed by the Commission for the accreditation of voters, to verify, confirm or authenticate -</p> <p>(a) the genuineness or otherwise of the voter’s card;</p> <p>(b) that the voter’s card presented by the voter is registered to the polling unit where the card is presented;</p>	<p>Accreditation of voters and voting</p> <p>49. (1) A person intending to vote in an election shall present himself with his voter’s card to a Presiding Officer for accreditation at the polling unit in the constituency in which his name is registered.</p> <p>(2) To vote, the Presiding Officer shall use a smart card reader or any other technological device that may be prescribed by the Commission, for the accreditation of voters, to verify, confirm or authenticate the particulars of the intending voter in the manner prescribed by the Commission.</p> <p>(3) Where a smart card reader or any other technological device deployed for accreditation of voters fails to function in any unit and a fresh card reader or technological device is not deployed, the election in that unit shall be cancelled and another</p>	<p>This substitution –</p> <p>a. gives clear legal footing to the Commission’s introduction of Smart Card Readers for accreditation of voters;</p> <p>b. makes room for introduction of other technological devices by the Commission for accreditation of voters, as may be necessary, in the future;</p> <p>c. makes it impossible for people to vote outside polling units where they</p>

		<p>(c) the biometric connection or otherwise of the intending voter with the voter's card; and</p> <p>(d) the number of duly accredited voters in the polling unit.</p> <p>(3) An intending voter shall not be accredited to vote in an election if the voter's card presented by him to the Presiding Officer is not -</p> <p>(a) a genuine voter's card issued by the Commission to the intending voter;</p> <p>(b) registered to the polling unit where the card is presented; and</p> <p>(c) biometrically connected to the intending voter.</p> <p>(4) Subject to subsections (1), (2) and (3) of this section, the Presiding Officer shall, upon confirming that the intending voter's name is on the Register of Voters, issue him with a ballot paper and manually record, by ticking in the appropriate box on the Register of Voters, that the intending voter, having been accredited, received a ballot paper to vote in the particular election.</p>	<p>election shall be scheduled within 24 hours. If the Commission is satisfied that the result of the Election in that polling unit will substantially affect the final result of the whole election and declaration of a winner in the constituency concerned.</p>	<p>are registered to vote;</p> <p>d. provides sanctions for violating the sanctity of the accreditation process – being the very fulcrum of the election process itself.</p>
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		<p>(5) The number of intending voters whose names are manually ticked as accredited on the Register of Voters under subsection (4) of this section shall not be inconsistent with the number of intending voters accredited with Smart Card Readers or other technological devices under subsections (2) and (3) of this section.</p> <p>(6) At the end of accreditation of voters, the Presiding Officer shall -</p> <p>(a) manually record or document the total number of intending voters accredited to vote, with other relevant voter accreditation data from the polling unit, in forms or electoral documents as shall be prescribed by the Commission for this purpose; and</p> <p>(b) transmit the voter accreditation data in paragraph (a) of this subsection by secured mobile electronic communication to the:</p> <p>(i) collation center at each level of collation of results to which the polling unit belongs in the constituency where the election is held; and</p> <p>(ii) central database of the Commission kept at the National Headquarter of the Commission.</p>		
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		<p>(7) Where there is a breach of the foregoing provisions of this section, the election in the polling unit of interest shall be invalidated by a Tribunal or Court.</p> <p>(8) A Presiding Officer who knowingly contravenes any provision of this section that applies to him shall be guilty of an offence and shall be liable, on conviction, to a minimum imprisonment for at least 5 years, without an option of fine.</p> <p>(9) In respect of data of accreditation of voters, including polling unit results, for an election, the Commission shall not shut down its central database kept at its National Headquarter until all election petitions and appeals pertaining to that election are heard and determined by a Tribunal or Court.</p> <p>(10) A report issued by the Commission and certified by its designated official in its National Headquarter showing the number of voters accredited under subsections (2) and (3) of this section shall be prima facie proof of the record of accreditation of voters in an election.”</p>		
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<p>50.</p>	<p>RIGHT TO CHALLENGE ISSUE OF BALLOT PAPER 50. A candidate or a Polling Agent may challenge the right of a person to receive a ballot paper on such grounds and in accordance with such procedures as are provided for in this Act.</p>	<p>RIGHT TO CHALLENGE ISSUE OF BALLOT PAPER 50. Retained</p>	<p>Right to challenge issue of ballot paper</p> <p>50. A candidate or a Polling Agent may challenge the right of a person to vote on such grounds and in accordance with such procedures as are provided for in this Bill.</p>	
<p>51.</p>	<p>SEPARATE QUEUES FOR MEN AND WOMEN 51. The Presiding Officer shall separate the queue between men and women if in that area of the country the culture is such that it does not permit the mingling of men and women in the same queue.</p>	<p>SEPARATE QUEUES FOR MEN AND WOMEN 51. Retained</p>	<p>Separate queues for men and women</p> <p>51. The Presiding Officer shall separate the queue between men and women if in that area of the country the culture is such that it does not permit the mingling of men and women in the same queue.</p>	
<p>52.</p>	<p>CONDUCT OF POLL BY OPEN SECRET BALLOT 52. (1) Voting at an election under this Act shall be by open secret ballot. <i>(2) Voting at an election under this Act shall be in accordance with the procedure determined by the Independent National Electoral Commission.</i> New Insertion (3) A voter on receiving a ballot paper shall mark it in the manner prescribed by the Commission. (4) All ballots at an election under this Act at any polling station shall be</p>	<p>CONDUCT OF POLL BY OPEN SECRET BALLOT 52. Retained <i>“(2) The Commission may adopt electronic voting or any other method of voting in any election it conducts as it may deem fit.”</i> Retained Retained</p>	<p>Conduct of poll by open secret ballot</p> <p>52. (1) Voting at an election under this Bill shall be by open secret ballot. (2) Voting at an election under this Bill shall be in accordance with the procedure determined by the Commission, which may include electronic voting. (3) The Commission may transmit results of elections by</p>	<p>This is a further amendment of the 2015 Amendment to clearly give the Commission the discretion to introduce electronic voting as may be practicable.</p>

	deposited in the ballot box in the open view of the public.		<p>electronic means where and when practicable.</p> <p>(4) A voter on receiving a ballot paper shall mark it in the manner prescribed by the Commission.</p> <p>(5) All ballots at an election under this Bill at any polling station shall be deposited in the ballot box in the open view of the public.</p>	
53.	<p>OVER VOTING</p> <p>53. (1) No voter shall vote for more than one candidate or record more than one vote in favour of any candidate at any one election.</p> <p>(2) Where the votes cast at an election in any polling unit exceed the number of registered voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit may affect the overall result in the Constituency.</p> <p>(3) Where an election is nullified in accordance with subsection (2) of this section, there shall be no return for the election until another poll has taken place in the affected area.</p>	<p>53. Retained</p> <p>(2)Where the votes cast at an election in any polling unit <i>exceeds either</i> the number of <i>accredited or</i> registered voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit may affect the overall result in the Constituency.</p> <p>Retained</p>	<p>Over Voting</p> <p>53. (1) No voter shall vote for more than one candidate or record more than one vote in favour of any candidate at any one election.</p> <p>(2) Where the number of votes cast at an election in any polling unit exceeds the number of accredited voters in that polling unit, the Presiding Officer shall cancel the result of the election in that polling unit.</p> <p>(3) Where the result of an election is cancelled in accordance with subsection (2), there shall be no return for the election until another poll has taken</p>	<p>This makes 'total number of accredited voters', a determining factor in the validity of votes in an election since <i>total valid votes cast</i> at an election cannot reasonably exceed <i>total number of accredited voters</i>.</p>

	(4) Notwithstanding the provisions of subsections (2) and (3) of this section the Commission may, if satisfied that the result of the election will not substantially be affected by voting in the area where the election is cancelled, direct that a return of the election be made.	Retained	place in the affected polling unit. (4) Notwithstanding the provisions of subsections (2) and (3) the Commission may, if satisfied that the result of the election will not substantially be affected by voting in the area where the election is cancelled, direct that a return of the election be made.	
54.	BALLOT NOT TO BE MARKED BY VOTER FOR IDENTIFICATION 54. (1) Where a voter makes any writing or mark on a ballot paper by which he may be identified, such ballot paper shall be rejected provided that any print resulting from the staining of the thumb of the voter in the voting compartment shall not be or be deemed to be a mark of identification under this section. (2) The Commission shall use indelible ink for any thumb mark by voters on ballot papers.	BALLOT NOT TO BE MARKED BY VOTER FOR IDENTIFICATION 54. Retained	Ballot not to be marked by voter for identification 54. (1) Where a voter makes any writing or mark on a ballot paper by which he or she may be identified, such ballot paper shall be rejected provided that any print resulting from the staining of the thumb of the voter in the voting compartment shall not be or be deemed to be a mark of identification under this section. (2) The Commission shall use indelible ink for any thumb mark by voters on ballot papers.	

<p>55.</p>	<p>ACCIDENTAL DESTRUCTION OR MARKING OF BALLOT PAPERS 55. A voter who by accident deals with his ballot paper in such a manner that it may not be conveniently used for voting, may deliver it to the Presiding Officer and if the Presiding Officer is satisfied that the ballot paper is spoilt he shall issue another ballot paper to the voter in place of the ballot paper delivered up, and the spoilt ballot paper shall be immediately marked cancelled by the Presiding Officer.</p>	<p>ACCIDENTAL DESTRUCTION OR MARKING OF BALLOT PAPERS 55. Retained</p>	<p>Accidental destruction or marking of ballot papers</p> <p>55. A voter who by accident deals with his or her ballot paper in such a manner that it may not be conveniently used for voting, may deliver it to the Presiding Officer and if the Presiding Officer is satisfied that the ballot paper is spoilt he or she shall issue another ballot paper to the voter in place of the ballot paper delivered up, and the spoilt ballot paper shall be immediately marked cancelled by the Presiding Officer.</p>	
<p>56.</p>	<p>BLIND AND INCAPACITATED VOTERS 56. (1) A voter who is blind or is otherwise unable to distinguish symbols or who suffers from any other physical disability may be accompanied into the polling unit by a person chosen by him and that person shall, after informing the Presiding Officer of the disability, be permitted to accompany the voter into the voting compartment and assist the voter to make his mark in accordance with the procedure prescribed by the Commission. (2) The Commission may take reasonable steps to ensure that voters with disabilities are assisted at the polling</p>	<p>BLIND AND INCAPACITATED VOTERS 56. Retained</p>	<p>Visually impaired and incapacitated voters</p> <p>56. (1) A Voter with visual impairment or other form of disability who is otherwise unable to distinguish symbol or who suffers from any other physical disability may be accompanied into the polling unit by a person chosen by him or her and that person shall, after informing the Presiding Officer of the disability, be permitted to accompany the voter into the voting compartment and assist the voter to make his or her</p>	

	place by the provision of suitable means of communication, such as Braille, Large embossed print or electronic devices or sign language interpretation, or off-site voting in appropriate cases.		mark in accordance with the procedure prescribed by the Commission. (2) The Commission shall take reasonable steps to ensure that persons with disabilities, special needs and vulnerable persons are assisted at the polling place by the provision of suitable means of communication, such as Braille, Large embossed print or electronic devices or sign language interpretation, or off-site voting in appropriate cases.	
57.	PERSONAL ATTENDANCE 57. No voter shall record his vote otherwise than by personally attending at the Polling unit and recording his vote in the manner prescribed by the Commission.	PERSONAL ATTENDANCE 57. Retained	Personal attendance 57. No voter shall record his or her vote otherwise than by personally attending at the polling unit or voting centres and recording his or her vote in the manner prescribed by the Commission.	
58.	VOTING AT APPROPRIATE POLLING UNIT 58. No person shall be permitted to vote at any polling unit other than the one to which he is allotted.	VOTING AT APPROPRIATE POLLING UNIT 58. Retained	Voting at appropriate polling unit 58. No person shall be permitted to vote at any polling unit other than the one to which he or she is allotted.	

<p>59.</p>	<p>IMPERSONATION BY APPLICANT FOR BALLOT PAPER</p> <p>59. (1) If at the time a person applies for a ballot paper and before he has left the polling unit, a polling agent, polling unit official or security agent informs the Presiding Officer that he has reasonable cause to believe that the person is under the age of 18 years or has committed the offence of impersonation and gives an undertaking on a prescribed form to substantiate the charge in a court of law, the Presiding Officer may order a police officer to arrest that person and the Presiding Officer's order shall be sufficient authority for the police officer so to act.</p> <p>2) A person in respect of whom a polling agent, polling official, or security agent gives an information in accordance with the provision of subsection (1) of this section shall not by reason of the information, be prevented from voting, but the Presiding Officer shall cause the words "protested against for impersonation" to be placed against his name in the marked copy of the register of voters or part of the register of voters.</p> <p>(3) Where a person in respect of whom a declaration is made under subsection (2) of this section, admits to the Presiding Officer that he is not the person he held himself out to be, he shall not be</p>	<p>IMPERSONATION BY APPLICANT FOR BALLOT PAPER</p> <p>59. Retained</p>	<p>Impersonation by applicant to vote</p> <p>59. (1) If at the time a person applies to vote and before he or she has left the polling unit, a polling agent, polling unit official or security agent informs the Presiding Officer that he or she has reasonable cause to believe that the person is under the age of 18 years or has committed the offence of impersonation and gives an undertaking on a prescribed form to substantiate the charge in a court of law, the Presiding Officer may order a police officer to arrest that person and the Presiding Officer's order shall be sufficient authority for the police officer so to act.</p> <p>(2) A person in respect of whom a polling agent, polling official, or security agent gives an information in accordance with the provision of subsection (1) shall not by reason of the information, be prevented from voting, but the Presiding Officer shall cause the words "protested against for impersonation" to be placed against his or her name in the</p>	
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	<p>permitted to vote and shall be handed over to the Police.</p> <p>(4) A person arrested under the provisions of this section shall be deemed to be a person taken into custody by a police officer.</p>		<p>marked copy of the register of voters or part of the register of voters.</p> <p>(3) Where a person in respect of whom a declaration is made under subsection (2), admits to the Presiding Officer that he or she is not the person he or she held themselves out to be, he or she shall not be permitted to vote and shall be handed over to the Police or security agent.</p> <p>(4) A person arrested under the provisions of this section shall be deemed to be a person taken into custody by a police officer.</p>	
60	<p>TENDERED BALLOT PAPER</p> <p>60. (1) If a person claiming to be entitled to vote applies for a ballot paper after some other person has voted in the name given by the claimant he shall, upon satisfactory answers given to any questions put to him by a poll clerk, be entitled to receive a ballot paper in the same manner as any other voter; but the ballot paper (in this Act referred to as “the tendered ballot paper”) shall be of a colour different from the ordinary ballot papers.</p>	<p>TENDERED BALLOT PAPER</p> <p>60. Retained</p>	<p>NO TENDERED BALLOTS</p> <p>60. There shall be no use of tendered ballots in any election conducted under this Act.</p>	<p>This amendment is necessary in view of the introduction of Card Readers for accreditation under section 49 of the Act.</p>

	<p>(2) The Presiding Officer shall require the voter to deliver the tendered ballot paper to him instead of allowing it to be put in the ballot box, and the Presiding Officer shall endorse on it the name of the voter and his number in the register of voters.</p> <p>(3) The ballot paper shall on delivery to the Presiding Officer and in the view of all present, be set aside by the Presiding Officer in a packet intended for tendered votes and the tendered ballot paper shall be counted by the Returning Officer.</p> <p>(4) The Presiding Officer shall, when he tenders a ballot paper under this section, enter the name of the voter and his number in the register of voters on the list to be called tendered vote list and the tendered vote list shall be produced in any legal proceedings arising out of the election.</p>			
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<p>61.</p>	<p>CONDUCT AT POLLING UNITS</p> <p>61. (1) The Presiding Officer shall regulate the admission of voters to the polling unit and shall exclude all persons other than the candidates, polling agents, poll clerks and persons lawfully entitled to be admitted including accredited observers, and the Presiding Officer shall keep order and comply with the requirements of this Act at the polling unit.</p> <p>(2) The Presiding Officer may order a person to be removed from a polling unit, who behaves in a disorderly manner or fails to obey a lawful order.</p> <p>(3) A person removed from a polling unit under this section shall not, without the permission of the Presiding Officer, again enter the polling unit during the day of the election, and if charged with the commission of an offence in that polling unit, the person shall be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without a warrant.</p> <p>(4) The provisions of subsection (3) of this section shall not be enforced so as to prevent a voter who is otherwise entitled to vote at a polling unit from having an opportunity of so voting.</p> <p>(5) In the absence of the presiding officer, the Poll Clerk shall enjoy and exercise all the powers of the Presiding Officer in respect of a Polling Unit.</p>	<p>CONDUCT AT POLLING UNITS</p> <p>61. Retained</p>	<p>Conduct at polling units</p> <p>61. (1) The Presiding Officer shall regulate the admission of voters to the polling unit and shall exclude all persons other than the candidates, polling agents, poll clerks and persons lawfully entitled to be admitted including accredited observers, and the Presiding Officer shall keep order and comply with the requirements of this Bill at the polling unit.</p> <p>(2) The Presiding Officer may order a person to be removed from a polling unit, who behaves in a disorderly manner or fails to obey a lawful order.</p> <p>(3) A person removed from a polling unit under this section shall not, without the permission of the Presiding Officer, again enter the polling unit during the day of the election, and if charged with the commission of an offence in that polling unit, the person shall be deemed to be a person taken into custody by a police officer for an offence in respect</p>	
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			<p>of which he may be arrested without a warrant.</p> <p>(4) The provisions of subsection (3) shall not be enforced so as to prevent a voter who is otherwise entitled to vote at a polling unit from having an opportunity of so voting.</p> <p>(5) In the absence of the presiding officer, the Poll Clerk shall enjoy and exercise all the powers of the Presiding Officer in respect of a Polling Unit.</p>	
62.	<p>CLOSING OF POLL</p> <p>62. (1) At the prescribed hour for the close of poll, the Presiding Officer shall declare the poll closed and no more person shall be admitted into the Polling unit and only those already inside the Polling unit shall be allowed to vote.</p> <p>(2) After the declaration of the close of polls, no voter already inside the polling unit shall be permitted to remain in the polling unit unless otherwise authorized under this Act.</p>	<p>CLOSING OF POLL</p> <p>62. Retained</p>	<p>Closing of poll</p> <p>62. (1) At the prescribed hour for the close of poll, the Presiding Officer shall declare the poll closed and no more person shall be admitted into the Polling unit and only those already inside the Polling unit shall be allowed to vote.</p> <p>(2) Deleted</p>	<p>The intent is unclear</p>
63.	<p>COUNTING OF VOTES AND FORMS</p> <p>63. (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate</p>	<p>63. Retained</p>	<p>Counting of votes and forms</p> <p>63. (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate in a</p>	<p>a. Recording of happenings in polling units will limit incidences of malpractices, as such</p>

	<p>in a form to be prescribed by the Commission as the case may be.</p> <p>(2) The form shall be signed and stamped by the Presiding Officer and counter signed by the candidates or their polling agents where available at the Polling unit.</p> <p>(3) The Presiding Officer shall give to the Polling Agents and the police officer where available a copy each of the completed Forms after it has been duly signed as provided in subsection (2) of this section.</p> <p>(4) The Presiding Officer shall count and announce the result at the Polling unit.</p>	<p><i>Retained</i></p> <p><i>“(4) At the end of voting in an election, the Presiding Officer shall -</i></p> <p><i>(a) sort and thereafter count the votes at the polling unit;</i></p> <p><i>(b) record the sorted and counted votes in forms or electoral documents as shall be prescribed by the Commission for this purpose;</i></p> <p><i>(c) announce the result at the polling unit;</i></p> <p><i>(d) transmit the result of the election from the polling unit to the first level of collation of results to which the polling unit belongs in the constituency where the election is held.”; and</i></p>	<p>form to be prescribed by the Commission as the case may be.</p> <p>(2) The form shall be signed and stamped by the Presiding Officer and counter signed by the candidates or their polling agents where available at the Polling unit.</p> <p>(3) The Presiding Officer shall give to the Polling Agents and the police officer where available a copy each of the completed Forms after it has been duly signed as provided in subsection (2).</p> <p>(4) The Presiding Officer shall count and announce the result at the Polling unit.</p> <p>(5) The Presiding officer shall transmit the results including total number of accredited voters and the results of the ballot in a manner as prescribed by the Commission.</p> <p>(6) A Presiding Officer who willfully contravenes any provision of this section commits an offence and is liable on conviction to a fine not more</p>	<p>recording may be used as evidence from proper custody in relation to electronic evidence under sections 84 and 258 of the Evidence Act, 2011.</p>
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		<p>(a) by inserting after subsection (4), a new subsection “(5)”, as follows:</p> <p><i>“(5) The process and procedure in subsections (1) to (4) may be recorded by any member of the public, party agent, accredited observer or official of the Commission.”</i></p> <p>(b) by inserting after subsection (5), a new subsection “(6)”, as follows:</p> <p><i>“(6) A Presiding Officer who wilfully contravenes any provision of this section shall be guilty of an offence and shall be liable on conviction to a minimum imprisonment term of 5 years without an option of fine.”</i></p>	<p>than N100,000.00 or imprisonment for a term of at least six months.</p>	
64.	<p>RECOUNT</p> <p>64. A candidate or a Polling Agent may, where present at a Polling unit when counting of votes is completed by the Presiding Officer, demand to have the votes recounted provided that the Presiding Officer shall cause the votes to be so recounted only once.</p>	<p>RECOUNT</p> <p>64.Retained</p>	<p>Recount</p> <p>64. A candidate or a Polling Agent may, where present at a polling unit when counting of votes is completed by the Presiding Officer, demand to have the votes recounted provided that the Presiding Officer shall cause the votes to be so recounted only once.</p>	

<p>65.</p>	<p>POST-ELECTION PROCEDURE AND COLLATION OF ELECTION RESULTS</p> <p>65. After the recording and announcement of the result, the presiding officer shall deliver same along with election materials under security and accompanied by the candidates or their polling agents, where available, to such person as may be prescribed by the Commission.</p>	<p><i>“National Electronic Register of Election Results</i></p> <p><i>“65A. (1) The Commission shall compile, maintain and update on a continuous basis, a register of election results to be known as the National Electronic Register of Election Results which shall be a database of election results from each polling unit, including collated election results of each election conducted by the Commission.</i></p> <p><i>(2) National Electronic Register of Election Results shall be kept by the Commission at its National Headquarter.</i></p> <p><i>(3) Any person or political party may obtain from the Commission, on payment of reasonable fees as may be determined by the Commission, a certified true copy of any election result kept in the National Electronic Register of Election Results for the Federation, a State, Local Government, Area Council, Ward or Polling Unit, as the case may be and the certified true copy may be in printed or electronic format.”</i></p>	<p>Post-election procedure and collation of election results</p> <p>65. (1) After the recording and announcement of the result, the presiding officer shall deliver same along with election materials under security and accompanied by the candidates or their polling agents, where available, to such person as may be prescribed by the Commission.</p> <p>(2) The Commission shall compile, maintain and update, on a continuous basis, a register of election results to be known as the National Electronic Register of Election Results which shall be a distinct database or repository of polling unit by polling unit results, including collated election results, of each election conducted by the Commission in the Federation, and the Register of Election Results shall be kept in electronic format by the Commission at its national headquarters.</p> <p>(3) Any person or political party may obtain from the Commission, on payment of</p>	<p>This new provision creates a new National Electronic Register of Election Results for proper digital archiving and ease of access by the public upon satisfaction of statutory requirements.</p>
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			such fees as may be determined by the Commission, a certified true copy of any election result kept in the National Electronic Register of Election Results for a State, Local Government, Area Council, Registration Area or Electoral Ward or Polling Unit, as the case may be, and the certified true copy may be in printed or electronic format.	
66.	<p>REJECTION OF BALLOT PAPER WITHOUT OFFICIAL MARK</p> <p>66. (1) Subject to subsection (2) of this section, a ballot paper which does not bear the official mark shall not be counted.</p> <p>(2) If the Returning Officer is satisfied that a ballot paper which does not bear the official mark was from a book of ballot papers which was furnished to the Presiding Officer of the polling unit in which the vote was cast for use at the election in question, he shall, notwithstanding the absence of the official mark, count that ballot paper.</p>	<p>REJECTION OF BALLOT PAPER WITHOUT OFFICIAL MARK</p> <p>66. Retained</p>	<p>Rejection of ballot paper without official mark</p> <p>66. (1) Subject to subsection (2), a ballot paper which does not bear official mark prescribed by the Commission shall not be counted.</p> <p>(2) If the Returning Officer is satisfied that a ballot paper which does not bear the official mark was from a book of ballot papers which was furnished to the Presiding Officer of the polling unit in which the vote was cast for use at the election in question, he or she shall, notwithstanding the absence of</p>	

			the official mark, count that ballot paper.	
67.	<p>ENDORSEMENT ON REJECTED BALLOT PAPER WITHOUT OFFICIAL MARK</p> <p>67. (1) The Presiding Officer shall endorse the word “rejected” on the ballot paper rejected under section 54(1) of this Act and for any other reason, and the ballot papers shall not be counted except otherwise allowed by the Returning Officer who may overrule the Presiding Officer.</p> <p>(2) If an objection to the decision of a Presiding Officer to reject a ballot paper is raised by a candidate or a polling agent at the time the decision is made, the Presiding Officer shall add to the word “rejected”, the phrase “but objected to”.</p> <p>(3) The Presiding Officer shall prepare a statement on rejected ballot papers, stating the number rejected, the reason for rejection and their serial number, he shall on request, allow a candidate or a polling agent to copy the statement.</p>	<p><i>“Verification and confirmation of results</i></p> <p><i>67A. (1) A Collation Officer or Returning Officer at an election shall collate and announce the result of an election, subject to his verification and confirmation that the:</i></p> <p><i>(a) number of accredited voters stated on the collated result are correct and consistent with the number of accredited voters recorded and transmitted directly from polling units under section 49(6) of this Act; and</i></p> <p><i>(b) the votes stated on the collated result are correct and consistent with the votes or results recorded and transmitted directly from polling units under section 63(4) of this Act.</i></p> <p><i>(2) Subject to subsection (1) of this section, where the number of accredited voters and votes recorded</i></p>	<p>Endorsement on rejected ballot paper without official mark</p> <p>67. (1) The Presiding Officer shall endorse the word “rejected” on the ballot paper rejected under section 52 (1) of this Bill and for any other reason, and the ballot papers shall not be counted except otherwise allowed by the Returning Officer who may overrule the Presiding Officer.</p> <p>(2) If an objection to the decision of a Presiding Officer to reject a ballot paper is raised by a candidate or a polling agent at the time the decision is made, the Presiding Officer shall add to the word “rejected”, the phrase “but objected to”.</p> <p>(3) The Presiding Officer shall prepare a statement on rejected ballot papers, stating the number rejected, the reason for rejection and their serial number, and he or she shall on request, allow a candidate or a polling agent to copy the statement.</p>	<p>Endorsement on rejected ballot paper without official mark</p>

		<p><i>and transmitted to a Collation or Returning Officer are inconsistent with a polling unit or a collated result, the Collation officer at that level or Returning Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 49(6) of this Act and the votes or results recorded and transmitted directly from polling units under section 63(4) of this Act to collate and announce the result of the election.</i></p> <p><i>(3) Where during collation of results, there is a dispute regarding a collated result or the result of an election from any polling unit, the Collation Officer or Returning Officer shall use the following to determine the correctness of the disputed result:</i></p> <p><i>(a) the original of the disputed collated result or manual result for each polling unit where the election is disputed;</i></p> <p><i>(b) the Smart Card Reader or any other technological device used for accreditation of voters in each polling unit where the election is disputed for the purpose</i></p>	<p>(4) A Collation Officer or Returning Officer at an election shall collate and announce the result of an election, subject to his or her verification and confirmation that the -</p> <p>(a) number of accredited voters stated on the collated result are correct and consistent with the number of accredited voters recorded and transmitted directly from polling units under section 47 (2) of this Bill.</p> <p>(b) the votes stated on the collated result are correct and consistent with the votes or results recorded and transmitted directly from polling units under section 60 (4) of this Bill.</p> <p>(5) Subject to subsection (1), a Collation Officer or Returning Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 47 (2) of this Bill and the votes or results recorded and transmitted directly from polling units under section</p>	
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		<p><i>of obtaining accreditation data directly from the Smart Card Reader or technological device;</i></p> <p><i>(c) data of accreditation recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 49 (6) of this Act; and</i></p> <p><i>(d) the votes and result of the election manually recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 63(4) of this Act.</i></p> <p><i>(4) If the disputed result under subsection (3) is found to be incorrect, the Collation Officer or Returning Officer shall re-collate and announce the correct result using the information in subsection (3) of this section.</i></p> <p><i>(5) Where the dispute under subsection (3) of this section arose at the final level of collation and the Returning Officer has satisfied the provision of subsection (3) of this section, the Returning Officer shall accordingly declare the winner of the election.</i></p>	<p>60 (4) of this Bill to collate and announce the result of an election if a collated result at his or a lower level of collation is not correct.</p> <p>(6) Where during collation of results, there is a dispute regarding a collated result or the result of an election from any polling unit, the Collation Officer or Returning Officer shall use the following to determine the correctness of the disputed result -</p> <p>(a) the original of the disputed collated result for each polling unit where the election is disputed;</p> <p>(b) the smart card reader or other technology device used for accreditation of voters in each polling unit where the election is disputed for the purpose of obtaining accreditation data directly from the Smart Card Reader or technology device;</p> <p>(c) data of accreditation recorded and transmitted</p>	
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		<p><i>(6) A Returning Officer or Collation Officer, as the case may be, who willfully and knowingly contravenes a provision of this section that applies to him shall be guilty of an offence if the results he collated or announced are false and he shall be liable on conviction, to a minimum imprisonment term of 5 years without an option of fine.”</i></p>	<p>directly from each polling unit where the election is disputed as prescribed under section 47 (2) of this Bill;</p> <p>(d) the votes and result of the election recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 60 (4) of this Bill.</p> <p>(7) If the disputed result under subsection (3) were otherwise found not to be correct, the Collation Officer or Returning Officer shall re-collate and announce a new result using the information in subsection (3) (a-d).</p> <p>(8) Where the dispute under subsection (3) arose at the level of collation and the Returning Officer has satisfied the provision of subsection (3), the Returning Officer shall accordingly declare the winner of the election.</p> <p>(9) A Returning Officer or Collation Officer, as the case may be,</p>	
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			<p>commits an offence if he or she intentionally collates or announces a false result and is liable on conviction to imprisonment for a term of at least three years or a fine of N5,000,000.00, or both.</p>	
<p>68.</p>	<p>DECISION OF RETURNING OFFICER ON BALLOT PAPER 68. The decision of the Returning Officer on any question arising from or relating to-</p> <ul style="list-style-type: none"> (a) unmarked ballot paper; (b) rejected ballot paper; and (c) declaration of scores of candidates and the return of a candidate, shall be final subject to review by a tribunal or Court in an election petition proceedings under this Act. 	<p>DECISION OF RETURNING OFFICER ON BALLOT PAPER 68. Retained</p>	<p>Decision of returning officer on ballot paper</p> <p>68. (1) The decision of the Returning Officer shall be final on any question arising from or relating to -</p> <ul style="list-style-type: none"> (a) unmarked ballot paper; (b) rejected ballot paper; and (c) declaration of scores of candidates and the return of a Candidate; <p>Provided that the Commission shall have the power within seven days to review the declaration and return where the Commission determines that the said declaration and return was not made voluntarily or was made contrary to the provisions of the Law, Regulations and Guidelines, and Manual for the election.</p>	

			(2) A decision of the Returning Officer under subsection (1) may be reviewed by a Election Tribunal or Court of competent jurisdiction in an election petition proceedings under this Bill.	
69.	<p>DECLARATION OF RESULT</p> <p>69. In an election to the office of the President or Governor whether or not contested and in any contested election to any other elective office, the result shall be ascertained by counting the votes cast for each candidate and subjected to the provisions of sections 133, 134 and 179 of the constitution, the candidate that receives the highest number of votes shall be declared elected by the appropriate Returning Officer.</p>	<p>DECLARATION OF RESULT</p> <p>69. Retained</p>	<p>Declaration of result</p> <p>69. In an election to the office of the President or Governor whether or not contested and in any contested election to any other elective office, the result shall be ascertained by counting the votes cast for each candidate and subjected to the provisions of sections 133, 134 and 179 of the Constitution, the candidate that receives the highest number of votes shall be declared elected by the appropriate Returning Officer.</p>	1999 Constitution
70.	<p>EQUALITY OF VOTES</p> <p>70. Where two or more candidates poll equal number of votes being the highest in an election, the Returning Officer shall not return any of the candidates and a fresh election shall be held for the candidates on a date to be appointed by the Commission.</p>	<p>EQUALITY OF VOTES</p> <p>70. Retained</p>	<p>Equality of votes</p> <p>70. Where two or more candidates' poll equal number of votes being the highest in an election, the Returning Officer shall not return any of the candidates and a fresh election shall be held for the candidates who polled equal number of votes on a date to be appointed by the Commission.</p>	
	POSTING OF RESULTS	POSTING OF RESULTS	Posting of results	

71.	71. The Commission shall cause to be posted on its notice board and website, a notice showing the candidates at the election and their scores; and the person declared as elected or returned at the election.	71. Retained	71. The Commission shall cause to be posted on its notice board and website, a notice showing the candidates at the election and their scores; and the person declared as elected or returned at the election.	
72.	CUSTODY OF DOCUMENTS 72. The Chief Electoral Commissioner or any officer authorized by him shall keep official custody of all the documents, including statement of results and ballot papers relating to the election, which are returned to the Commission by the Returning Officers.	CUSTODY OF DOCUMENTS 72. Retained	Custody of documents 72. The Chief Electoral Commissioner or any officer authorised by him or her shall keep official custody of all the documents, including statement of results and ballot papers relating to the election, which are returned to the Commission by the Returning Officers.	
73.	STEP BY STEP RECORDING OF POLL 73. Subject to the provisions of this Act, the Commission shall issue and publish in the Gazette, guidelines for the elections which shall make provisions, among other things, for the step by step recording of the poll in the electoral forms as may be prescribed beginning from the polling unit to the last collation centre for the ward or constituency where the result of the election shall be declared.	STEP BY STEP RECORDING OF POLL 73. Retained	Step by step recording of poll 73. Subject to the provisions of this Bill, the Commission shall issue and publish in the Gazette, guidelines for the elections which shall make provisions, among other things, for the step-by-step recording of the poll in the electoral forms as may be prescribed beginning from the polling unit to the last collation centre for the ward or constituency	

			where the result of the election shall be declared.	
74.	<p>RESULT FORMS TO BE SIGNED AND COUNTERSIGNED</p> <p>74, Every Result Form completed at the Ward, Local Government, State and National levels in accordance with the provision of this Act or any Guidelines issued by the Commission shall be stamped, signed and countersigned by the relevant officers and polling agents at those levels and copies given to the police officers and the polling agents, where available.</p>	<p>RESULT FORMS TO BE SIGNED AND COUNTERSIGNED</p> <p>74. Retained</p>	<p>Result forms to be signed and countersigned</p> <p>74. Every result form completed at the ward, local government, state and national levels in accordance with the provisions of this Act or any Guidelines issued by the Commission shall be stamped, signed and countersigned by the relevant officers and polling agents at those levels and copies given to the police officers and the polling agents, where available.</p>	
75.	<p>CERTIFICATE OF RETURN</p> <p>75. (1) A sealed Certificate of Return at an election in a prescribed form shall be issued within 7 days to every candidate who has won an election under this Act-PROVIDED that where the Court of Appeal or the Supreme Court being the final Appellate Court in any election petition as the case may be nullifies the Certificate of Return of any candidate, the Commission shall within 48 hours after the receipt of the order of such Court, issue the successful candidate with a valid Certificate of Return.</p>	<p>CERTIFICATE OF RETURN</p> <p>75. Retained</p>	<p>Certificate of Return</p> <p>75. (1) A sealed Certificate of Return at an election in a prescribed form shall be issued within 14 days to every candidate who has been returned by the returning officer in an election under this Bill:</p> <p>PROVIDED that where the Court of Appeal or the Supreme Court being the final appellate court in any election petition, as the case may be, nullifies any candidate's Certificate of Return, the Commission shall within 48 hours after receipt of</p>	

	(2) Where the Commission refuses or neglects to issue a certificate of return, a certified true copy of the Order of a Court of competent jurisdiction shall, <i>ipso facto</i> , be sufficient for the purpose of swearing- in a candidate declared as the winner by that Court.		the court’s order, issue the successful candidate with a valid Certificate of Return.	
76.	FORMS FOR USE AT ELECTIONS 76. The forms to be used for the conduct of elections under this Act shall be determined by the Commission.	<i>“Recording of details of electoral materials</i> <i>76A. (1) The result of an election conducted at a polling unit without the prior recording in the forms prescribed by the Commission of the quantity, serial numbers and other particulars of results sheets, ballot papers and other sensitive electoral materials made available by the Commission for the conduct of the election shall be cancelled by a Tribunal or Court.</i> <i>(2) A Presiding, Collation or Returning Officer who announces or signs any election result in violation</i>	Forms for use at elections 76. (1) The forms to be used for the conduct of elections under this Bill shall be determined by the Commission. (2) An election conducted at a polling unit without the prior recording in the forms prescribed by the Commission of the quantity, serial numbers and other particulars of results sheets, ballot papers and other sensitive electoral materials made available by the Commission for the conduct of the election shall be invalid.	The new subsection (2) and (3) are to enhance accountability and tracing of the movement of electoral materials due to proper identification and documentation of the materials.

		<i>of subsection (1) of this section is guilty of an offence and shall be liable on conviction to a minimum imprisonment term of one (1) year without an option of fine.”</i>	(3) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (2) commits an offence and is liable on conviction to a fine of N200,000.00 or imprisonment for a term of at least one year or both.	
77.	<p>ACCESS TO ELECTION DOCUMENTS</p> <p>77. (1) <i>The Resident Electoral Commissioner in a State where an election is conducted shall, within 14 days after an application is made to him by any of the parties to an election petition, cause a certified true copy of such document to be issued to the said party.</i></p> <p>(2) Any Resident Electoral Commissioner who willfully fails to comply with the provisions in sub section (1) of this section commits an offence and is liable on conviction to a maximum fine of N2,000,000.00 or imprisonment for a term of 12 months, or both.</p>	<p>ACCESS TO ELECTION DOCUMENTS</p> <p>77. Retained</p>	<p>Access to election documents</p> <p>77. (1) The Resident Electoral Commissioner in a State where an election is conducted shall, within 14 days after an application is made to him by any of the parties to an election petition, cause a certified true copy of such document to be issued to the said party.</p> <p>(2) Any Resident Electoral Commissioner who willfully fails to comply with the provisions in sub section (1) commits an offence and is liable on conviction to a maximum fine of N2,000,000.00 or imprisonment for a term of 12 months or both.</p>	
	PART V	PART V	PART V	

	POLITICAL PARTIES	POLITICAL PARTIES	POLITICAL PARTIES	
78.	<p>POWERS OF THE COMMISSION TO REGISTER POLITICAL PARTIES</p> <p>78. (1) Any political association that complies with the provisions of the Constitution and this Act for the purposes of registration shall be registered as a political party. PROVIDED that such application for registration as a political party shall be duly submitted to the Commission not later than 6 months before a general election.</p> <p>(2) The Commission shall, on receipt of the documents in fulfillment of the conditions stipulated by the Constitution, immediately issue the applicant with a letter of acknowledgement stating that all the necessary documents had been submitted to the Commission.</p> <p>(3) If the Association has not fulfilled all the conditions under this section, the Commission shall within 30 days from the receipt of its application notify the association in writing stating the reasons for non-registration.</p> <p>(4) Any political association that meets the conditions stipulated in the Constitution and this Act shall be registered by the Commission as a political party within 30 days from the date of receipt of the application and if after the 30 days such Association is not</p>	<p>Section 78(5) of the Principal Act is amended by inserting after the word</p> <p>Retained</p> <p>Retained</p> <p>Retained</p>	<p>Powers of the Commission to register political parties</p> <p>78. (1) Any political association that complies with the provisions of the Constitution and this Bill for the purposes of registration shall be registered as a political party;</p> <p>PROVIDED however, that such application for registration as a political party shall be duly submitted to the Commission not later than 12 months before a general election.</p> <p>(2) The Commission shall, on receipt of the documents in fulfillment of the conditions stipulated by the Constitution, immediately issue the applicant with a letter of acknowledgement stating that all the necessary documents had been submitted to the Commission.</p> <p>(3) If the Association has not fulfilled all the conditions under this section, the Commission shall within 90 days from the receipt of its application notify</p>	<p>This provision mandates promoters of political associations seeking to be registered as political parties to comply fully with lawful registration requirements or face sanctions.</p>

	<p>registered by the Commission unless the Commission informs the Association to the contrary it shall be deemed to have been registered.</p> <p>(5) Any Association which, through the submission of false or misleading information pursuant to the provisions of this section, procures a certificate of registration shall have such certificate cancelled.</p> <p>(6) An application for registration as a political party shall not be processed unless there is evidence of payment of administrative fee as may be fixed from time to time by the Commission.</p> <p><i>(7a) The Commission shall have power to deregister political parties on the following grounds –</i></p> <p><i>(i) Breach of any of the requirements for registration, and</i></p> <p><i>(ii) For failure to win Presidential or Governorship election or a seat in the National or State Assembly election.</i></p>	<p>(5) Any Association which, through the submission of false or misleading information pursuant to the provisions of this section, procures a certificate of registration shall have such certificate cancelled <i>and the association and each of its executives or principal officers shall, on account of the false or misleading information, be guilty of an offence and be liable, on conviction.</i></p> <p><i>(a) in the case of the association, to a fine of N5,000,000; and</i></p> <p><i>(b) in the case of each executive or principal officer of the association, to a minimum imprisonment term of 6 months or a minimum fine of N1,000,000 or both.”</i></p> <p><i>Retained</i></p> <p><i>Retained</i></p>	<p>the Association in writing stating the reasons for non-registration.</p> <p>(4) A political association that meets the conditions stipulated in the Constitution and this Bill shall be registered by the Commission as a political party within 60 days from the date of receipt of the application, and if after the 60 days such association is not registered by the Commission, unless the Commission informs the association to the contrary, it shall be deemed to have been registered.</p> <p>(5) An association, its executive member or principal officers who gives false or misleading information, commit an offence and is liable on conviction, in the case of -</p> <p>(a) the association to a fine of N5,000,000.00;</p> <p>(b) each executive or principal officer of the association to a fine of N3,000,000.00 or</p>	
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			<p>imprisonment for a term of at least two years or both.</p> <p>(6) An application for registration as a political party shall not be processed unless there is evidence of payment of administrative fee as may be fixed from time to time by the Commission.</p>	
79.	<p>DECISION OF THE COMMISSION SUBJECT TO JUDICIAL REVIEW</p> <p>79. The decision of the Commission not to register any association as a political party may be challenged in a court of law, provided that any legal action challenging the decision of the Commission shall be commenced within 30 days from the date of receipt of the letter of notification of non-registration from the Commission.</p>	<p>DECISION OF THE COMMISSION SUBJECT TO JUDICIAL REVIEW</p> <p><i>79. Retained</i></p>	<p>Decision of the Commission subject to judicial review</p> <p>79. The decision of the Commission not to register any association as a political party may be challenged in the Federal High Court, provided that any legal action challenging the decision of the Commission shall be commenced within 14 days from the date of receipt of the decision on non-registration from the Commission.</p>	

<p>80.</p>	<p>POLITICAL PARTIES TO BE BODIES CORPORATE 80. A Political Party registered under this Act shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.</p>	<p>POLITICAL PARTIES TO BE BODIES CORPORATE 80. Retained</p>	<p>Political parties to be bodies corporate</p> <p>80. (1) A political party registered under this Bill shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.</p> <p>(2) Every registered political party shall maintain a register of its members in both hard and soft copy.</p> <p>(3) Each political party shall make such register available to the Commission not later than 30 days before the date fixed for the party primaries, Congresses or Convention.</p>	
<p>81.</p>	<p>CONTRAVENTION OF SECTION 227 OF THE 1999 CONSTITUTION 81. (1) Any political party or association, which contravenes the provisions of section 227 of the Constitution is guilty of an offence and liable on conviction to a fine of-</p> <p>(a) N 500,000.00 for the first offence;</p> <p>(b) N 700,000.00 for any subsequent offence; and</p> <p>(c) N 50,000.00 for every day that the offence continues.</p>	<p>CONTRAVENTION OF SECTION 227 OF THE 1999 CONSTITUTION 81. Retained</p>	<p>Contravention of section 227 of the 1999 Constitution</p> <p>81. (1) Any Political Party or association, which contravenes the provisions of section 227 of the Constitution, commits an offence and is liable on conviction to a fine of -</p> <p>(a) N5,000,000.00 for the first offence;</p>	

	<p>(2) Any person or group of persons who aids or abets a political party in contravening the provisions of section 227 of the Constitution commits an offence and be liable on conviction to a fine of N500,000.00 or 3 years imprisonment or both.</p>		<p>(b) N7,000,000.00 for any subsequent offence; and</p> <p>(c) N500,000.00 for every day that the offence continues.</p> <p>(2) Any person or group of persons who aids or abets a political party in contravening the provisions of section 227 of the Constitution commits an offence and is liable on conviction to a fine of N5,000,000.00 or imprisonment for a term of five years or both.</p>	
<p>82.</p>	<p>SYMBOLS OF POLITICAL PARTIES 82. (1) The Commission shall keep a register of symbols for use at elections. (2) The Commission shall register the symbol of a political party if it is satisfied that— (a) another symbol of the same design is registered; (b) the symbol is distinctive from any other symbol already registered; and (c) its use will not be offensive or otherwise objectionable. (3) The Commission shall remove a symbol from the register of symbols if—</p>	<p>SYMBOLS OF POLITICAL PARTIES 82. Retained</p>	<p>Symbols of political parties</p> <p>82. (1) The Commission shall keep a register of symbols and name for use at elections.</p> <p>(2) The Commission shall register the symbol and name of a political party if it is satisfied that -</p> <p>(a) no other symbol and name of the same design is registered;</p>	

	<p>(a) the political party in whose name it is registered requests the removal; or</p> <p>(b) the Commission is of the opinion that the political party in whose name the symbol is registered has ceased to exist or to use the symbol.</p> <p>(4) Nothing in this section shall authorize the allotment or registration for use at any election of a symbol or material as symbol of a party, if it portrays—</p> <p>(a) the Coat of Arms of the Federation;</p> <p>(b) the Coat of Arms of any other country;</p> <p>(c) a device or emblem which in the opinion of the Commission is normally associated with—</p> <p>(i) the official acts of Government;</p> <p>(ii) any of the Armed Forces of the Federation or the Nigeria Police Force or other uniformed service;</p> <p>(iii) the regalia of a Chief;</p> <p>(iv) any tribe or ethnic group;</p> <p>(v) any religion or cult;</p> <p>(vi) any portrait of a person living or dead;</p> <p>(d) any symbol or part of a symbol which under the provision of this section continues to be registered by another political party.</p>		<p>(b) the symbol and name is distinctive from any other symbol already registered; and</p> <p>(c) its use will not be offensive or otherwise objectionable.</p> <p>(3) The Commission shall remove a symbol or name from the register of symbols and names if the -</p> <p>(a) Deleted</p> <p>(b) Commission is of the opinion that the political party in whose name the symbol is registered has ceased to exist or to use the symbol “and names”.</p> <p>(4) Nothing in this section shall authorise the allotment or registration for use at any election of a symbol or material as symbol of a party, if it portrays –</p> <p>(a) the Coat of Arms of the Federation;</p>	
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	<p>(5) Subject to the provisions of this section, the symbol allotted to a political party and in use immediately before the coming into force of this Act shall continue to be available to, and be used by, that political party without payment of the fee.</p>		<p>(b) the Coat of Arms of any other country;</p> <p>(c) a device or emblem which in the opinion of the Commission is normally associated with—</p> <ul style="list-style-type: none"> (i) the official acts of Government, (ii) any of the Armed Forces of the Federation or the Nigeria Police Force or other uniformed service, (iii) the regalia of a Chief, (iv) any tribe or ethnic group, (v) any religion or cult, or (vi) any portrait of a person living or dead; or <p>(d) any symbol or part of a symbol which under the provision of this section</p>	
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			<p>continues to be registered by another political party.</p> <p>(5) Subject to the provisions of this section, the symbol allotted to a political party and in use immediately before the coming into force of this Bill shall continue to be available to, and be used by, that political party without payment of the fee.</p> <p>(6) Where a Political Party is deregistered, no political association shall be permitted to use the name, symbol, logo or acronym of the deregistered Political Party within five years of deregistration.</p>	
83.	<p>ALLOCATION OF SYMBOLS</p> <p>83. Where a symbol is registered by a political party in accordance with this Act, the Commission shall allot the symbol to any candidate sponsored by the political party at any election.</p>	<p>ALLOCATION OF SYMBOLS</p> <p>83. <i>Retained</i></p>	<p>Allocation of symbols</p> <p>83. Where a symbol is registered by a political party in accordance with this Bill, the Commission shall allot the symbol to any candidate sponsored by the political party at any election.</p>	
84.	<p>MERGER OF POLITICAL PARTIES</p> <p>84. (1) Any two or more registered political parties may merge on approval by the Commission following a formal</p>	<p>MERGER OF POLITICAL PARTIES</p> <p>84. <i>Retained</i></p>	<p>Merger of political parties</p> <p>84. (1) Any two or more registered political parties may merge on approval by the Commission</p>	

	<p>request presented to the Commission by the political parties for that purpose.</p> <p>(2) Political Parties intending to merge shall each give to the Commission 90 days notice of their intention to do so before a general election.</p> <p>(3) The written request for merger shall be sent to the Chairman of the Commission and shall be signed jointly by the National Chairman, Secretary and Treasurer for the time being of the different Political Parties proposing the merger and shall be accompanied by-</p> <ul style="list-style-type: none"> (a) a special resolution passed by the national convention of each of the political parties proposing to merge, approving the merger; (b) the proposed full name and acronym, Constitution, manifesto, symbol or logo of the party together with the addresses of the national office of the party resulting from the merger; and (c) evidence of payment of administrative costs of N100,000.00 or as may be fixed from time to time by an Act of the National Assembly. <p>(4) On receipt of the request for merger of political parties, the Commission shall consider the request and, if the parties have fulfilled the requirements of the Constitution and this Act, approve the proposed merger and communicate its decision to the Parties concerned before</p>		<p>following a formal request presented to the Commission by the political parties for that purpose.</p> <p>(2) Political Parties intending to merge shall each give to the Commission nine months' notice of their intention to do so before a general election.</p> <p>(3) The written request for merger shall be sent to the Chairman of the Commission and shall be signed jointly by the National Chairman, Secretary and Treasurer for the time being of the different Political Parties proposing the merger and shall be accompanied by-</p> <ul style="list-style-type: none"> (a) a special resolution passed by the national convention of each of the political parties proposing to merge, approving the merger; (b) the proposed full name and acronym, Constitution, manifesto, symbol or logo of the party together with the addresses of the national 	
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	<p>the expiration of 30 days from the date of the receipt of the formal request- PROVIDED that if the Commission fails to communicate its decision with 30 days the merger shall be deemed to be effective.</p> <p>(5) Where the request for the proposed merger is approved, the Commission shall withdraw and cancel the certificates of registration of all the Political Parties opting for the merger and substitute a single certificate of registration in the name of the party resulting from the merger.</p> <p>(6) Notwithstanding the provisions of subsection (2) of this section no merger of political parties received by the Commission less than 90 days before any general election in the country shall be considered by the Commission.</p>		<p>office of the party resulting from the merger; and</p> <p>(c) evidence of payment of administrative fee as may be fixed by the Commission.</p> <p>(4) On receipt of the request for merger of political parties the Commission shall consider the request; and if the parties have fulfilled the requirements of the Constitution and this Bill, approve the proposed merger and communicate its decision to the Parties concerned before the expiration of 60 days from the date of receipt of the formal request.</p> <p>PROVIDED that where the Commission fails to communicate its decision within 60 days, the parties shall within 14 days thereafter challenge the decision of the Commission at the Court and establish by cogent and verifiable reason that they have met all the constitutional requirements for merger.</p> <p>(5) Where the request for the proposed merger is approved,</p>	
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			the Commission shall withdraw and cancel the certificates of registration of all the Political Parties opting for the merger and substitute a single certificate of registration in the name of the party resulting from the merger.	
85.	<p>NOTICE OF CONVENTION, CONGRESS, ETC</p> <p>85. (1) A registered political party shall give the Commission at least 21 days notice of any convention, congress, conference or meeting convened for the purpose of electing members of its executive committees, other governing bodies or nominating candidates for any of the elective offices specified under this Act.</p> <p>(2) The Commission may, with or without prior notice to the political party attend and observe any convention, congress, conference or meeting which is convened by a political party for the purpose of –</p> <p>(a) electing members of its executive committees or other governing bodies;</p> <p>(b) nominating candidates for an election at any level; and</p> <p>(c) approving a merger with any other registered political party.</p>	<p>NOTICE OF CONVENTION, CONGRESS, ETC</p> <p>85. Retained</p>	<p>Notice of convention, congress, etc.</p> <p>85. (1) Every registered political party shall give the Commission at least 21 days’ notice of any convention, congress, conference or meeting convened for the purpose of “merger” and electing members of its executive committees, other governing bodies or nominating candidates for any of the elective offices specified under this Bill.</p> <p>(2) The Commission may, with or without prior notice to the political party attend and observe any convention, congress, conference or meeting which is convened by a political party for the purpose of –</p>	

	<p>(3) The election of members of the executive committee or other governing body of a political party, including the election to fill a vacant position in any of the aforesaid bodies, shall be conducted in a democratic manner and allowing for all members of the party or duly elected delegates to vote in support of a candidate of their choice.</p> <p>(4) Notice of any congress, conference or meeting for the purpose of nominating candidates for Area Council elections shall be given to the Commission at least 21 days before such congress, conference or meeting.</p>		<ul style="list-style-type: none"> (a) electing members of its executive committees or other governing bodies; (b) nominating candidates for an election at any level; and (c) approving a merger with any other registered political party. <p>(3) The election of members of the executive committee or other governing body of a political party, including the election to fill a vacant position in any of the aforesaid bodies, shall be conducted in a democratic manner and allowing for all members of the party or duly elected delegates to vote in support of a candidate of their choice.</p> <p>(4) Notice of any congress, conference or meeting for the purpose of nominating candidates for Area Council elections shall be given to the Commission at least 21 days before such congress, conference or meeting.</p>	
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			(5) Failure of a political party to notify the Commission as stated in subsection (1) shall render the convention, congress, conference or meeting invalid.	
86.	<p>MONITORING OF POLITICAL PARTIES</p> <p>86. (1) <i>The Commission shall keep records of the activities of all the registered political parties.</i></p> <p>(2) The Commission may seek information or clarification from any registered political party in connection with any activities of the political party which may be contrary to the provisions of the Constitution or any other law, guidelines, rules or regulations made pursuant to an Act of the National Assembly.</p> <p>(3) The Commission may direct its enquiry under subsection (2) of this section to the Chairman or Secretary of the Political Party at the National, State, Local Government or Area Council or Ward level, as the case may be.</p> <p>(4) A political party which fails to provide the required information or clarification under subsection (2) of this section or carry out any lawful directive given by the Commission in conformity with the provisions of this section is guilty of an offence and liable on</p>	<p>MONITORING OF POLITICAL PARTIES</p> <p>86. Retained</p>	<p>Monitoring of political parties</p> <p>86. (1) The Commission shall keep records of the activities of all the registered political parties.</p> <p>(2) The Commission may seek information or clarification from any registered political party in connection with any activities of the political party which may be contrary to the provisions of the Constitution or any other law, guidelines, rules or regulations made pursuant to an Act of the National Assembly.</p> <p>(3) The Commission may direct its enquiry under subsection (2) to the Chairman or Secretary of the Political Party at the National, State, Local Government or Area Council or Ward level, as the case may be.</p>	

	conviction to a fine of not less than N500,000.00.		(4) A Political Party which fails to provide the required information or clarification under subsection (2) or carry out any lawful directive given by the Commission in conformity with the provisions of this section is liable to a fine not more than N1,000,000.00.	
87.	<p>NOMINATION OF CANDIDATES BY PARTIES</p> <p>87. (1) <i>A political party seeking to nominate candidates for elections under this Act shall hold primaries for aspirants to all elective positions.</i></p> <p>(2) <i>The procedure for the nomination of candidates by political party for the various elective positions shall be by direct or indirect Primaries.</i></p> <p>(3) <i>A political party that adopts the direct primaries procedure shall ensure that all aspirants are given equal opportunity of being voted for by members of the party.</i></p> <p>(4) <i>A political party that adopts the system of indirect primaries for the choice of its candidates shall adopt the procedure outlined below –</i></p> <p>(a) <i>in case of nomination to the position of presidential candidate, a party shall –</i></p> <p>(i) <i>hold a special presidential convention in the Federal Capital</i></p>	<p><i>“87. Nomination of Candidates by Parties</i></p> <p><i>(1) A political party seeking to nominate candidates for elections under this Act shall hold direct or indirect primaries for aspirants to all elective positions, which shall be monitored by the Commission and the result of the primaries may be endorsed or certified by the Commission.</i></p> <p><i>(2) A political party shall not impose nomination qualification or disqualification criteria, measures, or conditions on any aspirant or candidate for any election in its constitution, guidelines, or rules for nomination of candidates for elections, except as prescribed under sections 65, 66, 106, 107, 131, 137, 177 and 187 of the Constitution of</i></p>	<p>Nomination of candidates by parties</p> <p>87. (1) A political party seeking to nominate candidates for elections under this Act shall hold direct or indirect primaries for aspirants to all elective positions, which may be monitored by the Commission.</p> <p>(2) The procedure for the nomination of candidates by political parties for the various elective positions shall be by direct or indirect primaries.</p> <p>(3) A political party that adopts the direct primaries procedure shall ensure that all aspirants are given equal opportunity of being voted for by members of the party.</p> <p>(4) A political party that adopts the system of indirect primaries for</p>	<p>a. This amendment guarantees an all-inclusive process and system of all political parties and provides clear statutory primaries roadmaps to forestall systemic control of parties’ primaries by a select few in any party.</p> <p>b. It sets limits on fees/financial expenses payable by aspirants seeking their parties’</p>

	<p><i>Territory or any other place within the Federation that is agreed by the national Executive Committee of the party where delegates shall vote for each of the aspirants at the designated centre, and</i></p> <p><i>(ii) the aspirant with the highest number of votes at the end of voting, shall be declared the winner of the Presidential primaries of the political party and the aspirant's name shall be forwarded to the Independent National Electoral Commission as the candidate of the party;</i></p> <p><i>(b) in the case of nomination to the positions of Governorship candidate, a political party shall, where it intends to sponsor candidates—</i></p> <p><i>(i) hold a special congress in the State Capital with delegates voting for each of the aspirants at the congress to be held on a specified date appointed by the National Executive Committee (NEC) of the party, and</i></p> <p><i>(ii) the aspirants with the highest number of votes at the end of the voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the</i></p>	<p><i>the Federal Republic of Nigeria, 1999 (as amended).</i></p> <p><i>(3) For the purpose of nomination of candidates for election, the total fees, charges, dues and any payment howsoever named imposed by a political party on an aspirant shall not exceed:</i></p> <p><i>(i) One Hundred and Fifty Thousand Naira (N150,000) for a Ward Councillorship aspirant in the FCT;</i></p> <p><i>(ii) Two Hundred and Fifty Thousand Naira (N250,000) for an Area Council Chairmanship aspirant in the FCT;</i></p> <p><i>(iii) Five Hundred Thousand Naira (N500,000) for a House of Assembly aspirant;</i></p> <p><i>(iv) One Million Naira (N1,000,000) for a House of Representatives aspirant;</i></p> <p><i>(v) Two Million Naira (N2,000,000) for a Senatorial aspirant;</i></p> <p><i>(vi) Five Million naira (N5,000,000) for a Governorship aspirant; and</i></p>	<p>the choice of its candidate shall adopt the procedure outlined below –</p> <p>(a) in the case of nominations to the position of presidential candidate, a political party shall –</p> <p>(i) hold a special presidential convention at a designated centre in the Federal Capital Territory or any other place within the Federation that is agreed to by the National Executive Committee of the party where delegates shall vote for each of the aspirants, and</p> <p>(ii) the aspirant with the highest number of votes at the end of voting, shall be declared the winner of the Presidential primaries of the political party and the aspirant name shall be forwarded</p>	<p>nominations to contest elective public offices.</p> <p>c. It is intended to limit internal party crises arising from exclusion of candidates or manipulation of primaries processes by a few.</p>
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	<p><i>Commission as the candidate of the party, for the particular State;</i></p> <p><i>(c) In the case of nomination to the position of a candidate to the Senate, House of Representatives and State House of Assembly, a political party shall, where it intends to sponsor candidates-</i></p> <p><i>(i) hold special congresses in the Senatorial District, Federal Constituency and the State Assembly constituency respectively, with delegates voting for each of the aspirants in designated centre on specified dates; and</i></p> <p><i>(ii) the aspirant with the =highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party;</i></p> <p><i>(d) in the case of the position of a Chairmanship candidate of an Area Council, a political party shall, where it intends to sponsor candidates-</i></p> <p><i>(i) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at designated centres on a specified date, and</i></p>	<p><i>(vii) Ten Million Naira (N10,000,000) for a Presidential aspirant.</i></p> <p><i>(4) Any requirement, criteria, measures, or conditions for the nomination of candidates for elections outside the provisions of subsections (2) or (3) of this section shall be invalid.</i></p> <p><i>(5) Every political party shall publish the venues, dates, times, guidelines, procedures and other relevant information of its primaries, conventions or any event conveyed for the purpose of nominating candidates for the party in, at least, two (2) national newspapers and, at least, ten (10) days before the date of the event to nominate candidates for the party.</i></p> <p><i>Direct Primaries</i></p> <p><i>(6) A political party that adopts the system of direct primaries for the nomination of its candidate(s) for an election shall ensure that all aspirants are given equal opportunity of being voted for by registered members of the party and comply with the procedure outline below –</i></p>	<p>to the Commission as the candidate of the party;</p> <p>(b) in the case of nominations to the positions of Governorship candidate, a political party shall, where it intends to sponsor candidates –</p> <p>(i) hold a special congress in the State Capital or any other place within the State with delegates voting for each of the aspirants at the congress to be held on a specified date appointed by the National Executive Committee (NEC) of the party, and</p> <p>(ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party, for the particular State;</p> <p>(c) in the case of nominations to the position of a</p>	
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	<p><i>(ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party.</i></p> <p><i>(5) In the case of a Councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the Commission as the candidate of the party</i></p> <p><i>6) Where there is only one aspirant in a political party for any of the elective positions mentioned in paragraph (4) (a), (b), (c) and (d), the party shall convene a special convention or congress at a designated centre on a specified date for the confirmation of such aspirant and the name of the aspirant shall be forwarded to the Commission as the candidate of the party.</i></p> <p><i>(7) A political party that adopts the system of indirect primaries for the choice of its candidate shall clearly outline in its constitution and rules the procedure for the democratic election of delegates to vote at the convention, congress or meeting, in addition to delegates already prescribed in the constitution of the party.</i></p>	<p><i>(a) in the case of nominations to the position of Presidential candidate in a Presidential election, a political party shall, where it intends to sponsor a candidate,:</i></p> <p><i>(i) conduct direct primaries in the registration areas in the 36 States of the Federation and the FCT where all registered members of the party shall be eligible to vote;</i></p> <p><i>(ii) declare the Presidential Aspirant with the highest number of valid votes cast during the primaries across the 36 States of the Federation and the FCT as the winner of the Presidential primaries;</i></p> <p><i>(iii) hold a National Convention where it shall present the winner of the primaries to the public as the Presidential candidate of the party; and</i></p> <p><i>(iv) forward the name of the winner of the Presidential primaries to the Commission as the Presidential candidate of the party in the Presidential election.</i></p> <p><i>(b) in the case of nomination to the position of Governorship</i></p>	<p>candidate to the Senate, House of Representatives and State House of Assembly, a political party shall, where they intend to sponsor candidates –</p> <p>(i) hold special congresses in the Senatorial District, Federal Constituency and the State Assembly constituency respectively, with delegates voting for each of the aspirants in designated centre on specified dates, and</p> <p>(ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party; and</p> <p>(d) in the case of the position of a Chairmanship candidate of an Area Council, a political party</p>	
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	<p>(8) <i>A political appointee at any level shall not be an automatic voting delegate at the convention or congress of any political party for the purpose of nomination of candidates for any election, except where such a political appointee is also an officer of a political party.</i></p> <p>(9) <i>Notwithstanding the provisions of this Act or rules of a political party, an aspirant who complains that any of the provisions of this Act and the guidelines of a political party has not been complied with in the selection or nomination of a candidate of a political party for election, may apply to the Federal High Court or the High Court of a State or FCT, for redress.</i></p> <p>(10) <i>Nothing in this section shall empower the courts to stop the holding of primaries or general election or the processes thereof under this Act pending the determination of a suit.</i></p>	<p><i>candidate in a Governorship election in a State, a political party shall, where it intends to sponsor a candidate:</i></p> <p><i>(i) conduct direct primaries in the registration areas in each Local Government Area in the particular State where all registered members of the party in the State shall be eligible to vote;</i></p> <p><i>(ii) declare the Governorship aspirant with the highest number of valid votes cast in all Local Government Areas in the particular State as the winner of the Governorship primaries in the State;</i></p> <p><i>(iii) hold a State Congress where it shall present the winner of the Governorship primaries to the public as the Governorship Candidate of the party in the Governorship election; and</i></p> <p><i>(iv) forward the name of the winner of the primaries to the Commission as the Governorship candidate of the party in the election for the State.</i></p> <p><i>(c) in the case of nominations to the position of Senatorial candidate,</i></p>	<p>shall, where it intends to sponsor candidates –</p> <p>(i) hold special congresses in the Area Council, with delegates voting for each of the aspirants at designated centres on a specified date, and</p> <p>(ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant’s name shall be forwarded to the Commission as the candidate of the party.</p> <p>(5) In the case of a Councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the Commission as the candidate of the party.</p> <p>(6) Where there is only one aspirant in a political party for any of the elective positions mentioned in subsection (4) (a), (b), (c) and (d),</p>	
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		<p><i>House of Representatives candidate and State House of Assembly candidate for a Senatorial District, a Federal Constituency and a State House Constituency respectively, a political party shall, where it intends to sponsor candidates in elections for these elective positions,:</i></p> <p><i>(i) conduct direct primaries in the registration areas in each Local Government Area in the Senatorial District where all registered members of the party in the Senatorial District shall be eligible to vote;</i></p> <p><i>(ii) conduct direct primaries in the registration areas in each Local Government Area in the Federal Constituency where all registered members of the party in the Federal Constituency shall be eligible to vote;</i></p> <p><i>(iii) conduct direct primaries in the registration areas in each Local Government Area in the State Assembly Constituency where all registered members of the party in the State Assembly Constituency shall be eligible to vote;</i></p> <p><i>(iv) subject to sub-paragraph (i) of this paragraph, declare the</i></p>	<p>the party shall convene a special convention or congress at a designated centre on a specified date, for the confirmation of such aspirant and the name of the aspirant shall be forwarded to the Commission as the candidate of the party.</p> <p>(7) A political party that adopts the system of indirect primaries for the choice of its candidate shall clearly outline in its constitution and rules the procedure for the democratic election of delegates to vote at the convention, congress or meeting, in addition to delegates already prescribed in the constitution of the party.</p> <p>(8) A political appointee at any level shall not be an automatic voting delegate at the convention or congress of any political party for the purpose of nomination of candidates for any election, except where such a political</p>	
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		<p><i>Senatorial aspirant with the highest number of valid votes cast in all Local Government Areas in the particular Senatorial District as the winner of the primaries in the Senatorial District and forward the name of the winner to the Commission as the Senatorial candidate of the party in the election for the Senatorial District;</i></p> <p><i>(v) subject to sub-paragraph (ii) of this paragraph, declare the House of Representatives aspirant with the highest number of votes in all Local Government Areas in the Federal Constituency as the winner of the primaries in the Federal Constituency and forward the name of the winner to the Commission as the House of Representatives candidate of the party in the election for the Federal Constituency; and</i></p> <p><i>(vi) subject to sub-paragraph (iii) of this paragraph, declare the State House of Assembly Aspirant with the highest number of votes in all Local Government Areas in the House of Assembly Constituency as the winner of the primaries in the House of Assembly Constituency and forward the name of the winner to the Commission as the State House</i></p>	<p>appointee is also an officer of a political party.</p> <p>(9) Notwithstanding the provisions of this Bill or rules of a political party, an aspirant who complains that any of the provisions of this Bill and the guidelines of his political party has not been complied with in the selection or nomination of a candidate of the political party for election, may apply for redress to the Federal High Court</p> <p>(10) Nothing in this section shall empower the courts to stop the holding of primaries or general election or the processes thereof under this Bill pending the determination of the suit.</p>	
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		<p><i>of Assembly Candidate of the party in the election for the State Assembly Constituency.</i></p> <p><i>(d) in the case of the position of a Chairmanship candidate of an Area Council in the Federal Capital Territory, a political party shall, where it intends to sponsor a candidate:</i></p> <p><i>(i) conduct direct primaries in the registration areas in the Area Council, where all registered members of the party in the Area Council shall be eligible to vote;</i></p> <p><i>(ii) declare the Chairmanship aspirant with the highest number of votes in all registration areas in the Area Council as the winner of the Chairmanship primaries in the Area Council and forward the name of the winner of the Chairmanship primaries to the Commission as the Chairmanship candidate of the party in the election for the Area Council.</i></p> <p><i>Indirect Primaries</i></p> <p><i>(7) (a) Political Party that adopts the system of indirect primaries for the nomination of its candidates for</i></p>		
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		<p><i>elections shall have both Statutory Delegates and Adhoc Delegates who, subject to the provisions of this Act, shall be the only delegates eligible to vote</i></p> <p><i>(b) For the purpose of indirect primaries, -</i></p> <p><i>(i) Adhoc Delegates shall be registered members of the Party elected at Adhoc Delegates Elections conducted by the Party in accordance with subsection (8) of this section;</i></p> <p><i>(ii) Statutory Delegates are elected officials of the Party and elected government functionaries identified and listed in subsection (9) of this section; and</i></p> <p><i>(iii) an Adhoc Delegates Election is an intra-party election conducted by the Party under subsection (8) of this section to elect the Party's Adhoc delegates and this election shall, except for a delegates election or primaries in respect of Local Government Council Chairmanship and Ward Councillorship offices in a State of the Federation under subsection (13) of this section, be monitored by the Commission.</i></p>		
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		<p><i>Election of Adhoc Delegates</i></p> <p><i>(8) Adhoc Delegates to a Political Party's indirect primaries shall be elected in Adhoc Delegates Elections at –</i></p> <p><i>(a) Ward Congresses which shall be held by the Party in every Ward in the Local Government Areas in the States of the Federation and the FCT, Abuja and where all registered members of the Party in a Ward shall be eligible to elect at least Five (5) Adhoc Ward Delegates (at least one (1) of whom, except otherwise impracticable, shall be a woman) who, being registered members of the party in that Ward and not delegates already under this Act, presented themselves to be voted for as Adhoc Ward Delegates of the Party in that Ward;</i></p> <p><i>(b) Local Government Congresses, where Adhoc Ward Delegates elected in every Ward in a Local Government Area under paragraph (a) of this subsection shall be eligible to elect in and for that Local Government Area –</i></p> <p><i>(i) at least Fifty (50) Adhoc Local Government Delegates (at least Ten (10) of whom, except</i></p>		
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		<p><i>otherwise impracticable, shall be women) who, being registered members of the party in that Local Government Area and not delegates already under this Act, presented themselves to be voted for as Adhoc Local Government Delegates of the Party in that Local Government Area, and these delegates shall be reasonably spread across the Wards in the Local Government Area;</i></p> <p><i>(ii) at least Five (5) Adhoc State/FCT Delegates (at least One (1) of whom, except otherwise impracticable, shall be a woman) who, being registered members of the party in that Local Government Area and not delegates already under this Act, presented themselves to be voted for as Adhoc State/FCT Delegates of the Party in that Local Government Area, and these delegates shall be reasonably spread across the Wards in the Local Government Area; and</i></p> <p><i>(iii) at least Five (5) Adhoc National Delegates (at least One (1) of whom, except otherwise impracticable, shall be a woman) who, being registered members of the party in that Local Government Area and not delegates already</i></p>		
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		<p><i>under this Act, presented themselves to be voted for as Adhoc National Delegates of the Party in that Local Government Area and these delegates shall be reasonably spread across the Wards in the Local Government Area.</i></p> <p><i>Delegates to Nominate Party's Candidates for Elections in Indirect Primaries</i></p> <p><i>(9) The Statutory and Adhoc Delegates listed in each paragraph hereunder for the type of election in this subsection shall be eligible to vote in a Political Party's indirect primaries to nominate the party's candidate for that election.</i></p> <p><i>Delegates to Nominate Presidential Candidate</i></p> <p><i>(a) For the purpose of a Presidential Election, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate the Presidential Candidate of a Political Party at the Presidential Indirect Primaries or Special National Convention of the Party convened in the FCT Abuja or the capital of a State of the Federation mainly for that purpose:</i></p>		
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		<p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the Party;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of the Party;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of Nigeria produced by the party and who are still members of the Party;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of States of the Federation produced by the party and who are still members of the Party;</i></p> <p><i>(vi) Serving Senators who are registered members of the Party and former Senators who served on the Party's platform and who are still registered members of the Party;</i></p> <p><i>(vii) Serving Members of the House of Representatives who are registered members of the Party and</i></p>		
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		<p><i>past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party;</i></p> <p><i>(viii) Serving Presiding and Principal Officers of States' Houses of Assembly, and past Presiding Officers of States' Houses of Assembly produced by the Party and who are still members of the Party;</i></p> <p><i>(ix) Elected serving Chairmen, Secretaries, Treasurers, Women Leaders and Youth Leaders of State Executive Committees of the Party, including those of the FCT, Abuja;</i></p> <p><i>(x) Elected serving Chairmen and Secretaries of Local Government Executive Committees of the Party in the Federation;</i></p> <p><i>(xi) Elected serving Local Government Council Chairmen produced by the Party and who are still members of the Party; and</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(xii) Adhoc National Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(iii) of this section at each</i></p>		
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		<p><i>Local Government Congress held by the Party in every Local Government Area in each State of the Federation and the FCT, Abuja.</i></p> <p><i>Delegates to Nominate Governorship Candidate</i></p> <p><i>(b) For the purpose of a Governorship Election in a State of the Federation, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate the Governorship Candidate of a Political Party at the Party's State Governorship Indirect Primaries or State Congress which shall hold in the capital of that particular State for that purpose:</i></p> <p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party who are registered members of the Party in that State;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the Party who are registered members of the Party in that State;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of</i></p>		
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		<p><i>the party who are registered members of the Party in that State;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of Nigeria produced by the party and who are still registered members of the Party in that State;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of the State produced by the party and who are still registered members of the Party in that State;</i></p> <p><i>(vi) Serving Senators who are registered members of the Party in that State and former Senators who served on the Party's platform and who are still registered members of the Party in that State;</i></p> <p><i>(vii) Serving Members of the House of Representatives who are registered members of the Party in that State and past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party in that State;</i></p> <p><i>(viii) Serving Presiding, Principal Officers and Members of that States House of Assembly, and past</i></p>		
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		<p><i>Presiding Officers of that State House of Assembly produced by the Party who are still registered carrying members of the Party in that State;</i></p> <p><i>(ix) Elected serving members of the State's Executive Committee of the Party;</i></p> <p><i>(x) Elected serving Chairmen and Secretaries of Local Government Executive Committees of the Party in that State;</i></p> <p><i>(xi) Elected serving Local Government Council Chairmen and Vice/Deputy Chairmen produced by the Party and who are still members of the Party in that State;</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(xii) Adhoc Ward Delegates (at least Five [5] per Ward) elected under subsection (8)(a) of this section at each Ward Congress held by the Party in every Ward in the Local Government Areas of the States of the Federation;</i></p> <p><i>(xiii) Adhoc Local Government Delegates (at least Fifty [50] per Local Government Area) elected</i></p>		
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		<p><i>under subsection (8)(b)(i) of this section at each Local Government Congress held by the Party in every Local Government Area in the particular State;</i></p> <p><i>(xiv) Adhoc State Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(ii) of this section at each Local Government Congress held by the Party in every Local Government Area in the particular State; and</i></p> <p><i>(xv) Adhoc National Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(iii) of this section at each Local Government Congress held by the Party in every Local Government Area in the particular State.</i></p> <p><i>Delegates to Nominate Senatorial Candidate</i></p> <p><i>(c) For the purpose of a Senatorial Election to elect a Senator to represent a Senatorial District in a State of the Federation or the FCT, Abuja in the National Assembly, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate the Senatorial Candidate of a Political Party at the Party's</i></p>		
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		<p><i>Senatorial Indirect Primaries or Senatorial Congress which shall hold in the headquarters of that Senatorial District (as shall be designated by the Commission) for that purpose:</i></p> <p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party who are registered members of the Party in that Senatorial District;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the Party who are registered members of the Party in that Senatorial District;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of the Party who are registered members of the Party in that Senatorial District;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of the Federation produced by the Party and who are still registered members of the Party in that Senatorial District;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of the State</i></p>		
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		<p><i>produced by the Party and who are still registered members of the Party in that Senatorial District;</i></p> <p><i>(vi) Serving Senators who are registered members of the Party in that Senatorial District and former Senators who served on the Party's platform and who are still registered members of the Party in that Senatorial District;</i></p> <p><i>(vii) Serving Members of the House of Representatives who are registered members of the Party in that Senatorial District and past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party in that Senatorial District;</i></p> <p><i>(viii) Serving Presiding and Principal Officers of a State House of Assembly, and former Presiding Officers of a State House of Assembly produced by the Party and who are still registered members of the Party in that Senatorial District;</i></p> <p><i>(ix) Elected serving Chairman, Secretary, Treasurer, Women Leader and Youths Leader of the Party's State (or FCT, Abuja)</i></p>		
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		<p><i>Executive Committee who are registered members of the Party in that Senatorial District;</i></p> <p><i>(x) Elected serving Chairmen and Secretaries of Local Government Executive Committees of the Party who are registered members of the Party in that Senatorial District;</i></p> <p><i>(xi) Elected serving Local Government Council Chairmen and Vice/Deputy Chairmen produced by the Party who are still registered members of the Party in that Senatorial District;</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(xii) Adhoc Ward Delegates (at least Five [5] per Ward) elected under subsection (8)(a) of this section at each Ward Congress held by the Party in every Ward in Local Government Areas in that Senatorial District;</i></p> <p><i>(xiii) Adhoc Local Government Delegates (at least Fifty [50] per Local Government Area) elected under subsection (8)(b)(i) of this section at each Local Government Congress held by the Party in every</i></p>		
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		<p><i>Local Government Area in that Senatorial District;</i></p> <p><i>(xiv) Adhoc State Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(ii) of this section at each Local Government Congress held by the Party in every Local Government Area in that Senatorial District; and</i></p> <p><i>(xv) Adhoc National Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(iii) of this section at each Local Government Congress held by the Party in every Local Government Area in that Senatorial District.</i></p> <p><i>Delegates to Nominate House of Representatives Candidate</i></p> <p><i>(d) For the purpose of the election of a Member of the House of Representatives to represent a Federal Constituency in a State of the Federation or the FCT, Abuja in the National Assembly, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate the House of Representatives Candidate of a Political Party at the Party's House of Representatives Indirect</i></p>		
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	<p><i>Primaries which shall hold in the headquarters of that Federal Constituency (as shall be designated by the Commission):</i></p> <p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party who are registered members of the Party in that Federal Constituency;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the Party who are registered members of the Party in that Federal Constituency;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of the Party who are registered members of the Party in that Federal Constituency;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of the Federation produced by the Party and who are still members of the Party in that Federal Constituency;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of the State produced by the Party and who are</i></p>		
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		<p><i>still members of the Party in that Federal Constituency;</i></p> <p><i>(vi) Serving Senators who are registered members of the Party in that Federal Constituency and former Senators who served on the Party's platform and who are still registered members of the Party in that Federal Constituency;</i></p> <p><i>(vii) Serving Members of the House of Representatives who are registered members of the Party in that Federal Constituency and past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party in that Federal Constituency;</i></p> <p><i>(viii) Serving Presiding and Principal Officers of a State House of Assembly, and former Presiding Officers of a State House of Assembly produced by the Party and who are still registered/ members of the Party in that Federal Constituency;</i></p> <p><i>(ix) Elected serving Chairman, Secretary, Treasurer, Women Leader and Youths Leader of the Party's State (or FCT, Abuja)</i></p>		
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		<p><i>Executive Committee who are registered members of the Party in that Federal Constituency;</i></p> <p><i>(x) Elected serving Chairman, Secretary, Treasurer, Women Leader and Youths Leader of Local Government Executive Committees of the Party who are registered members of the Party in that Federal Constituency;</i></p> <p><i>(xi) Elected serving Local Government Council Chairmen and Vice Chairmen produced by the Party and who are still registered members of the Party in that Federal Constituency;</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(xii) Adhoc Ward Delegates (at least Five [5] per Ward) elected under subsection (8)(a) of this section at each Ward Congress held by the Party in every Ward in Local Government Areas in that Federal Constituency;</i></p> <p><i>(xiii) Adhoc Local Government Delegates (at least Fifty [50] per Local Government Area) elected under subsection (8)(b)(i) of this section at each Local Government</i></p>		
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		<p><i>Congress held by the Party in every Local Government Area in that Federal Constituency;</i></p> <p><i>(xiv) Adhoc State Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(ii) of this section at each Local Government Congress held by the Party in every Local Government Area in that Federal Constituency; and</i></p> <p><i>(xv) Adhoc National Delegates (at least Five [5] per Local Government Area) elected under subsection (8)(b)(iii) of this section at each Local Government Congress held by the Party in every Local Government Area in that Federal Constituency.</i></p> <p><i>(e) Delegates to Nominate House of Assembly Candidate</i> <i>For the purpose of the election of a Member of a State House of Assembly to represent a State Constituency in a State of the Federation, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate the House of Assembly Candidate of a Political Party at the Party's House of Assembly Indirect Primaries which shall hold in that State Constituency:</i></p>		
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		<p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party who are registered members of the Party in that State Constituency;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the party who are registered members of the Party in that State Constituency;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of the party who are registered members of the Party in that State Constituency;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of the Federation produced by the Party and who are still registered members of the Party in that State Constituency;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of a State produced by the Party and who are still registered members of the Party in that State Constituency;</i></p>		
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		<p><i>(vi) Serving Senators who are registered members of the Party in that State Constituency and former Senators who served on the Party's platform and who are still registered members of the Party in that State Constituency;</i></p> <p><i>(vii) Serving Members of the House of Representatives who are registered members of the Party in that State Constituency and past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party in that State Constituency;</i></p> <p><i>(viii) Serving and past members of a State House of Assembly produced by the Party and who are still registered members of the Party in that State Constituency;</i></p> <p><i>(ix) Elected serving members of a State Executive Committee of the Party who are registered members of the Party in that State Constituency;</i></p> <p><i>(x) Elected serving members of a Local Government Executive Committee of the Party who are registered members of the Party in that State Constituency;</i></p>		
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		<p><i>(xi) Elected serving members of a Ward Executive Committee of the Party who are registered members of the Party in that State Constituency;</i></p> <p><i>(xii) Elected serving Local Government Council Chairman and Vice Chairman produced by the Party and who are still registered members of the Party in that State Constituency; and</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(xiii) Adhoc Ward Delegates (at least Five [5] per Ward) elected under subsection (8)(a) of this section at any Ward Congress held by the Party in that State Constituency.</i></p> <p><i>(f) Delegates to Nominate Local Government Area Chairmanship Candidate</i> <i>For the purpose of a Local Government Council Chairman Election, the Statutory and Adhoc Delegates listed hereunder shall be eligible to nominate a Local Government Council Chairmanship Candidate of a Political Party at the Party's Local Government Chairmanship Indirect Primaries</i></p>		
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		<p><i>which shall hold in that Local Government Area headquarters:</i></p> <p><i>Statutory Delegates</i></p> <p><i>(i) Serving members of the Board of Trustees of the Party who are registered members of the Party in that Local Government Area;</i></p> <p><i>(ii) Elected serving members of the National Executive Committee of the Party who are registered members of the Party in that Local Government Area;</i></p> <p><i>(iii) Elected serving members of the Zonal Executive Committees of the Party who are registered members of the Party in that Local Government Area;</i></p> <p><i>(iv) Serving and past Presidents and Vice Presidents of the Federation produced by the Party and who are still registered members of the Party in that Local Government Area;</i></p> <p><i>(v) Serving and past Governors and Deputy Governors of the State produced by the Party and who are still registered members of the Party in that Local Government Area;</i></p>		
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		<p><i>(vi) Serving Senators who are registered members of the Party in that Local Government Area and former Senators who served on the Party's platform and who are still registered members of the Party in that Local Government Area;</i></p> <p><i>(i) Serving Members of the House of Representatives who are registered members of the Party in that Local Government Area and past Members of the House of Representatives who served on the Party's platform and who are still registered members of the Party in that Local Government Area;</i></p> <p><i>(ii) Serving and past members of the State House of Assembly produced by the Party and who are still registered members of the Party in that Local Government Area;</i></p> <p><i>(iii) Elected serving members of a State Executive Committee of the Party who are registered members of the Party in that Local Government Area;</i></p> <p><i>(iv) Elected serving members of a Local Government Executive Committee of the Party who are</i></p>		
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		<p><i>registered members of the Party in that Local Government Area;</i></p> <p><i>(v) Elected serving members of a Ward Executive Committee of the Party who are registered members of the Party in that Local Government Area;</i></p> <p><i>(vi) Elected serving and past Local Government Council Chairmen and Vice Chairmen produced by the Party and who are still registered members of the Party in that Local Government Area; and</i></p> <p><i>Adhoc Delegates</i></p> <p><i>(vii) Adhoc Ward Delegates elected at Ward Congresses in that Local Government Area under subsection (8)(a) of this section.</i></p> <p><i>Guidelines, Rules, etc on Primaries and Adhoc Delegates Election</i></p> <p><i>(10) A Political Party that adopts the system of indirect primaries for the nomination of its candidates may outline nomination guidelines, rules and procedures to guarantee free, fair, and credible indirect primaries and Adhoc Delegates Elections, but such guidelines, rules and</i></p>		
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		<p><i>procedures shall not be inconsistent with the provisions of this Act.</i></p> <p><i>Necessity and Validity of Adhoc Delegates Elections</i></p> <p><i>(11)</i></p> <p><i>(a) A party that adopts the system of indirect primaries for the nomination of candidates for elections shall not nominate candidates for any election unless it has conducted Adhoc Delegates Election to elect its Adhoc delegates who shall nominate its candidates for the elections, as provided in this Act.</i></p> <p><i>(b) Any Adhoc Delegates Election and/or indirect primaries conducted in contravention of or contrary to the provisions of subsections (7), (8), (9), (10) and/or 11(a) of this section shall be invalid.</i></p> <p><i>Time for Electing Delegates and their Term</i></p> <p><i>(12)</i></p> <p><i>(a) A Political Party nominating candidates by indirect primaries for a general election shall conduct its Adhoc Delegates Elections to elect its Adhoc Delegates not later than 80 days before the date appointed by the Commission for a general election.</i></p>	
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		<p><i>(b) A Political Party nominating candidates by indirect primaries for any election conducted by the Commission other than a general election shall not conduct a fresh Adhoc Delegates Election but the same Adhoc Delegates who nominated the candidate(s) of the party for the immediate past general election under paragraph (a) of this subsection shall (with Statutory Delegates) be eligible to nominate the party's candidate(s) for that election,</i></p> <p><i>PROVIDED that if more than half of the Adhoc Delegates who nominated the Party's candidate in the immediate past general election are no longer members of the party, confirmed dead or otherwise not available, the Party shall conduct fresh Adhoc Delegates Election(s) and nominate candidates for that election not later than 10 days before the date of the said election.</i></p> <p><i>(c) A Political Party nominating candidates by indirect primaries for a Local Government Council Chairmanship and Ward Councillorship general election conducted by a State Independent</i></p>		
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		<p><i>Electoral Commission all over a State of the Federation shall conduct its Adhoc Delegates Elections to elect its Adhoc Delegates not later than 80 days before the date appointed by the State's Independent Electoral Commission for the Local Government Council Chairmanship and Ward Councillorship general election in that State.</i></p> <p><i>(d) A Political Party nominating candidates by indirect primaries for any election conducted by a State Independent Electoral Commission other than a general Local Government Council Chairmanship and Ward Councillorship election conducted by a State Independent Electoral Commission all over a State of the Federation shall not conduct a fresh Adhoc Delegates Election but the same Adhoc Delegates who nominated the candidates of the party for the immediate past general Local Government Council Chairmanship and Ward Councillorship election under paragraph (c) of this subsection shall (with Statutory Delegates) be eligible to nominate the party's candidates for that election,</i></p>		
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		<p><i>PROVIDED that if more than half of the Adhoc Delegates who nominated the Party's candidate in the immediate past general Local Government Council Chairmanship and Ward Councillorship election held all over the State are no longer members of the Party, confirmed dead or otherwise not available, the Party shall conduct fresh Adhoc Delegates Election(s) and nominate candidates for that general Local Government Council Chairmanship and Ward Councillorship election not later than 10 days before the date of the said election.</i></p> <p><i>(13) Any Adhoc Delegates Election or primaries held by a Political Party to nominate Local Government Council Chairmanship and Ward Councillorship candidates in a State of the Federation shall be monitored by the State Independent Electoral Commission in that State and the result of such an Adhoc Delegate Election or primaries shall be endorsed or certified by the State Independent Electoral Commission for the correctness and validity of what it states.</i></p> <p><i>Issuance of False Results</i></p>		
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		<p><i>(14) Any official of the Commission or a State Independent Electoral Commission who issues, endorses or certifies a false report or result in respect of an Adhoc Delegates Election or primaries of a Political Party commits an offence and shall be liable on conviction to minimum imprisonment term of five (5) years, without an option of fine.</i></p> <p><i>Guarantee of Equal Opportunity for Aspirants</i></p> <p><i>(15) A Political Party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall ensure that all aspirants are given equal opportunity of being voted for by Adhoc and Statutory delegates of the Party who shall be registered members of the Party as provided in this Act.</i></p> <p><i>Procedures for Nominating Candidates by Indirect Primaries</i></p> <p><i>(16) Subject to subsection (17) of this section, a Political Party nominating candidates for elections by the system of indirect primaries shall adopt the procedure outlined hereunder in paragraph (a) to (f) of</i></p>		
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		<p><i>this subsection for each type of election.</i></p> <p><i>Nomination of Presidential Candidate</i></p> <p><i>(a) In the case of nominations to the position of Presidential candidate for Presidential election, a Political Party shall, where it intends to sponsor a candidate, –</i></p> <p><i>(i) hold Presidential primaries or a Special Presidential Convention at a designated place in the FCT or the headquarters of a State of the Federation and on a date agreed by the National Executive Committee of the party where both Adhoc and Statutory Delegates of the Party listed in subsection (9)(a) of this section shall be eligible to vote for any presidential aspirant of the Party; and</i></p> <p><i>(ii) the presidential aspirant with the highest number of votes at the end of voting shall be declared the winner of the Presidential primaries and the Party shall forward the winner’s name to the Commission as the Presidential candidate of the Party for the Presidential Election.</i></p>		
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Nomination of Governorship Candidate

(b) In the case of nominations to the position of Governorship candidate for Governorship election, a Political Party shall, where it intends to sponsor a candidate in a State, -

(i) hold Governorship primaries or a Special State Congress in a designated place in the State headquarters and on a date agreed by the party where Adhoc and Statutory Delegates of the party identified and listed under subsection (9)(b) of this section shall be eligible to vote for any Governorship aspirant of the party in the State; and

(ii) the Governorship aspirant with the highest number of votes at the end of voting shall be declared the winner of the Governorship primaries of the party in the State and the party shall forward the winner's name to the Commission as the candidate of the party for the Governorship Election in that State.

		<p><i>Nomination of Senatorial Candidate</i></p> <p><i>(c) In the case of nominations to the position of a Senatorial candidate for Senatorial Election, a Political Party shall, where it intends to sponsor a candidate in a Senatorial District, -</i></p> <p><i>(i) hold Senatorial primaries in a designated place in the headquarters of the Senatorial District (and the headquarters shall be designated by the Commission) and on a date agreed by the Party where both Adhoc and Statutory delegates of the party identified and listed under subsection (9)(c) of this section shall be eligible to vote for any Senatorial aspirant of the party in the Senatorial District; and</i></p> <p><i>(ii) the Senatorial aspirant with the highest number of votes at the end of voting in the Senatorial primaries shall be declared the winner of the Senatorial primaries of the Party for that Senatorial District and the Party shall forward the winner's name to the Commission as the Senatorial candidate of the party for that Senatorial District.</i></p>		
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	<p><i>Nomination of House of Representatives Candidate</i></p> <p><i>(d) In the case of nominations to the position of a House of Representatives candidate for a Federal Constituency Election, a Political Party shall, where it intends to sponsor a candidate in a Federal Constituency, -</i></p> <p><i>(i) hold House of Representatives primaries in a designated centre or place in the headquarters of the Federal Constituency (and the headquarters shall be designated by the Commission) and on a date agreed by the party where both Adhoc and Statutory Delegates of the party identified under subsections (9)(d) of this section shall be eligible to vote for any House of Representatives aspirant of the party in the Federal Constituency; and</i></p> <p><i>(ii) the House of Representatives aspirant with the highest number of votes at the end of voting in the Federal Constituency primaries shall be declared the winner of the primaries of the Party for that Federal Constituency and the Party shall forward the winner's name to the Commission as the House of</i></p>	
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		<p><i>Representatives candidate of the party for that Federal Constituency.</i></p> <p><i>Nomination of House of Assembly Candidate</i></p> <p><i>(e) In the case of nomination to the position of a State House of Assembly candidate of a State Constituency, a Political Party shall, where it intends to sponsor a candidate, -</i></p> <p><i>(i) hold State House of Assembly primaries in a designated centre or place within the State Constituency and on a date agreed by the Party where both Adhoc and Statutory Delegates of the Party identified under subsection (9)(e) of this section shall be eligible to vote for any House of Assembly aspirant of the Party in the State Constituency; and</i></p> <p><i>(ii) the House of Assembly aspirant with the highest number of votes at the end of voting in the State Constituency primaries shall be declared the winner of the primaries of the party for the State Constituency and the party shall forward the name of the winner to the Commission as the House of</i></p>		
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		<p><i>Assembly candidate of the party for that State Constituency.</i></p> <p><i>Nomination of Local Government Council Chairmanship Candidate</i></p> <p><i>(f) In the case of nomination to the position of a Chairmanship candidate of a Local Government Area/Council in a State of the Federation or the FCT, Abuja, a Political Party shall, where it intends to sponsor a candidate, -</i></p> <p><i>(i) hold Local Government Council Chairmanship primaries in a designated center or place in the headquarters of the Local Government Area/Council and on a date agreed by the Party where both Adhoc and Statutory Delegates of the party identified under sub-section (9)(f) of this section shall be eligible to vote for any Local Government Council Chairmanship aspirant of the Party; and</i></p> <p><i>(ii) the Chairmanship aspirant with the highest number of votes at the end of voting shall be declared the winner of that Local Government Area/Council primaries and the Party shall forward the winner's name to the Commission (in the case of a Local Government Council in</i></p>		
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	<p><i>the FCT, Abuja) or a State Independent Electoral Commission (in the case of a Local Government Area of a State in the Federation) as the Chairmanship candidate of the Party for that Local Government Area/Council.</i></p> <p><i>(17) Subject to the provisions of this Act, a Political Party shall have the option to and may hold Adhoc delegates elections or primaries to nominate its candidates for different types of elections at the same dates and venues as it may deem convenient in the same electoral constituencies provided that its Presidential and Governorship primaries convened to nominate its Presidential and Governorship candidates respectively shall stand alone.</i></p> <p><i>(18) Where there is only one aspirant in a Political Party for any of the elective positions mentioned in subsections (15)(a), (15)(b), (15)(c) and (15)(d) of this section, the Party shall convene a Special Convention or Congress, as the case may be, at a designated centre in the particular constituency on a specified date to vote to confirm that aspirant as the candidate of the Party and the Party</i></p>	
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		<p><i>shall forward the name of the aspirant to the Commission as the candidate of the Party for the position in question.</i></p> <p><i>(19) Where there is only one aspirant for an elective position in a Political Party that has adopted the system of direct primaries, such an aspirant shall be deemed to be unchallenged and the Party shall forward the name of the aspirant to the Commission as the candidate of the Party in the election in question.</i></p> <p><i>Nomination of Councillorship Candidate</i></p> <p><i>(20) In the case of nomination to the position of a Councillorship candidate of a Ward Constituency, a Political Party shall, where it intends to sponsor a candidate, -</i></p> <p><i>(a) conduct direct primaries in the Ward Constituency where only registered members of the Party in that Ward shall be eligible to vote for any member of the Party who, subject to the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and this Act, presents himself or herself to be voted for as the Candidate of the Party in that Ward; and</i></p>		
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		<p><i>(b) the Party shall forward the name of the Councillorship aspirant with the highest number of votes at the end of voting in the Ward Constituency under paragraph (a) of this subsection to the Commission (in the case of the FCT, Abuja) or a State Independent Electoral Commission (in the case of a State in the Federation) as the Councillorship candidate of the Party for that Ward Constituency.</i></p> <p><i>Political Appointee Not Eligible as Delegate</i></p> <p><i>(21) A political appointee at any level of government shall not be a delegate at the primaries, Convention or Congress of a Political Party convened for the purpose of nominating candidates for any election under the indirect primaries system, except where such a political appointee is also a Statutory or Adhoc delegate under subsection (9) of this section.</i></p> <p><i>Commission's Endorsement of Result of Primaries as Proof of Result</i></p>		
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		<p><i>(22) A report of a Political Party's primaries or delegates election that is duly issued by the Commission shall be prima facie proof of the holding of the Party's primaries or delegates election and the aspirants who participated in the Party's primaries or delegates election.</i></p> <p><i>Staggered Primaries</i></p> <p><i>(23) Nothing in this section shall prevent a Political Party from organising staggered primaries.</i></p> <p><i>Jurisdiction of Courts</i></p> <p><i>(24) Notwithstanding the provisions of this Act or rules of a Political Party, an aspirant who complains that any of the provisions of this Act or rules of a Political Party has not been complied with in the nomination of a candidate of a Political Party for election, may apply to the Federal High Court or the High Court of a State or the FCT for redress.</i></p> <p><i>Court Cannot Stop General Election, etc</i></p>		
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		<p><i>(25) Nothing in this section shall empower the Courts to stop the holding of Adhoc delegates elections, primaries or general election or the processes thereof under this Act pending the determination of the suit.</i></p> <p><i>(26) Except the context otherwise warrants, reference to “registered members” of a Political Party in this section or any other part of this Act means persons of voting age whose names and other relevant personal particulars are duly recorded in the Ward Register of that Party.</i></p>		
88.	<p>OFFENCES IN RELATION TO FINANCES OF A POLITICAL PARTY</p> <p><i>88. Any political Party that-</i></p> <p><i>(a) holds or possesses any fund outside Nigeria in contravention of section 225(3) (a) of the Constitution, commits an offence and shall on conviction forfeit the funds or assets purchased with such funds to the Commission and in addition may be liable to a fine of not less than N500,000.00; or</i></p> <p><i>(b) retains any fund or other asset remitted to it from outside Nigeria in contravention of section 225(3) (a) of the Constitution is guilty of</i></p>	<p>OFFENCES IN RELATION TO FINANCES OF A POLITICAL PARTY</p> <p>88. Retained</p>	<p>Offences in relation to finances of a political party</p> <p>88. Any political Party that-</p> <p>(a) holds or possesses any fund outside Nigeria in contravention of section 225 (3) (a) of the Constitution, commits an offence and shall on conviction forfeit the funds or assets purchased with such funds to the Commission and in addition may be liable to a</p>	<p>1999 Constitution</p>

	<p><i>an offence and shall on conviction forfeit the funds or assets to the Commission and in addition may be liable to a fine of not less than N500,000.00</i></p>		<p>fine of at least N5,000,000.00; or</p> <p>(b) retains any fund or other asset remitted to it from outside Nigeria in contravention of section 225 (3) (a) of the Constitution is guilty of an offence and shall on conviction forfeit the funds or assets to the Commission and in addition may be liable to a fine of at least N5,000,000.00.</p>	
<p>89.</p>	<p>PERIOD TO BE COVERED BY ANNUAL STATEMENT</p> <p>89. (1) A political party shall submit to the Commission a detailed annual statement of assets and liabilities and analysis of its sources of funds and other assets, together with statement of its expenditure in such a form as the Commission may from time to time require.</p> <p>(2) The statement of assets and liabilities referred to in subsection (1) of this section shall be in respect of the period 1st January to 31st December in each year, and that in the year which this Act comes into operation, it shall be for the period beginning with the registration of such party and ending on the following 31st December.</p>	<p>PERIOD TO BE COVERED BY ANNUAL STATEMENT</p> <p>89. Retained</p>	<p>Period to be covered by annual statement</p> <p>89. (1) Every Political Party shall submit to the Commission a detailed annual statement of Assets and Liabilities and analysis of its sources of funds and other assets, together with statement of its expenditure including hard and soft copy of its list of members or in such a form as the Commission may from time to time require.</p> <p>(2) Any official of the political party who contravenes subsection (1) <i>commits</i> an offence and is liable to fine of N1,000,000.00 <i>or</i></p>	

	<p>(3) A political party shall grant to any officer authorized in writing by the Commission, access to examine the records and audited accounts kept by the political party in accordance with the provisions of this Act and the political party shall give to the officer all such information as may be requested in relation to all contributions received by or on behalf of the party.</p> <p>(4) The Commission shall publish the report on such examinations and audit in three National Newspapers.</p>		<p>imprisonment for a term of six months or both.</p> <p>(3) A political party shall grant to any officer authorised in writing by the Commission, access to examine the records and audited accounts kept by the political party in accordance with the provisions of this Bill and the political party shall give to the officer all such information as may be requested in relation to all contributions received by or on behalf of the party.</p> <p>(4) The Commission shall publish the report on such examinations and audit in two National Newspapers and Commission's website within thirty (30) days of receipt of the results.</p>	
90.	<p>POWER TO LIMIT CONTRIBUTION TO A POLITICAL PARTY</p> <p>90. The Commission shall have power to place limitation on the amount of money or other assets, which an individual or group of persons can contribute to a political party.</p>	<p>POWER TO LIMIT CONTRIBUTION TO A POLITICAL PARTY</p> <p>90. Retained</p>	<p>Power to limit contribution to a political party</p> <p>90. (1) The Commission shall have power to place limitation on the amount of money or other assets which an individual can contribute to a Political Party or candidate and to demand such</p>	

			<p>information on the amount donated and source of the funds.</p> <p>(2) Any individual, candidate or political party who exceeds the limit placed by the Commission in subsection (1), commits an offence and is liable on conviction to -</p> <p>(a) in case of a political party, a fine not more than N10,000,000.00 and forfeiture of the amount donated; and</p> <p>(b) in case of an individual, a fine of five times the amount donated in excess of the limit placed by the Commission.</p>	
<p>91.</p>	<p>LIMITATION ON ELECTION EXPENSES</p> <p>91. (1) Election expenses shall not exceed the sum stipulated in subsection (2) – (7) of this section.</p> <p>(2) The maximum election expenses to be incurred by a candidate at a Presidential election shall be N1,000,000,000.00</p> <p>(3) The maximum election expenses to be incurred by a candidate at a</p>	<p>LIMITATION ON ELECTION EXPENSES</p> <p>91. Retained</p>	<p>limitation on election expenses</p> <p>91. (1) Election expenses shall not exceed the sum stipulated in subsections (2) (3) (4) (5) (6) and (7).</p> <p>(2) The maximum election expenses to be incurred by a candidate at a presidential election shall not exceed N5,000,000,000.00.</p>	

	<p>Governorship election shall be N200,000,000.00.</p> <p>(4) <i>The maximum amount of election expenses to be incurred by a candidate in respect of Senatorial and House of Representatives seats shall be N40,000,000.00 and N20,000,000.00 respectively.</i></p> <p>(5) In the case of State Assembly election, the maximum amount of election expenses to be incurred shall be N10,000,000.00.</p> <p>(6) In the case of a Chairmanship election to an Area Council, the maximum amount of election expenses to be incurred shall be ten million naira N10,000,000.00</p> <p>(7) In the case of councillorship election to an Area Council, the maximum amount of election expenses to be incurred shall be one million naira N1,000,000.00</p> <p>(8) In determining the total expenditure incurred in relation to the candidature of any person at any election no account shall be taken of:- (a) any deposit made by the candidate on his nomination in compliance with the law ;</p>		<p>(3) The maximum amount of election expenses to be incurred by a candidate in respect of governorship election shall not exceed N1,000,000,000.00.</p> <p>(4) The maximum amount of election expenses to be incurred by a Candidate in respect of Senatorial and House of Representatives seat shall not exceed N100,000,000.00 and N70,000,000.00 respectively.</p> <p>(5) In the case of State Assembly election, the maximum amount of election expenses to be incurred by a candidate shall not exceed N30,000,000.00.</p> <p>(6) In the case of a chairmanship election to an Area Council, the maximum amount of election expenses to be incurred by a candidate shall not exceed N30,000,000.00.</p> <p>(7) In the case of Councillorship election to an area Council, the maximum amount of election expenses to be incurred by a candidate shall not exceed N5,000,000.00.</p> <p>(8) Deleted</p>	<p>No proper definition of the reporting timeline</p>
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	<p>(b) any expenditure incurred before the notification of the date fixed for the election with respect to services rendered or material supplied before such notification; or</p> <p>(c) political party expenses in respect of the candidate standing for a particular election.</p> <p>(9) No individual or other entity shall donate more than N1, 000,000.00 to any candidate.</p> <p>(10) A candidate who knowingly acts in contravention of this section commits an offence and on conviction shall be liable in the case of –</p> <p>(a) Presidential election to a maximum fine of N1,000,000.00 or imprisonment for a term of 12 months or both;</p> <p>(b) a Governorship election to a fine of N800,000.00 or imprisonment for a term of 9 months or both;</p> <p>(c) Senatorial election to a fine of N600,000.00 or imprisonment for a term of 6 months or both;</p> <p>(d) House of Representatives election to a fine of N500,000.00 or imprisonment for a term of 5 months or both;</p>		<p>(9) No individual or other entity shall donate to a candidate more than N50,000,000.00.</p> <p>(10) A candidate who knowingly acts in contravention of this section, commits an offence and is liable on conviction to a fine of 1% of the amount permitted as the limit of campaign expenditure under this Bill or imprisonment for a term not more than 12 months or both.</p> <p>(11) Any individual who knowingly acts in contravention of subsection (9) is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of nine months or both.</p> <p>(12) An Accountant who falsifies, or conspires or aids a candidate to forge or falsify a document relating to his expenditure at an election or receipt or donation for the election or in any way aids and abets the contravention of the provisions of this section commits an offence and is liable on conviction to a fine of N3,000,000.00 or imprisonment for a term of three years or both.</p>	
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	<p>(e) a State House of Assembly election to a fine of N300,000.00 or imprisonment for a term of 3 months or both;</p> <p>(f) in the case of Chairmanship, to a fine of N300,000.00 or imprisonment for a term of 3 months or both; and</p> <p>(g) Councillorship election, to a fine of N100,000.00 or imprisonment for a term of 1 month or both.</p> <p>(11) Any individual who knowingly acts in contravention of subsection (9) shall on conviction be liable to a maximum fine of N500,000.00 or imprisonment for a term of 9 months or both.</p> <p>(12) An Accountant who falsifies, or conspires or aids a candidate to forge or falsify a document relating to his expenditure at an election or receipt or donation for the election or in any way aids and abets the breach of the provision of this section of this Act commits an offence and is liable on conviction for imprisonment for a term of 10 years.</p>			
<p>92.</p>	<p>ELECTION EXPENSES OF POLITICAL PARTIES</p> <p>92. (1) For the purposes of an election, “election expenses” means expenses incurred by a political party within the period from the date notice is given by</p>	<p>ELECTION EXPENSES OF POLITICAL PARTIES</p> <p>92. Retained</p>	<p>Election expenses of political parties</p> <p>92. (1) For the purposes of an election, “election expenses” means expenses incurred by a political party within the period from the date notice is given by the</p>	

	<p>the Commission to conduct an election up to and including, the polling day in respect of</p> <p>the particular election.</p> <p>(2) Election expenses incurred by a political party for the management or the conduct of an election shall be determined by the Commission in consultation with the political parties.</p> <p>(3) Election expenses of a political party shall be submitted to the Commission in a separate audited return within 6 months after an election and such return shall be signed by the political party's auditors and counter-signed by the Chairman of the party and be supported by a sworn affidavit by the signatories as to the correctness of its contents.</p> <p>(4) A political party which contravenes subsection (3) of this section commits an offence and is liable on conviction to a maximum fine of N1,000,000.00 and in the case of failure to submit an accurate audited return within the stipulated period, the court may impose a maximum penalty of N200,000.00 per day on any party for the period after the return was due until it is submitted to the Commission.</p>		<p>Commission to conduct an election up to and including, the polling day in respect of the particular election.</p> <p>(2) Election expenses incurred by a political party for the management or the conduct of an election shall be determined by the Commission in consultation with the political parties.</p> <p>(3) Election expenses of a political party shall be submitted to the Commission in a separate audited return within six months after the election and such return shall be signed by the political party's auditors and counter-signed by the Chairman of the party and be supported by a sworn affidavit by the signatories as to the correctness of its contents.</p> <p>(4) A political party which contravenes subsection (3) commits an offence and is liable on conviction to a maximum fine of N1,000,000.00 and in the case of failure to submit an accurate audited return within the stipulated period, the court</p>	
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	<p>(5) The return referred to in subsection (3) of this section shall show the amount of money expended by or on behalf of the party on election expenses, the items of expenditure and commercial value of goods and services received for election purposes.</p> <p>(6) The political party shall cause the return submitted to the Commission pursuant to subsection (4) of this section to be published in at least 2 National Newspapers.</p> <p>(7) Any political party that incurs election expenses beyond the limit stipulated in this Act is guilty of an offence and is liable on conviction to a maximum fine of N1,000,000.00 and forfeiture to the Commission, of the amount by which the expenses exceed the limit set by the Commission.</p> <p>(8) The Commission shall make available for public inspection during regular business hours at its Headquarters and state offices the audit returns of the political parties required by subsection (3) of this section which shall include the names, addresses, occupation, and amount contributed by each contributor to a party.</p>		<p>may impose a maximum penalty of N200,000.00 per day on any party for the period after the return was due until it is submitted to the Commission.</p> <p>(5) The return referred to in subsection (3) shall show the amount of money expended by or on behalf of the party on election expenses, the items of expenditure and commercial value of goods and services received for election purposes.</p> <p>(6) The political party shall cause the return submitted to the Commission pursuant to subsection (4) to be published in at least two National Newspapers an official website of the party.</p> <p>(7) Any political party that incurs election expenses beyond the limit set in subsection (2) commits an offence and is liable on conviction to a maximum fine of N1,000,000.00 and forfeiture to the Commission, of the amount by which the expenses exceed the limit set by the Commission.</p>	
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			(8) The Commission shall make available for public inspection during regular business hours at its headquarters and state offices the audit returns of the political parties required by subsection (3) which shall include the names, addresses, occupation, and amount contributed by each contributor to a party.	
93.	<p>DISCLOSURE BY POLITICAL PARTIES</p> <p>93. (1) A political party shall not accept or keep in its possession any anonymous monetary or other contributions, gifts or property, from any source whatsoever.</p> <p>(2) A political party shall keep an account and asset book into which shall be recorded-</p> <p>(a) all monetary and other forms of contribution received by the party; and</p> <p>(b) the name and address of any person or entity that contributes any money or assets which exceeds N1,000,000.00</p> <p>(3) A political party shall not accept any monetary or other contribution exceeding N1000,000.00 unless it can identify the</p>	<p>DISCLOSURE BY POLITICAL PARTIES</p> <p>93. Retained</p>	<p>Disclosure by political parties</p> <p>93. (1) A political party shall not accept or keep in its possession any anonymous monetary or other contributions, gifts or property, from any source.</p> <p>(2) A political party shall keep an account and asset book into which shall be recorded-</p> <p>(a) all monetary and other forms of contributions received by the party; and</p> <p>(b) the name and address of any person or entity that contributes any</p>	

	<p>source of the money or other contribution to the Commission.</p> <p>(4) A political party sponsoring the election of a candidate shall, within 3 months after the announcement of the results of the election, file a report of the contributions made by individuals and entities to the Commission.</p>		<p>money or asset which exceeds N1,000,000.00.</p> <p>(3) A political party shall not accept any monetary or other contribution which is more than N50,000,000.00 unless it can identify the source of the money or other contribution to the Commission.</p> <p>(4) A political party sponsoring the election of a candidate shall, within three months after the announcement of the results of the election, file a report of the contributions made by individuals and entities to the Commission.</p>	
<p>94.</p>	<p>CONDUCT AT POLITICAL RALLIES, AND PROCESSIONS, ETC</p> <p>94. (1) For the purpose of the proper and peaceful conduct of political rallies and processions, the Commissioner of Police in each state of the Federation and the Federal Capital Territory, Abuja, shall provide adequate security for processions at political rallies in the States and the Federal Capital Territory, Abuja.</p>	<p>CONDUCT AT POLITICAL RALLIES, AND PROCESSIONS, ETC</p> <p>94. Retained</p>	<p>Conduct at political rallies, and processions, etc.</p> <p>94. (1) The Commissioner of Police in each State of the Federation and the Federal Capital Territory, Abuja, shall provide adequate security for proper and peaceful conduct of political rallies and processions in their respective jurisdictions and, for this purpose, the Police may be supported by the Nigerian</p>	<p>Police Act, 2020</p> <p>Public Order Act</p>

	<p>(2) A person who, while present at a political rally or procession or voting centre, has with him any offensive weapon or missile otherwise than in pursuance of a lawful duty is guilty of an offence and liable on conviction to a maximum fine of N2,000,000.00 or imprisonment for a term of 2 years or both.</p> <p>(3) For the purpose of subsection (2) of this Section, a person shall be deemed to be acting in pursuance of a lawful duty if he is acting in his capacity as a police officer or as a member of a security agency authorized to carry arms and is specifically posted to be present at that political rally or procession.</p> <p><i>(4) Notwithstanding any provision in the Police Act, the Public Order Act and any regulation made thereunder or any other law to the contrary, the role of the Nigeria Police Force in political rallies, processions and meetings shall be limited to the provision of adequate security as provided in subsection (1) of this section.</i></p> <p><i>(5) For the avoidance of doubt, no registered Political Party in Nigeria, its aspirants or candidate shall be prevented from holding rallies, processions or meetings at any time for their constitutional political purposes, and the Police shall in a consultative manner, resolve any conflict of time and venue</i></p>		<p>Security and Civil Defence Corps and any other security agency of the Federal Government.</p> <p>(2) Deleted</p> <p>(3) For the purpose of subsection (2), a person shall be deemed to be acting in pursuance of a lawful duty if he is acting in his capacity as a police officer or as a member of a security agency authorised to carry arms and is specifically posted to be present at that political rally or procession.</p> <p>(4) Notwithstanding any provision in the Police Act, the Public Order Act and any regulation made thereunder or any other law to the contrary, the role of the Nigerian Police Force and the Nigerian Security and Civil Defence Corps and any other security agency of the Federal Government in political rallies, processions and meetings shall be limited to the provision of adequate security as provided in subsection (1).</p>	<p>Direct repetition of section 116(a)</p>
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	<i>between and amongst parties where such arises.</i>		(5) No registered political party in Nigeria, its aspirants or candidate shall be prevented from holding rallies, processions or meetings at any time for their constitutional political purposes, and the Police shall in a consultative manner, resolve any conflict of time and venue between and amongst parties where such arises.	
95.	<p>PROHIBITION OF CERTAIN CONDUCT, ETC. AT POLITICAL CAMPAIGNS</p> <p>95. (1) A political campaign or slogan shall not be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings.</p> <p>(2) Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions shall not be employed or used in political campaigns.</p> <p>(3) Places designated for religious worship, police station, and public offices shall not be used-</p> <p>(a) for political campaigns, rallies and processions; or</p> <p>(b) to promote, propagate or attack political parties, candidates or their programmes or ideologies.</p>	<p>PROHIBITION OF CERTAIN CONDUCT, ETC. AT POLITICAL CAMPAIGNS</p> <p>95. Retained</p>	<p>Prohibition of certain conduct, etc. at political campaigns</p> <p>95. (1) A political campaign or slogan shall not be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings.</p> <p>(2) Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions shall not be employed or used in political campaigns.</p> <p>(3) Places designated for religious worship, police station, and public offices shall not be used-</p>	

	<p>(4) Masquerades shall not be employed or used by any political party, candidate or person during political campaigns or for any other political purpose.</p> <p>(5) A political party or member of a political party shall not retain, organize, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display of physical force or coercion in promoting any political objective or interests, or in such manner as to arouse reasonable apprehension that they are organized, trained or equipped for that purpose.</p> <p>(6) A political party, person or candidate shall not keep or use private security organization, vanguard or any other group or individual by whatever name called for the purpose of providing security, assisting or aiding the political party or candidate in whatever manner during campaigns, rallies, processions or elections.</p> <p>(7) A political party or person who contravenes any of the provision of this section is guilty of an offence and shall be liable on conviction-</p> <p>(a) in the case of an individual, to a maximum fine of N1,000,000.00 or imprisonment for the term of 12 months; and</p> <p>(b) in the case of a political party, to a fine of N2,000,000.00 in the first</p>		<p>(a) for political campaigns, rallies and processions; or</p> <p>(b) to promote, propagate or attack political parties, candidates or their programmes or ideologies.</p> <p>(4) Masquerades shall not be employed or used by any political party, aspirant or candidate during political campaigns or for any other political purpose.</p> <p>(5) A political party, aspirant or candidate of a political party shall not retain, organise, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display of physical force or coercion in promoting any political objective or interests, or in such manner as to arouse reasonable apprehension that they are organised, trained or equipped for that purpose.</p> <p>(6) A political party, aspirant or candidate shall not keep or use armed private security organisation, vanguard or any other group or individual by whatever name called for the</p>	
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	<p>instance, and N1,000,000.00 for any subsequent offence.</p> <p>(8) Any person or group of persons who aids or abets a political party in contravening the provisions of subsection (5) of this section commits an offence and is liable on conviction to a fine of N500,000.00 or imprisonment for a term of 3 years or both.</p>		<p>purpose of providing security, assisting or aiding the political party or candidate in whatever manner during campaigns, rallies, processions or elections.</p> <p>(7) A political party, aspirant or candidate who contravenes any of the provisions of this section commits an offence and is liable on conviction-</p> <p>(a) in the case of an aspirant or candidate, to a maximum fine of N1,000,000.00 or imprisonment for a term of 12 months; and</p> <p>(b) in the case of a political party, to a fine of N2,000,000.00 in the first instance, and N1,000,000.00 for any subsequent offence.</p> <p>(8) Any person or group of persons who aids or abets a political party, an aspirant or a candidate in contravening the provisions of subsection (5) commits an offence and is liable on conviction to a fine of N500,000.00 or imprisonment for a term of three years or both.</p>	
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<p>96.</p>	<p>PROHIBITION OF USE OF FORCE OR VIOLENCE DURING POLITICAL CAMPAIGN</p> <p>96. (1) A candidate, person or group of persons shall not directly or indirectly threaten any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a political party or candidate.</p> <p>(2) A person or political party that contravenes the provisions of this section commits an offence and liable on conviction-</p> <p>(a) in the case of an individual, to a maximum fine of N1,000,000 or imprisonment for a term of 12 months; and</p> <p>(b) in the case of a political party, to a fine of N2,000,000 in the first instance, and N500,000.00 for any subsequent offence.</p>	<p>PROHIBITION OF USE OF FORCE OR VIOLENCE DURING POLITICAL CAMPAIGN</p> <p>96. Retained</p>	<p>Prohibition of use of force or violence during political campaign</p> <p>96. (1) A party, candidate, aspirant, or person or group of persons shall not directly or indirectly threaten any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a political party or candidate.</p> <p>(2) Any political party, candidate, aspirant, or person or group of persons that contravenes the provisions of this section commits an offence and liable on conviction-</p> <p>(a) in the case of a candidate, aspirant, or person or group of persons, to a maximum fine of N1,000,000.00 or imprisonment for a term of 12 months; and</p> <p>(b) in the case of a political party, to a fine of N2,000,000.00 in the first instance, and N500,000.00 for any subsequent offence.</p>	

<p>97.</p>	<p>EFFECT ON ELECTED OFFICER WHERE POLITICAL PARTY CEASES TO EXIST 97. Where a political party ceases to exist in accordance with the Constitution and this Act, a person elected on the platform of the political party in an election under this Act shall remain validly elected, complete his tenure, and, for purposes of identification, be regarded as a member of the political party under which he was elected.</p>	<p>EFFECT ON ELECTED OFFICER WHERE POLITICAL PARTY CEASES TO EXIST 97. Retained</p>	<p>97. Deleted</p>	
<p>98.</p>	<p>EXISTING POLITICAL PARTIES 98. Any political party registered by the Commission in accordance with the provisions of any law in force immediately before the coming into force of the Constitution of the Federal Republic of Nigeria and this Act shall be deemed to have been duly registered under this Act</p>	<p>EXISTING POLITICAL PARTIES 98. Retained</p>	<p>98. Deleted</p>	
<p>99.</p>	<p>LIMITATION ON POLITICAL BROADCAST AND CAMPAIGN BY POLITICAL PARTIES 99. (1) For the purpose of this Act, the period of campaigning in public by every political party shall commence 90 days before polling day and end 24 hours prior to that day.</p>	<p>LIMITATION ON POLITICAL BROADCAST AND CAMPAIGN BY POLITICAL PARTIES 99. Retained</p>	<p>Limitation on political broadcast and campaign by political parties 99. (1) For the purpose of this Bill, the period of campaigning in public by every political party shall commence 150 days before polling day and end 24 hours prior to that day.</p>	

	<p>(2) A registered Political Party which through any person acting on its behalf during the 24 hours before polling day-</p> <p>(a) advertises on the facilities of any broadcasting undertaking; or</p> <p>(b) procures for publication or acquiesces in the publication of an advertisement in a Newspaper, for the purpose of promoting or opposing a particular candidate; is guilty of an offence under this Act and upon conviction shall be liable to a maximum fine of N500,000.00.</p>		<p>(2) A registered political party which through any person acting on its behalf during the 24 hours before polling day-</p> <p>(a) advertises on the facilities of any broadcasting undertaking; or</p> <p>(b) procures for publication or acquiesces in the publication of an advertisement in a Newspaper, for the purpose of promoting or opposing a particular candidate, commits an offence under this Bill and is liable upon conviction to a maximum fine of N500,000.00.</p>	
<p>100.</p>	<p>CAMPAIGN FOR ELECTION</p> <p>100. (1) A candidate and his party shall campaign for the elections in accordance with such rules and regulations as may be determined by the Commission.</p> <p>(2) State apparatus including the media shall not be employed to the advantage or</p>	<p>CAMPAIGN FOR ELECTION</p> <p>100. Retained</p>	<p>Campaign for election</p> <p>100. (1) A candidate and his or her party shall campaign for the elections in accordance with such rules and regulations as may be determined by the Commission.</p>	

	<p>disadvantage of any political party or candidate at any election.</p> <p>(3) Media time shall be allocated equally among the political parties or candidates at similar hours of the day.</p> <p>(4) At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees.</p> <p>(5) At any public print media, equal coverage and conspicuity shall be allotted to all political parties.</p> <p>(6) A public media that contravenes subsections 3 and 4 of this section commits an offence and on conviction be liable to a maximum fine of N500,000 in the first instance and to a maximum fine of N1,000,000 for subsequent conviction.</p>		<p>(2) State apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election.</p> <p>(3) Media time shall be allocated equally among the political parties or candidates at similar hours of the day.</p> <p>(4) At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees.</p> <p>(5) At any public print media, equal coverage and visibility shall be allotted to all political parties.</p> <p>(6) Any person who contravenes subsections (3) and (4) commits an offence and is liable on conviction, in a case of -</p> <p>(a) a public media, to a fine of N2,000,000.00 in the first instance and N5,000,000.00 for</p>	
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			<p>subsequent conviction; and</p> <p>(b) principal officers and other officers of the media house, to a fine of N1,000,000.00 or imprisonment for a term of six months.</p>	
101.	<p>PROHIBITION OF BROADCAST, ETC 24 HOURS PRECEDING OR ON POLLING DAY</p> <p>101. (1) A person, print or electronic medium that broadcasts, publishes, advertises or circulates any material for the purpose of promoting or opposing a particular political party or the election of a particular candidate over the radio, television, newspaper, magazine, handbills, or any print or electronic media whatsoever called during twenty four hours immediately preceding or on polling day is guilty of an offence under this Act.</p> <p>(2) Where an offence under subsection (1) of this section is committed by a body corporate, every principal officer of that body is equally guilty of an offence under this Act.</p> <p>(3) Where any person is convicted of an offence under this section he shall be liable:</p>	<p>PROHIBITION OF BROADCAST, ETC 24 HOURS PRECEDING OR ON POLLING DAY</p> <p>101. Retained</p>	<p>Prohibition of broadcast, etc. 24 hours preceding or on polling day</p> <p>101. (1) A person, print or electronic medium that broadcasts, publishes, advertises or circulates any material for the purpose of promoting or opposing a particular political party or the election of a particular candidate over the radio, television, newspaper, magazine, handbills, or any print or electronic media whatsoever called within twenty four hours immediately preceding or on polling day commits an offence under this Bill.</p> <p>(2) Where an offence under subsection (1) is committed by a body corporate, the principal officers of that body shall be deemed to have equally committed the same offence.</p>	

	<p>(a) in the case of a body corporate to a maximum fine of N1,000,000.00 and</p> <p>(b) in the case of an individual to a maximum fine of N500,000.00 or to imprisonment for a term of 12 months.</p>		<p>(3) A person convicted of an offence under this section is liable -</p> <p>(a) in the case of a body corporate to a maximum fine of N1,000,000.00; and</p> <p>(b) in the case of an individual to a maximum fine of N1,000,000.00 or to imprisonment for a term of six months or both.</p>	
102	<p>CAMPAIGN BASED ON RELIGION, TRIBE, ETC.</p> <p>102. A candidate, person or association who engages in campaigning or broadcasting based on religious, tribal, or sectional reason for the purpose of promoting or opposing a particular political party or the election of a particular candidate, is guilty of an offence under this Act and on conviction shall be liable to a maximum fine of N1,000,000.00 or imprisonment for a term of 12 months or to both.</p>	<p>CAMPAIGN BASED ON RELIGION, TRIBE, ETC</p> <p>102. Retained</p>	<p>Campaign based on religion, tribe, etc.</p> <p>102. A candidate, person or association who engages in campaigning or broadcasting based on religious, tribal, or sectional reason for the purpose of promoting or opposing a particular political party or the election of a particular candidate, commits an offence under this Bill and is liable on conviction to a maximum fine of N1,000,000.00 or imprisonment for a term of 12 months or both.</p> <p>(b) In the case of political party to a maximum fine of N10,000,000.00.</p>	
	PART VI	PART VI	PART VI	

	PROCEDURE FOR ELECTION TO AREA COUNCIL	PROCEDURE FOR ELECTION TO AREA COUNCIL	PROCEDURE FOR ELECTION TO AREA COUNCIL	
103.	<p>POWER OF THE COMMISSION</p> <p>103. (1) The conduct of elections into the offices of Chairman, Vice Chairman and a member of an Area Council and the recall of a member of an Area Council shall be under the direction and supervision of the Commission in accordance with the provisions of this Act.</p> <p>(2) The register of voters compiled and the polling units established by the Commission and any other regulations, guidelines, rules or manuals issued or made by the Commission shall be used for elections into the Area Council or recall of a member.</p>	<p>POWER OF THE COMMISSION</p> <p>103. Retained</p>	<p>Powers of the Commission</p> <p>103. (1) The conduct of elections into the offices of Chairman, Vice Chairman and a member of an Area Council and the recall of a member of an Area Council shall be under the direction and supervision of the Commission in accordance with the provisions of this Bill.</p> <p>(2) The register of voters compiled and the polling units established by the Commission and any other regulations, guidelines, rules or manuals issued or made by the Commission shall be used for elections into the Area Councils or recall of a member.</p>	
104.	<p>ELECTION TO OFFICES OF CHAIRMAN, VICE-CHAIRMAN AND COUNCILORS</p> <p>104. (1) There shall be elected for each Area Council in the Federal Capital Territory a Chairman and Vice-Chairman.</p>	<p>ELECTION TO OFFICES OF CHAIRMAN, VICE-CHAIRMAN AND COUNCILORS</p> <p>104. Retained</p>	<p>Election to offices of Chairman, Vice-Chairman and Councilors</p> <p>104. (1) There shall be elected for each Area Council in the Federal Capital Territory a Chairman and Vice-Chairman.</p>	

	(2) There shall be a Councilor for each Electoral Ward in an Area Council of the Federal Capital Territory.		(2) There shall be a Councilor for each Electoral Ward in an Area Council of the Federal Capital Territory.	
105.	<p>DIVISION OF AREA COUNCIL INTO REGISTRATION AREA</p> <p>105. (1) Subject to the provision of this section, the Commission shall divide each Area Council into Electoral wards not being less than 10 and not more than 20 as the circumstance of each Area Council may require.</p> <p>(2) The boundaries of each ward shall be such that the number of inhabitants of the Electoral ward is as nearly equal to the population quota of the Electoral ward as is reasonably practicable.</p> <p>(3) The Commission shall review the division of every Area Council into wards at intervals of not less than 10 years and may alter such Electoral ward in accordance with subsection (1) of this section to such extent as it may consider desirable in the light of the review.</p> <p>(4) Notwithstanding subsection (3) of this section, the Commission may, at any time, carry out such a review and alter the Electoral Ward in accordance with the provisions of this section to such extent as it considers necessary in consequence of any amendment to section 3 of the Constitution or any provision replacing that provision or by reason of the holding</p>	<p><i>DIVISION OF AREA COUNCIL INTO REGISTRATION AREA</i></p> <p>105. Retained</p>	<p>Division of Area Council into Registration Area</p> <p>105. (1) Subject to the provision of this section, the Commission shall divide each Area Council into Registration Areas <i>or</i> Electoral Wards not being less than 10 and not more than 20 as the circumstance of each Area Council may require.</p> <p>(2) The boundaries of each Registration Area <i>or</i> Electoral Ward shall be such that the number of inhabitants of the “Registration Area <i>or</i> Electoral Ward is as nearly equal to the population quota as is reasonably practicable.</p> <p>(3) The Commission shall review the division of every Area Council at intervals of not less than 10 years and may alter such Registration Area <i>or</i> Electoral Ward in accordance with subsection (1) to such extent as it may consider desirable in the light of the review.</p>	

	of a National Population Census or pursuant to an Act of the National Assembly.		(4) Notwithstanding subsection (3), the Commission may, at any time, carry out such a review and alter the 1999 Constitution Electoral Ward in accordance with the provisions of this section to such extent as it considers necessary in consequence of any amendment to section 3 of the Constitution or any provision replacing that provision or by reason of the holding of a National Population Census or pursuant to an Act of the National Assembly.	
106.	<p>QUALIFICATION</p> <p>106. A person shall be qualified for election under this part of this Act if he-</p> <p>(a) is a citizen of Nigeria;</p> <p>(b) is registered as a voter;</p> <p>(c) has attained the age of 25 years for Councillor and 30 years for Chairman and Vice Chairman;</p> <p>(d) is educated up to at least the School Certificate level or its equivalent;</p> <p>(e) is a member of a political party and is sponsored by that.</p>	<p>QUALIFICATION</p> <p>106. Retained</p>	<p>Qualification</p> <p>106. A person shall be qualified for election under this part of this Act if he or she-</p> <p>(a) is a citizen of Nigeria;</p> <p>(b) is registered as a voter;</p> <p>(c) has attained the age of 25 years for Councillor and 30 years for Chairman and Vice Chairman;</p> <p>(d) is educated up to at least School Certificate level or its equivalent; and</p>	

			(e) is a member of a political party and is sponsored by that party.	
107.	<p>DISQUALIFICATION</p> <p>107. (1) A person shall not be qualified to contest an Area Council election under this Act if-</p> <p>(a) subject to the provisions of section 28 of the Constitution, he has voluntarily acquired the citizenship of a country other than Nigeria or, except in such cases as may be prescribed by the National Assembly, has made a declaration of allegiance to such a country;</p> <p>(b) he is adjudged to be a lunatic or otherwise declared to be of unsound mind under any law in force in any part of Nigeria ;</p> <p>(c) he is under a sentence of death imposed on him by any competent court of law or tribunal in Nigeria.</p> <p>(d) within a period of less than 10 years before the date of an election to the Area Council, he has been convicted and sentenced for an offence involving dishonesty or he has been found guilty of contravention of the Code of Conduct;</p> <p>(e) he is an undischarged bankrupt, having been adjudged or otherwise</p>	<p>DISQUALIFICATION</p> <p>107. Retained</p>	<p>Disqualification</p> <p>107. (1) A person shall not be qualified to contest an Area Council election under this Bill if –</p> <p>(a) subject to the provisions of section 28 of the Constitution, he or she has voluntarily acquired the citizenship of a country other than Nigeria or, except in such cases as may be prescribed by the National Assembly, has made a declaration of allegiance to such a country;</p> <p>(b) he or she is adjudged to be a lunatic or otherwise declared to be of unsound mind under any law in force in any part of Nigeria;</p> <p>(c) he or she is under a sentence of death imposed on him or her by any</p>	1999, Constitution

	<p>declared bankrupt under any law in force in any part of Nigeria;</p> <p>(f) he is a person employed in the public service of the Federation or of any State or Area Council (other than a person holding elective office) and he has not resigned, withdrawn or retired from such employment 30 days before the date of election;</p> <p>(g) he is a member of any secret society;</p> <p>(h) he has within the preceding period of 10 years presented a forged certificate to the Commission;</p> <p>(i) he has been dismissed from the public service of the Federation, State, Local Government or Area council; or</p> <p>(j) he has been elected to such office at any two previous elections in the case of Chairman</p> <p>(2)Where in respect of any person who has been-</p> <p>(a) adjudged to be a lunatic;</p> <p>(b) declared to be of unsound mind;</p> <p>(c) sentenced to death or imprisonment; or</p> <p>(d) adjudged or declared bankrupt, any appeal against the decision is pending in any court of law in accordance with any law in force in Nigeria, subsection (1) of this section shall not apply during a period beginning from the date when such</p>		<p>competent court of law or tribunal in Nigeria;</p> <p>(d) within a period of less than 10 years before the date of an election to the Area Council, he or she has been convicted and sentenced for an offence involving dishonesty or he or she has been found guilty of contravention of the Code of Conduct;</p> <p>(e) he or she is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of Nigeria;</p> <p>(f) he or she is a person employed in the public service of the Federation or of any State or Area Council (other than a person holding elective office) and he or she has not resigned, withdrawn or retired from such employment 30 days</p>	<p>1999, Constitution</p>
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	<p>appeal is lodged and ending on the date when the appeal is finally determined or as the case may be, the appeal lapses or is abandoned, whichever is earlier.</p> <p>(3) For the purpose of subsection (2) of this section, an “appeal” includes any application for an injunction or an order of certiorari, mandamus, prohibition, or habeas corpus, or any appeal from any such application.</p>		<p>before the date of election;</p> <p>(g) he or she is a member of any secret society;</p> <p>(h) he or she has within the preceding period of 10 years presented a forged certificate to the Commission;</p> <p>(i) he or she has been dismissed from the public service of the Federation, State, Local Government or Area council; or</p> <p>(j) he or she has been elected to such office at any two previous elections in the case of Chairman.</p> <p>(2) Where in respect of any person who has been-</p> <p>(a) adjudged to be a lunatic;</p> <p>(b) declared to be of unsound mind;</p>	
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			<p>(c) sentenced to death or imprisonment; or</p> <p>(d) adjudged or declared bankrupt, any appeal against the decision is pending in any court of law in accordance with any law in force in Nigeria, subsection (1) shall not apply during a period beginning from the date when such appeal is lodged and ending on the date when the appeal is finally determined or as the case may be, the appeal lapses or is abandoned, whichever is earlier.</p> <p>(3) For the purpose of subsection (2), an “appeal” includes any application for an injunction or an order of certiorari, mandamus, prohibition, or habeas corpus, or any appeal from any such application.</p>	
108.	DATE OF AREA COUNCIL ELECTIONS AND METHOD OF VOTING	DATE OF AREA COUNCIL ELECTIONS AND METHOD OF VOTING 108. Retained	Date of Area Council elections and method of voting 108. (1) Election into all the Area Councils shall be held on the	

	<p>108. (1) Election into all the Area Councils shall be held on the same date and day throughout the Federal Capital Territory.</p> <p>(2) <i>Bye-elections</i> to fill vacancies that occur in Area Councils shall be held within 30 days from the date the vacancy occurred.</p> <p>(3) The date mentioned in subsection (1) of this section shall not be earlier than one hundred and fifty days before and not later than <i>thirty</i> days before the expiration of the term of office of the last holder of that office.</p> <p>(4) Where a vacancy occurs more than three months before the day the Area Council stands dissolved there shall be a bye-election to fill the vacancy not later than 30 days from the date the vacancy occurred.</p> <p>(5) Voting shall be by open-secret ballot.</p>		<p>same date and day throughout the Federal Capital Territory.</p> <p>(2) Bye-elections to fill vacancies that occur in Area Councils shall be held within 30 days from the date the vacancy occurred.</p> <p>(3) The date mentioned in subsection (1) shall not be earlier than one hundred and fifty days before and not later than 30 days before the expiration of the term of office of the last holder of that office.</p> <p>(4) Where a vacancy occurs more than three months before the day the Area Council stands dissolved there shall be a bye-election to fill the vacancy not later than 30 days from the date the vacancy occurred.</p> <p>(5) Voting shall be by open-secret ballot.</p>	
<p>109.</p>	<p>PROCEDURE FOR AREA COUNCIL ELECTIONS</p> <p>109. The procedure for filing nominations and the casting and counting of votes for Area Council elections shall</p>	<p>PROCEDURE FOR AREA COUNCIL ELECTIONS</p> <p>109. Retained</p>	<p>Procedure for Area Council elections</p> <p>109. The procedure for filing nominations and the casting and counting of votes for Area Council elections shall be the same as is</p>	

	be the same as is applicable to other elections under this Act.		applicable to other elections under this Bill.
110.	<p>PROCEDURE FOR NOMINATION, ETC</p> <p>110. (1) If after the expiration of time for the delivery of nomination papers and the withdrawal of candidates for election of Councillors under this Act only one candidate remains duly nominated, that candidate shall be declared returned unopposed.</p> <p>(2) If after the expiration of time for the delivery of Nomination Papers and the withdrawal of candidates for election of Councillors under this section more than one candidate remains duly nominated, a poll shall be taken in accordance with the provisions of this Act.</p> <p>(3) Where at the close of nomination for election to the office of Chairman, only one candidate-</p> <p>(a) has been nominated; or</p> <p>(b) remains nominated by reason of the disqualification, withdrawal, incapacitation, disappearance, or death of the other candidate, the Commission shall extend the time for nomination by seven days.</p> <p>PROVIDED that where after the extension, only one candidate remains validly nominated there shall be no further extension.</p>	<p>PROCEDURE FOR NOMINATION, ETC</p> <p>110. Retained</p>	<p>Procedure for nomination, etc.</p> <p>110. (1) If after the expiration of time for the delivery of nomination papers and the withdrawal of candidates for election of Councillors under this Bill only one candidate remains duly nominated, that candidate shall be declared returned unopposed.</p> <p>(2) If after the expiration of time for the delivery of Nomination Papers and the withdrawal of candidates for election of Councillors under this section more than one candidate remains duly nominated, a poll shall be taken in accordance with the provisions of this Bill.</p> <p>(3) Where at the close of nomination for election to the office of Chairman, only one candidate-</p> <p>(a) has been nominated; or</p>

			<p>(b) remains nominated by reason of the disqualification, withdrawal, incapacitation, disappearance, or death of the other candidate, the Commission shall extend the time for nomination by seven days:</p> <p>PROVIDED that where after the extension, only one candidate remains validly nominated there shall be no further extension.</p>	
<p>111.</p>	<p>ELECTION OF AREA COUNCIL CHAIRMAN 111. (1) A candidate for an election to the Office of Chairman shall be deemed to have been duly elected to the office where being the only candidate nominated for the election he has: (a) a majority of YES votes over NO votes cast at the election; and (b) not less than one-third of the votes cast at the election in each of at least two-thirds of all the wards in the Area Council. PROVIDED that where the only candidate fails to be elected in</p>	<p>ELECTION OF AREA COUNCIL CHAIRMAN 111. Retained</p>	<p>Election of Area Council Chairman</p> <p>111. (1) A candidate for an election to the Office of Chairman shall be deemed to have been duly elected to the office where being the only candidate nominated for the election he or she has -</p> <p>(a) a majority of YES votes over NO votes cast at the election; and</p> <p>(b) not less than one-third of the votes cast at the election</p>	

	<p>accordance with this subsection then there shall be fresh nomination.</p> <p>(2) A candidate for an election to the office of the Chairman shall be deemed to have been elected where there being only two candidates for the election he has-</p> <ul style="list-style-type: none"> (a) a majority of the votes cast at the election; and (b) not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the wards in the Area Council, as the case may be. <p>(3) If no candidate is duly elected under subsection (2) of this section, the Commission shall within 14 days conduct a second election between the 2 candidates, and the candidate who scored the majority of votes cast at the election shall be deemed duly elected at the election.</p> <p>(4) A candidate for an election to the office of Chairman shall be deemed to have been duly elected where, there being more than two candidates for the election-</p> <ul style="list-style-type: none"> (a) he has the highest number of votes cast at the election; and (b) he has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all wards in the Area Council, as the case may be. 		<p>in each of at least two-thirds of all the wards in the Area Council:</p> <p>PROVIDED that where the only candidate fails to be elected in accordance with this subsection then there shall be fresh nomination.</p> <p>(2) A candidate for an election to the office of the Chairman shall be deemed to have been elected where there being only two candidates for the election he has-</p> <ul style="list-style-type: none"> (a) a majority of the votes cast at the election; and (b) not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the wards in the Area Council, as the case may be. <p>(3) If no candidate is duly elected under subsection (2) of this section, the Commission shall within 14 days conduct a second election between the 2 candidates, and the candidate who scored the majority of</p>	
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	<p>(5) If no candidate is duly elected in accordance with subsection (4) of this section, there shall be a second election in accordance with subsection (6) of this section at which the only candidates shall be:</p> <p>(a) the candidate who scored the highest number of votes at the election held under subsection (4) of this section; and</p> <p>(b) one among the remaining candidates who has the majority of votes in the highest number of wards so however that where there are more than one candidate, the one among them with the highest total number of votes cast at the election shall be the second candidate for the election.</p> <p>(6) In default of a candidate duly elected under the foregoing subsections, the Commission shall within 14 days of the result of the election held under the said subsections arrange for another election between the 2 candidates and a candidate at such an election shall be deemed to have been duly elected to the office of a Chairman of the Area Council if he has-</p> <p>(a) a majority of the votes cast at the election; and</p> <p>(b) not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the wards in the Area Council, as the case may be.</p>		<p>votes cast at the election shall be deemed duly elected at the election.</p> <p>(4) A candidate for an election to the office of Chairman shall be deemed to have been duly elected where, there being more than two candidates for the election-</p> <p>(a) he or she has the highest number of votes cast at the election; and</p> <p>(b) he or she has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all wards in the Area Council, as the case may be.</p> <p>(5) If no candidate is duly elected in accordance with subsection (4) of this section, there shall be a second election in accordance with subsection (6) at which the only candidates shall be -</p> <p>(a) the candidate who scored the highest number of votes at the</p>	
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	<p>(7) If no candidate is duly elected under subsection (6) of this section, arrangements shall be made within 14 days of the result of the previous election, for another election between the two candidates specified in subsection (6) of this section, and a candidate at this last election shall be deemed duly elected to the office of Chairman of the Area Council if he scores a simple majority of votes cast at the election.</p>		<p>election held under subsection (4); and</p> <p>(b) one among the remaining candidates who has the majority of votes in the highest number of wards so however that where there are more than one candidate, the one among them with the highest total number of votes cast at the election shall be the second candidate for the election.</p> <p>(6) In default of a candidate duly elected under the foregoing subsections, the Commission shall within 14 days of the result of the election held under the said subsections arrange for another election between the two candidates and a candidate at such an election shall be deemed to have been duly elected to the office of a Chairman of the Area Council if he or she has-</p>	
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			<p>(a) a majority of the votes cast at the election; and</p> <p>(b) not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the wards in the Area Council, as the case may be.</p> <p>(7) If no candidate is duly elected under subsection (6), arrangements shall be made within 14 days of the result of the previous election, for another election between the two candidates specified in subsection (6), and a candidate at this last election shall be deemed duly elected to the office of Chairman of the Area Council if he scores a simple majority of votes cast at the election.</p>	
112.	<p>DEATH OF CHAIRMAN BEFORE OATH OF OFFICE</p> <p>112. (1) If a person duly elected as Chairman dies before taking and subscribing to the Oath of Allegiance and Oath of Office, the person elected with him as Vice-Chairman shall be sworn in as Chairman who shall then nominate and with the approval of a majority of the</p>	<p>DEATH OF CHAIRMAN BEFORE OATH OF OFFICE</p> <p><i>Section 112 of the Principal Act is amended by inserting after subsection (3), a new subsection “(4)”, as follows:</i></p>	<p>Death of Chairman before oath of office</p> <p>112. (1) If a person duly elected as Chairman dies before taking and subscribing to the Oath of Allegiance and Oath of Office, the person elected with him or her as Vice-Chairman shall be sworn in as</p>	<p>This new provision takes care of a present gap in the Principal Act in respect of FCT Area Council elections.</p>

	<p>members of the Area Legislative Council appoint a new Vice-Chairman.</p> <p>(2) Where the Vice-Chairman is appointed from among the Councilors as the new Vice-Chairman, the Commission shall conduct a bye-election to fill the vacant seat created in the Ward from which the new Vice-Chairman has been appointed.</p> <p>3) Where the persons duly elected as Chairman and Vice-Chairman of an Area Council die before taking and subscribing the Oath of Allegiance and Oath of Office during which period the Area Council has not been inaugurated the Commission shall within 21 days conduct an election to fill the vacancies.</p>	<p><i>“(4) If after the commencement of polls and before the announcement of the final result and declaration of a winner, a candidate dies,</i></p> <p><i>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;</i></p> <p><i>(b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit the name of a new candidate to the Commission; and</i></p> <p><i>(c) subject to paragraphs (a) and (b) of this subsection, the Commission shall continue with the election, announce the final result and declare a winner.”</i></p>	<p>Chairman who shall then nominate and with the approval of a majority of the members of the Area Legislative Council appoint a new Vice-Chairman.</p> <p>(2) Where the Vice-Chairman is appointed from among the Councilors as the new Vice-Chairman, the Commission shall conduct a bye-election to fill the vacant seat created in the Ward from which the new Vice-Chairman has been appointed.</p> <p>(3) Where the persons duly elected as Chairman and Vice-Chairman of an Area Council die before taking and subscribing the Oath of Allegiance and Oath of Office during which period the Area Council has not been inaugurated the Commission shall within 21 days conduct an election to fill the vacancies.</p> <p>(4) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies -</p> <p>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a</p>	
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			<p>period not exceeding 21 days; and</p> <p>(b) in the case of election into a legislative House, the election shall start afresh and the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit the name of a new candidate to the Commission to replace the dead candidate:</p> <p>Provided that in the case of Area Council Chairmanship election, the running mate of the deceased candidate shall continue with the election and nominate a new running mate.</p>	
113.	<p>DISSOLUTION OF AREA COUNCIL</p> <p>113. (1) An Area Council shall stand dissolved at the expiration of a period of 3 years commencing from the date-</p> <p>(a) when the Chairman took the oath of office; or</p> <p>(b) when the legislative arm of the council was inaugurated whichever is earlier.</p>	<p>DISSOLUTION OF AREA COUNCIL</p> <p>113. Retained</p>	<p>Dissolution of Area Council</p> <p>113. (1) An Area Council shall stand dissolved at the expiration of a period of four years commencing from the date when the -</p> <p>(a) Chairman took the oath of office; or</p>	

	(2) In the determination of the 3 year term, where a re-run election has taken place and the person earlier sworn in wins the re-run election, the time spent in office before the date the election was annulled, shall be taken into account.		(b) legislative arm of the council was inaugurated, whichever is earlier. (2) In the determination of the four years term, where a re-run election has taken place and the person earlier sworn in wins the re-run election, the time spent in office before the date the election was annulled, shall be taken into account.	
114.	VACATION OF SEAT OF MEMBERS 114. (1) A member of an Area Council shall vacate his seat in the Council- (a) on the date given in his letter of resignation; or (b) if he takes up full time paid employment at any level of the government or in the private sector. (c) if he becomes a member of a secret society or does any other thing disqualifying him from holding the office of Chairman or Councillors under this Act; or (d) if the Leader of the Area Legislative Council receives a certificate under the hand of the Commission stating that the provisions of section 116 of this Act have been complied with in respect of the recall of that member.	VACATION OF SEAT OF MEMBERS 114. Retained	Vacation of seat of members 114. (1) A member of an Area Council shall vacate his or her seat in the Council- (a) on the date given in his or her letter of resignation; (b) if he or she takes up full time paid employment at any level of the government or in the private sector; (c) if he or she becomes a member of a secret society or does any other thing disqualifying him or her from holding the office of	

	<p>(2) The Leader of the Area Legislative Council shall give effect to subsection (1) of this section, so that the Leader shall first present evidence satisfactory to the Area Council that any of the provisions of that subsection has become applicable in respect of that member.</p>		<p>Chairman or Councillors under this Bill; or</p> <p>(d) if the Leader of the Area Legislative Council receives a certificate under the hand of the Commission stating that the provisions of section 116 of this Bill have been complied with in respect of the recall of that member.</p> <p>(2) The Leader of the Area Legislative Council shall give effect to subsection (1), so that the Leader shall first present evidence satisfactory to the Area Council that any of the provisions of that subsection has become applicable in respect of that member.</p>	
<p>115.</p>	<p>REMOVAL OF CHAIRMAN OR VICE- CHAIRMAN 115. (1) The Chairman or Vice-Chairman may be removed from office in accordance with the provision of this section. (2) Whenever a notice of any allegation of gross misconduct in writing signed by not less than one-third of the members of the Area Legislative Council stating that the holder of the office of Chairman or</p>	<p>REMOVAL OF CHAIRMAN OR VICE- CHAIRMAN 115. Retained</p>	<p>REMOVAL OF CHAIRMAN OR VICE- CHAIRMAN 115. (1) The Chairman or Vice-Chairman may be removed from office in accordance with the provision of this section. (2) Whenever a notice of any allegation of gross misconduct</p>	

	<p>Vice-Chairman is guilty of misconduct in the performance of the functions of his office, detailed particulars of which shall be specified are presented to the Speaker of the Area Legislative Council.</p> <p>(3) The Leader of the Area Legislative Council shall, within 7 days of the notice, cause a copy of the notice to be served on the holder of the office and on each member of the Area Legislative Council and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member of the Area Legislative Council.</p> <p>(4) Within 14 days of the presentation of the notice, (whether or not any statement was made by the holder of the office in reply to the allegation contained in notice) the Area Legislative Council, shall resolve by motion without any debate whether or not the allegation shall be investigated.</p> <p>(5) A motion of the Area Legislative Council that the allegation be investigated shall not be declared as having been passed unless it is supported by the votes of not less than two-thirds majority of all the members of the Area Legislative Council.</p> <p>(6) Within 7 days of the passing of a motion under subsection (4) of this section, the leader of the Area Legislative Council shall inform the Chief Judge of the Federal Capital Territory, Abuja, who</p>		<p>in writing signed by not less than one-third of the members of the Area Legislative Council stating that the holder of the office of Chairman or Vice-Chairman is guilty of misconduct in the performance of the functions of his office, detailed particulars of which shall be specified are presented to the Speaker of the Area Legislative Council.</p> <p>(3) The Leader of the Area Legislative Council shall, within seven days of the notice, cause a copy of the notice to be served on the holder of the office and on each member of the Area Legislative Council and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member of the Area Legislative Council.</p> <p>(4) Within 14 days of the presentation of the notice, (whether or not any statement was made by the holder of the office in reply to the allegation contained in notice) the Area</p>	
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	<p>shall appoint a Panel of 7 persons who in the opinion of the Chief Judge are of unquestionable integrity not being members of -</p> <ul style="list-style-type: none"> (a) any public or civil service; (b) a legislative house; or (c) a political party to investigate the allegation as provided in this section. <p>(7) The holder of an office whose conduct is being investigated under this section shall have the right to defend himself in person or be represented before the Panel by a legal practitioner of his own choice.</p> <p>(8) A Panel appointed under this section shall –</p> <ul style="list-style-type: none"> (a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by an Act of the National Assembly; (b) within three months of its appointment, report its findings to the Area Legislative Council. <p>(9) Where the Panel reports to the Area Legislative Council that the allegation has not been proven no further proceedings shall be taken in respect of the matter.</p> <p>(10) Where the report of the Panel is that the allegation against the holder of the office has been proved, then within 14 days of the receipt of the report, the Area Legislative Council shall consider the</p>		<p>Legislative Council, shall resolve by motion without any debate whether or not the allegation shall be investigated.</p> <p>(5) A motion of the Area Legislative Council that the allegation be investigated shall not be declared as having been passed unless it is supported by the votes of not less than two-thirds majority of all the members of the Area Legislative Council.</p> <p>(6) Within seven days of the passing of a motion under subsection (4), the leader of the Area Legislative Council shall inform the Chief Judge of the Federal Capital Territory, Abuja, who shall appoint a Panel of seven persons who in the opinion of the Chief Judge are of unquestionable integrity not being members of -</p> <ul style="list-style-type: none"> (a) any public or civil service; (b) a legislative house; or 	
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	<p>report and if by a resolution of the Area Council supported by not less than two thirds majority of all its members, the report of the Panel is adopted then the holder of the office shall stand removed from office as from the date of the adoption of the report.</p>		<p>(c) a political party, to investigate the allegation as provided in this section.</p> <p>(7) The holder of an office whose conduct is being investigated under this section shall have the right to defend his or herself in person or be represented before the Panel by a legal practitioner of his or her own choice.</p> <p>(8) A Panel appointed under this section shall –</p> <p>(a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by an Act of the National Assembly; and</p> <p>(b) within three months of its appointment, report its findings to the Area Legislative Council.</p> <p>(9) Where the Panel reports to the Area Legislative Council that the allegation has not been proven, no further</p>	
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			<p>proceedings shall be taken in respect of the matter.</p> <p>(10) Where the report of the Panel is that the allegation against the holder of the office has been proved, then within 14 days of the receipt of the report, the Area Legislative Council shall consider the report and if by a resolution of the Area Council supported by not less than two-thirds majority of all its members the report of the Panel is adopted, then the holder of the office shall stand removed from office as from the date of the adoption of the report.</p>	
<p>115A.</p>	<p>PERMANENT INCAPACITY OF CHAIRMAN OR VICE-CHAIRMAN OF AN AREA COUNCIL</p> <p>115A. (1) The Chairman or Vice-Chairman of an Area Council shall cease to hold office if:</p> <p>(a) by resolution passed by two-thirds majority of all members of the Executive Council of the Area Council, it is declared that the Chairman or Vice-Chairman is incapable of discharging the functions of his office; and</p>	<p>PERMANENT INCAPACITY OF CHAIRMAN OR VICE-CHAIRMAN OF AN AREA COUNCIL</p> <p>115A. Retained</p>	<p>Permanent incapacity of Chairman or Vice-Chairman of an Area Council</p> <p>115A. (1) The Chairman or Vice-Chairman of an Area Council shall cease to hold office if -</p> <p>(a) by resolution passed by two-thirds majority of all members of the Executive Council of the Area Council, it is</p>	

	<p>(b) the declaration in paragraph (a) of this subsection is verified, after such medical examination panel established under subsection (4) of this section in its report to the Speaker to the Area Legislative Council.</p> <p>(2) Where the medical panel certifies in its report that, in its opinion, the Chairman or Vice-Chairman is suffering from such infirmity of body or mind as renders him permanently incapable of discharging the functions of his office, a notice signed by the Speaker of the Area Legislative Council shall be published in the Official Gazette of the Area Council.</p> <p>(3) The Chairman or Vice-Chairman shall cease to hold office as from the date of publication of the notice of the medical report pursuant to subsection (2) of this section.</p> <p>(4) The medical panel to which this section relates shall be appointed by the Speaker of the Area Legislative Council and shall consist of five medical practitioners in Nigeria –</p> <p>(a) one of whom shall be the personal physician of the holder of the office concerned; and</p> <p>(b) four other medical practitioners who have, in the opinion of the Speaker of the Area Legislative Council, attained a high degree of</p>		<p>declared that the Chairman or Vice-Chairman is incapable of discharging the functions of his or her office; and</p> <p>(b) the declaration in paragraph (a) is verified, after such medical examination panel established under subsection (4) in its report to the Speaker to the Area Legislative Council.</p> <p>(2) Where the medical panel certifies in its report that, in its opinion, the Chairman or Vice-Chairman is suffering from such infirmity of body or mind as renders him permanently incapable of discharging the functions of his office, a notice signed by the Speaker of the Area Legislative Council shall be published in the Official Gazette of the Area Council.</p> <p>(3) The Chairman or Vice-Chairman shall cease to hold office as from the date of publication of the notice of</p>	
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	<p>eminence in the field of medicine relative to the nature of examination to be conducted in accordance with the provisions of this section.</p> <p>(5) In this section, the reference to “Executive Council of the Area Council” is a reference to the body of Supervisory Councilors of the Area Council, established by the Chairman and charged with such responsibility for the functions of government as the Chairman may direct”.</p>		<p>the medical report pursuant to subsection (2).</p> <p>(4) The medical panel to which this section relates shall be appointed by the Speaker of the Area Legislative Council and shall consist of five medical practitioners in Nigeria –</p> <p>(a) one of whom shall be the personal physician of the holder of the office concerned; and</p> <p>(b) four other medical practitioners who have, in the opinion of the Speaker of the Area Legislative Council, attained a high degree of eminence in the field of medicine relative to the nature of examination to be conducted in accordance with the provisions of this section.</p> <p>(5) In this section, the reference to “Executive Council of the Area Council” is a reference to the body of Supervisory Councilors of the Area Council, established by the Chairman and charged with such responsibility for the functions of government as the Chairman may direct”.</p>	
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<p>115B.</p>	<p>DISCHARGE OF FUNCTIONS OF CHAIRMAN OR VICE-CHAIRMAN OF AN AREA COUNCIL</p> <p>115B. (1) The Vice Chairman of an Area Council shall hold the office of the Chairman of the Area Council if the office of the Chairman becomes vacant by reason of death, resignation, permanent incapacity or removal of the Chairman from office for any other reason in accordance with section 115 or 116 of this Act.</p> <p>(2) Where any vacancy occurs in the circumstances mentioned in subsection (1) of this section during a period when the office of Vice-Chairman of the Area Council is also vacant, the Speaker of the Area Legislative Council shall hold office of the Chairman of the Area Council for a period of not less than three months, during which there shall be an election of a new Chairman of the Area Council who shall hold office for the unexpired term of office of the last holder of the office.</p> <p>(3) Where the office of the Vice-Chairman becomes vacant –</p> <p>(a) by reason of death, resignation, permanent incapacity or removal in accordance with section 115 or 116 of this Act,</p> <p>(b) by his assumption of the office of Chairman of an Area Council in</p>	<p>DISCHARGE OF FUNCTIONS OF CHAIRMAN OR VICE-CHAIRMAN OF AN AREA COUNCIL</p> <p>115B. Retained</p>	<p>Discharge of functions of Chairman or Vice-Chairman of an Area Council</p> <p>115B. (1) The Vice Chairman of an Area Council shall hold the office of the Chairman of the Area Council if the office of the Chairman becomes vacant by reason of death, resignation, permanent incapacity or removal of the Chairman from office for any other reason in accordance with section 110 or 111 of this Bill.</p> <p>(2) Where any vacancy occurs in the circumstances mentioned in subsection (1) during a period when the office of Vice-Chairman of the Area Council is also vacant, the Speaker of the Area Legislative Council shall hold office of the Chairman of the Area Council for a period of not less than three months, during which there shall be an election of a new Chairman of the Area Council who shall hold office for the unexpired term of office of the last holder of the office.</p>
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	<p>accordance with subsection (1) of this section, or</p> <p>(c) for any reason, the Chairman shall nominate and, with the approval of the legislative arm of the Area Council, appoint a new Vice-Chairman.</p>		<p>(3) Where the office of the Vice-Chairman becomes vacant –</p> <p>(a) by reason of death, resignation, permanent incapacity or removal in accordance with section 110 or 111 of this Bill,</p> <p>(b) by his assumption of the office of Chairman of an Area Council in accordance with subsection (1), or</p> <p>(c) for any reason, the Chairman shall nominate and, with the approval of the legislative arm of the Area Council, appoint a new Vice-Chairman.</p>	
<p>116.</p>	<p>RECALL</p> <p>116. a member of an area council may be recalled as a member if-</p> <p>(a) there is presented to the chairman of the commission a petition in that behalf signed by not less than one-half of the persons registered to vote in that member's constituency alleging their loss of confidence in that member and which signatures are duly verified by the independent national electoral commission; and</p>	<p>RECALL</p> <p>116. Retained</p>	<p>Recall</p> <p>116. A member of an area council may be recalled as a member if-</p> <p>(a) there is presented to the chairman of the commission a petition in that behalf signed by not less than one-half of the persons registered to vote in that member's constituency alleging their loss of confidence in that</p>	

	<p>the register of voters for a constituency in which he is not entitled to be registered or causes himself to be registered in more than one registration or revision centre;</p> <p>(d) publishes any statement or report which he knows to be false or does not believe to be true so as to prevent persons who are qualified to register from registering as voters;</p> <p>(e) makes in any record, register or document which he is required to prepare, publish or keep for the purpose of registration, any entry or statement which he knows to be false or does not believe to be true;</p> <p>(f) impedes or obstructs a registration officer or a revision officer in the performance of his duties;</p> <p>(g) without proper authority, wears the identification of a registration officer or assistant registration officer or wears any other identification purporting to be the identification of a registration officer or assistant registration officer;</p> <p>(h) forges a registration card; or</p> <p>(i) carries out registration or revision of voters at a centre or place not designated by the Commission; commits an offence and liable on conviction to a maximum fine of N1,000,000.00 or to 12 months imprisonment or to both.</p>		<p>howsoever, included in the register of voters for a constituency in which he or she is not entitled to be registered or causes his or herself to be registered in more than one registration or revision centre;</p> <p>(d) publishes any statement or report which he or she knows to be false or does not believe to be true so as to prevent persons who are qualified to register from registering as voters;</p> <p>(e) makes in any record, register or document which he or she is required to prepare, publish or keep for the purpose of registration, any entry or statement which he or she knows to be false or does not believe to be true;</p> <p>(f) impedes or obstructs a Registration Officer or a Revision Officer in the performance of his or her duties;</p>	
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			<p>(g) without proper authority, wears the identification of a registration officer or assistant registration officer or wears any other identification purporting to be the identification of a registration officer or assistant registration officer;</p> <p>(h) forges a registration card; or</p> <p>(i) carries out registration or revision of voters at a centre or place not designated by the Commission, commits an offence and is liable on conviction to a maximum fine of N1,000,000.00 or to imprisonment for a term of 12 months or both.</p>	
118.	<p>OFFENCES IN RESPECT OF NOMINATION, ETC</p> <p>118. (1) A person who—</p> <p>(a) forges any nomination paper or result form;</p> <p>(b) willfully defaces or destroys any nomination paper or result form;</p> <p>(c) delivers to an electoral officer any nomination paper or result form knowing it to be forged;</p>	<p>OFFENCES IN RESPECT OF NOMINATION, ETC</p> <p>118. Retained</p>	<p>Offences in respect of nomination, etc.</p> <p>118. (1) A person who—</p> <p>(a) forges any nomination paper or result form;</p>	

	<p>(d) signs a nomination paper or result form as a candidate in more than one constituency at the same election;</p> <p>(e) forges any ballot paper or official mark on any ballot paper or any certificate of return or result form;</p> <p>(f) willfully destroys any ballot paper or official mark on any ballot paper or any certificate of return or result form;</p> <p>(g) without authority gives a ballot paper or result form to any person;</p> <p>(h) willfully places in any ballot box any unauthorized paper or result form;</p> <p>(i) willfully removes from a polling station any ballot paper or result form whether or not the ballot paper or result form was issued to him in that polling station;</p> <p>(j) without authority destroys or in any other manner interferes with a ballot box or its contents or any ballot paper or result form then in use or likely to be used for the purpose of an election;</p> <p>(k) signs a nomination paper consenting to be a candidate at an election knowing that he is ineligible to be a candidate at that election, commit an offence.</p> <p>(2) A person who commits an offence under subsection (1) of this section is</p>		<p>(b) willfully defaces or destroys any nomination paper or result form;</p> <p>(c) delivers to an electoral officer any nomination paper or result form knowing it to be forged;</p> <p>(d) signs a nomination paper or result form as a candidate in more than one constituency at the same election;</p> <p>(e) forges any ballot paper or official mark on any ballot paper or any certificate of return or result form;</p> <p>(f) willfully destroys any ballot paper or official mark on any ballot paper or any certificate of return or result form;</p> <p>(g) without authority gives a ballot paper or result form to any person;</p> <p>(h) willfully places in any ballot box any unauthorised paper or result form;</p> <p>(i) willfully removes from a polling station any ballot paper or result form whether or not the</p>	
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	<p>liable on conviction to a maximum term of imprisonment for 2 years.</p> <p>(3) A person who—</p> <p>(a) without proper authority prints a ballot paper or what purports to be or is capable of being used as a ballot paper or result form at an election;</p> <p>(b) being authorized by the Commission to print ballot papers or result form prints more than the number or quantity the Commission authorized;</p> <p>(c) without authority, is found in possession of a ballot paper or result form when he is not in the process of voting and at a time when the election for which the ballot paper or result form is intended is not yet completed;</p> <p>(d) manufactures, constructs, imports into Nigeria, has in his possession, supplies to any election official or uses for the purpose of an election, or causes to be manufactured, constructed or imported into Nigeria, supplies to any election official for use for the purpose of any election, any ballot box including any compartment, appliance, device or mechanism or by which a ballot paper or result form may or could be secretly placed or stored in, or having been deposited during polling may be secretly diverted, misplaced or manipulated, commits an offence.</p>		<p>ballot paper or result form was issued to him or her in that polling station;</p> <p>(j) without authority destroys or in any other manner interferes with a ballot box or its contents or any ballot paper or result form then in use or likely to be used for the purpose of an election;</p> <p>(k) signs a nomination paper consenting to be a candidate at an election knowing that he or she is ineligible to be a candidate at that election, commits an offence and is liable on conviction to a maximum term of imprisonment for 2 years.</p> <p>(2) A person who—</p> <p>(a) without proper authority prints a ballot paper or what purports to be or is capable of being used as a ballot paper or result form at an election;</p> <p>(b) being authorised by the Commission to print ballot papers or result form prints more than the</p>	
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	<p>(4) A person who commits an offence under subsection (3) of this section is liable on conviction to a maximum fine of N50,000,000.00 or for a term of imprisonment of not less than 10 years or to both.</p> <p>(5) An attempt to commit any offence under this section shall be punishable in the same manner as the offence itself.</p>		<p>number or quantity the Commission authorised;</p> <p>(c) without authority, is found in possession of a ballot paper or result form when he or she is not in the process of voting and at a time when the election for which the ballot paper or result form is intended is not yet completed;</p> <p>(d) manufactures, constructs, imports into Nigeria, has in his or her possession, supplies to any election official or uses for the purpose of an election, or causes to be manufactured, constructed or imported into Nigeria, supplies to any election official for use for the purpose of any election, any ballot box including any compartment, appliance, voting device or mechanism or by which a ballot paper or result form may or could be secretly placed or stored in, or having been deposited during polling may be secretly diverted, misplaced or manipulated, commits an offence and is liable on conviction to a maximum fine of N50,000,000.00 or imprisonment for a term not less than 10 years or both.</p>	
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			(3) An attempt to commit any offence under this section shall be punishable in the same manner as the offence itself.	
119.	<p>DISORDERLY BEHAVIOR AT POLITICAL MEETINGS</p> <p>119. Any person who, at a political meeting held after the date for an election has been announced-</p> <p>(a) acts or incites another to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was convened; or</p> <p>(b) has in his possession an offensive weapon or missiles; commits an offence and liable on conviction to a maximum fine of N500,000.00 or imprisonment for 12 months or both.</p>	<p>DISORDERLY BEHAVIOR AT POLITICAL MEETINGS</p> <p>119. Retained</p>	<p>Disorderly behavior at political meetings</p> <p>119. Any person who, at a political meeting -</p> <p>(a) acts or incites another to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was convened; or</p> <p>(b) has in his possession an offensive weapon or missiles; commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p>	
120.	<p>IMPROPER USE OF VOTERS CARDS</p> <p>120. Any person who-</p> <p>(a) being entitled to a voters card, gives it to some other person for use at an election other than an officer</p>	<p>IMPROPER USE OF VOTERS CARDS</p> <p>120. Retained</p>	<p>Improper use of voters cards</p> <p>120. Any person who-</p> <p>(a) being entitled to a voters card, gives it to some other person for</p>	

	<p>appointed and acting in the course of his duty under this Act.;</p> <p>(b) Not being an officer acting in the course of his duty under this Act, receives any voters card in the name of some other person or persons for use at an election uses it fraudulently;</p> <p>(c) without lawful excuse has in his possession more than one Voters Card; or</p> <p>(d) buys, sells, procures or deals, with a voters card otherwise than as provided in this Act; commits an offence and shall be liable on conviction to a maximum fine of N1,000,000 or imprisonment for 12 months or both.</p>		<p>use at an election other than an officer appointed and acting in the course of his or her duty under this Bill;</p> <p>(b) not being an officer acting in the course of his or her duty under this Bill, receives any voters card in the name of some other person or persons for use at an election uses it fraudulently;</p> <p>(c) without lawful excuse has in his possession more than one voters card; or</p> <p>(d) buys, sells, procures or deals, with a voters card otherwise than as provided in this Bill, commits an offence and is liable on conviction to a maximum fine of N1,000,000 or imprisonment for a term of 12 months or both.</p>	
121.	<p>IMPROPER USE OF VEHICLES</p> <p>121. (1) No person shall provide for the purpose of <i>conveying</i> any other person to a registration office or to a polling unit any government vehicle or boat, or any vehicle or boat belonging to a public corporation except in respect of a person who is ordinarily entitled to use such vehicle or boat and in emergency in respect of an electoral officer.</p>	<p>IMPROPER USE OF VEHICLES</p> <p>121. Retained</p>	<p>Improper use of vehicles</p> <p>121. (1) No person shall provide for the purpose of conveying any other person to a registration office or to a polling unit any government vehicle or boat, or any vehicle or boat belonging to a public corporation except in respect of a person who is</p>	

	(2) Any person who contravenes the provisions of this section; shall be guilty of an offence and liable on conviction to a maximum fine of N500,000.00 or to imprisonment for six months or to both.		ordinarily entitled to use such vehicle or boat and in emergency in respect of an electoral officer. (2) Any person who contravenes the provisions of this section, commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of six months or both.	
122.	<p>IMPERSONATION AND VOTING WHEN NOT QUALIFIED</p> <p>122. (1) Any person who-</p> <p>(a) applies to be included in any list of voters in the name of some other person, whether such name is that of a person living or dead or of a fictitious person;</p> <p>(b) having once to his knowledge been properly included in a list of voters under this Act as a voter entitled to vote at any election, applies, except as authorized by this Act, to be included in any other list of voters prepared for any Constituency as a voter at an election;</p> <p>(c) applies for a Ballot Paper in the name of some other person, whether such name is that of a person living or dead or of a fictitious person;</p>	<p>IMPERSONATION AND VOTING WHEN NOT QUALIFIED</p> <p>122. Retained</p>	<p>Impersonation and voting when not qualified</p> <p>122. (1) Any person who-</p> <p>(a) Deleted</p> <p>(b) having once to his or her knowledge been improperly included in a list of voters under this Bill as a voter entitled to vote at any election, applies, except as authorised by this Bill, to be included in any other list of voters prepared for any constituency as a voter at an election;</p> <p>(c) applies for a ballot paper in the name of some other person, whether</p>	<p>Has been addressed in section 23(1)(c)</p>

	<p>(d) having voted once at an election applies at the same election for another ballot paper;</p> <p>(e) votes or attempts to vote at an election knowing that he is not qualified to vote at the election; or</p> <p>(f) induces or procures any other person to vote at an election knowing that such other person is not qualified to vote at the election, commits an offence and shall be liable on conviction to a maximum fine of N500,000.00 or 12 months imprisonment or both.</p> <p><i>(2) Any person who commits the offence of impersonation or who aids, abets, counsels or procures the commission of that offence, shall be liable on conviction to a maximum fine of N500, 000 or imprisonment for 12 months or both.</i></p> <p>(3) No person charged with the offence of impersonation shall be convicted except on the evidence of at least two witnesses.</p>		<p>such name is that of a person living or dead or of a fictitious person;</p> <p>(d) having voted once at an election applies at the same election for another ballot paper;</p> <p>(e) votes or attempts to vote at an election knowing that he or she is not qualified to vote at the election; or</p> <p>(f) induces or procures any other person to vote at an election knowing that such other person is not qualified to vote at the election, commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(2) Any person who commits the offence of impersonation or who aids, abets, counsels or procures the commission of that offence, is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(3) Deleted</p>	<p>Standard for criminal conviction is</p>
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				“beyond reasonable doubt”
123.	<p>DERELICTION OF DUTY</p> <p>123. (1) Any officer appointed for the purposes of this Act, who without lawful excuse commits any act or omits to act in breach of his official duty commits an offence and on conviction is to a maximum fine of N500,000 .00or to imprisonment for 12 months or both.</p> <p>(2) Any Polling Officer who fails to report promptly at his polling unit on an election day without lawful excuse commits an offence of dereliction of duty and on conviction shall be liable to maximum fine of N500,000.00 or 12 months imprisonment or both.</p> <p><i>(3A) Any Polling Officer, Political Party or Party Agent who conspires to make false declaration of result of an election commits an offence and is liable on conviction to a maximum fine of N500,000:00 or 12 months imprisonment or both.</i></p> <p>(4) Any person who announces or publishes an election result knowing same to be false or which is at variance with the signed certificate of return commits and offence and on conviction shall be liable to 36 months imprisonment.</p> <p>(5) Any Returning Officer or Collation Officer who delivers or causes to be</p>	<p>DERELICTION OF DUTY</p> <p>123. Retained</p>	<p>Dereliction of duty</p> <p>123. (1) Any officer appointed for the purposes of this Bill, who without lawful excuse commits any act or omits to act in breach of his or her official duty commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(2) Any Polling official who fails to report promptly at his or her polling unit on an election day without lawful excuse commits an offence of dereliction of duty and is liable on conviction to maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(3) Any polling agent, political party or party agent who conspires to make false declaration of result of an election commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p>	

	<p>delivered a false certificate of return knowing same to be false, commits an offence and on conviction shall be liable to a maximum imprisonment for 3 years without an option of fine.</p> <p>(6) Any person who delivers or causes to be delivered a false certificate of return knowing same to be false to any news media commits an offence and is liable on conviction to imprisonment for 3 years.</p>		<p>(4) Any person who announces or publishes an election result knowing same to be false or which is at variance with the signed certificate of return commits an offence and is liable on conviction to imprisonment for a term of 36 months.</p> <p>(5) Any Returning Officer or Collation Officer who delivers or causes to be delivered a false certificate of return knowing same to be false, commits an offence and is liable on conviction to imprisonment for a maximum of three years without an option of fine.</p> <p>(6) Any person who delivers or causes to be delivered a false certificate of return knowing same to be false to any news media commits an offence and is liable on conviction to imprisonment for a term of three years.</p>	
<p>124.</p>	<p>BRIBERY AND CONSPIRACY 124. (1) Any person who does any of the following: (a) deleted (b) directly or indirectly, by himself or by any other person on his behalf, corruptly makes any gift, loan, offer, promise, procurement or agreement to</p>	<p>BRIBERY AND CONSPIRACY 124. Retained</p>	<p>Bribery and conspiracy</p> <p>124. (1) Any person who does any of the following -</p> <p>(a) directly or indirectly, by his or herself or by any other</p>	

	<p>or for any person, in order to induce such person to procure or to endeavour to procure the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;</p> <p>(c) upon or in consequence of any gift, loan, offer, promise, procurement or agreement corruptly procures, or engages or promises or endeavours to procure, the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;</p> <p>(d) advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;</p> <p>(e) after any election directly, or indirectly, by himself, or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting or having induced any candidate to refrain from</p>		<p>person on his or her behalf, corruptly makes any gift, loan, offer, promise, procurement or agreement to or for any person, in order to induce such person to procure or to endeavour to procure the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;</p> <p>(b) upon or in consequence of any gift, loan, offer, promise, procurement or agreement corruptly procures, or engages or promises or endeavours to procure, the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;</p> <p>(c) advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part</p>	
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	<p>canvassing for votes for himself at any such election, commits an offence and on conviction is liable to a maximum fine of N500,000.00 or 12 months imprisonment or both.</p> <p>(2) A voter commits an offence of bribery where before or during an election directly or indirectly himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for himself, or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election.</p> <p>(3) Nothing in this section shall extend or apply to money paid or agreed to be paid for or on account of any lawful expenses bona fide incurred at or concerning any election.</p> <p>(4) Any person who commits the offence of bribery is liable on conviction to a maximum fine of N500,000.00 or imprisonment for 12 months or both.</p> <p>(5) Any person who conspires, aids or abets any other person to commit any of the offences under this part of this Act shall be guilty of the same offence and punishment thereto.</p> <p>(6) For the purposes of this Act, a candidate shall be deemed to have committed an offence if it was committed with his knowledge and consent or the knowledge and consent of a person who</p>		<p>expended in bribery at any election;</p> <p>(d) after any election directly, or indirectly, by his or herself, or by any other person on his or her behalf receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting or having induced any candidate to refrain from canvassing for votes for his or herself at any such election, commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(2) A voter commits an offence of bribery where before or during an election directly or indirectly by his or herself or by any other person on his or her behalf, receives, agrees or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for his or herself, or for any other person, for voting or agreeing to vote or for refraining</p>	
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	<p>is acting under the general or special authority of the candidate with reference to the election.</p>		<p>or agreeing to refrain from voting at any such election.</p> <p>(3) Nothing in this section shall extend or apply to money paid or agreed to be paid for or on account of any lawful expenses <i>bona fide</i> incurred at or concerning any election.</p> <p>(4) Any person who commits the offence of bribery is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p> <p>(5) Any person who conspires, aids or abets any other person to commit any of the offences under this part of this Bill commits the same offence and is liable to the same punishment thereto.</p> <p>(6) For the purposes of this Bill, a candidate shall be deemed to have committed an offence if it was committed with his or her knowledge and consent.</p>	
<p>125.</p>	<p>REQUIREMENT OF SECRECY IN VOTING 125. (1) Every person in attendance at a polling unit including every officer charged with the conduct of an election</p>	<p>REQUIREMENT OF SECRECY IN VOTING 125. Retained</p>	<p>Requirement of secrecy in voting</p> <p>125. (1) Every person in attendance at a polling unit including every officer</p>	

	<p>and his or her assistants and every polling agent and candidate in attendance at a polling station or at the collation centre, as the case may be, shall maintain and aid in maintaining the secrecy of the voting.</p> <p>(2) No person in attendance at a polling booth under this section shall, except for some purpose authorized by law, communicate to any person information as to the name or number on the register of any voter who has or has not voted at the place of voting.</p> <p>(3) No person shall:</p> <p>(a) interfere with a voter casting his vote, or by any other means obtain or attempt to obtain in a polling unit information as to the candidate for whom a voter in that place is about to vote for or has voted for; or</p> <p>(b) communicate at any time to any other person information obtained in a polling unit as to the candidate to whom a voter is about to vote or has voted for.</p> <p>(4) Any person acting contrary to the provisions of this section commits an offence and shall be liable upon conviction to a maximum fine of N100,000.00 or to imprisonment for a term of 6 months or both.</p>		<p>charged with the conduct of an election and his or her assistants and every polling agent and candidate in attendance at a polling station or at the collation centre, as the case may be, shall maintain and aid in maintaining the secrecy of the voting.</p> <p>(2) No person in attendance at a polling booth under this section shall, except for some purpose authorised by law, communicate to any person information as to the name or number on the register of any voter who has or has not voted at the place of voting.</p> <p>(3) No person shall -</p> <p>(a) interfere with a voter casting his or her vote, or by any other means obtain or attempt to obtain in a polling unit information as to the candidate for whom a voter in that place is about to vote for or has voted for; or</p> <p>(b) communicate at any time to any other person information obtained in a polling unit as to the candidate to whom a</p>	
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			<p>voter is about to vote or has voted for.</p> <p>(4) Any person acting contrary to the provisions of this section commits an offence and is liable on conviction to a maximum fine of N100,000.00 or to imprisonment for a term of three months or both.</p>	
126.	<p>WRONGFUL VOTING AND FALSE STATEMENTS</p> <p>126. Any person who:</p> <p>(a) votes at an election or induces or procures any person to vote at an election, knowing that he or such person is prohibited from voting thereat; or</p> <p>(b) before or during an election, publishes any statement of the withdrawal of a candidate at such election knowing it to be false or reckless as to its truth or falsity; or</p> <p>(c) before or during an election publishes any statement as to the personal character or conduct of a candidate calculated to prejudice the chance of election of the candidate or to promote or procure the election of another candidate and such statement is false and was published without reasonable grounds for belief by the person publishing it that the statement is true, commits an offence and shall</p>	<p>WRONGFUL VOTING AND FALSE STATEMENTS</p> <p>126. Retained</p>	<p>Wrongful voting and false statements</p> <p>126. Any person who -</p> <p>(a) votes at an election or induces or procures any person to vote at an election, knowing that he or she or such person is prohibited from voting at the election;</p> <p>(b) before or during an election, publishes any statement of the withdrawal of a candidate at such election knowing it to be false or reckless as to its truth or falsity; or</p> <p>(c) before or during an election publishes any statement as to the personal character or conduct of a candidate calculated to prejudice the chance of election of the candidate or to promote or</p>	

	be liable on conviction to a maximum fine of N100,000.00 or imprisonment for a term of 6 months or both.		procure the election of another candidate and such statement is false and was published without reasonable grounds for belief by the person publishing it that the statement is true, commits an offence and is liable on conviction to a maximum fine of N100,000.00 or imprisonment for a term of six months or both.	
127.	<p>VOTING BY UNREGISTERED PERSON</p> <p>127. (1) Any person who knowingly votes or attempts to vote in a constituency in respect of which his name is not on the register of voters commits an offence and is liable on conviction to a maximum fine of N100,000.00 or to imprisonment for a term of 6 months or both.</p> <p>(2) Any person who knowingly brings into a polling unit during an election a voter's card issued to another person commits an offence and is liable on conviction to a fine of N100,000.00 or to imprisonment for a term of 6 months or both.</p>	<p>VOTING BY UNREGISTERED PERSON</p> <p>127. Retained</p>	<p>Voting by unregistered person</p> <p>127. (1) Any person who knowingly votes or attempts to vote in a constituency in respect of which his or her name is not on the register of voters commits an offence and is liable on conviction to a maximum fine of N100,000.00 or to imprisonment for a term of six months or both.</p> <p>(2) Any person who knowingly brings into a polling unit during an election a voter's card issued to another person commits an offence and is liable on conviction to a fine of N100,000.00 or to imprisonment for a term of six months or both.</p>	
	DISORDERLY CONDUCT AT ELECTIONS	DISORDERLY CONDUCT AT ELECTIONS	Disorderly conduct at elections	

<p>128.</p>	<p>128. Any person who at an election acts or incites others to act in a disorderly manner commits an offence and shall be liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p>	<p>128. Retained</p>	<p>128. Any person who at an election acts or incites others to act in a disorderly manner commits an offence and is liable on conviction to a maximum fine of N500,000.00 or imprisonment for a term of 12 months or both.</p>	
<p>129.</p>	<p>OFFENCES ON ELECTION DAY 129. (1) No person shall on the date on which an election is held do any of the following acts or things in a polling unit or within a distance of 300 metres of a polling unit-</p> <ul style="list-style-type: none"> (a) canvass for votes; (b) solicit for the vote of any voter; (c) persuade any voter not to vote for any particular candidate; (d) persuade any voter not to vote at the election; (e) shout slogans concerning the election; (f) be in possession of any offensive weapon or wear any dress or have any facial or other decoration which in any event is calculated to intimidate voters; (g) exhibit, wear or tender any notice, symbol, photograph or party card referring to the election; 	<p>OFFENCES ON ELECTION DAY 129. Retained</p>	<p>Offences on election day</p> <p>129. (1) No person shall do any of the following acts or things in a polling unit or within a distance of 300 metres of a polling unit on the date on which an election is held -</p> <ul style="list-style-type: none"> (a) canvass for votes; (b) solicit for the vote of any voter; (c) persuade any voter not to vote for any particular candidate; (d) persuade any voter not to vote at the election; (e) shout slogans concerning the election; (f) be in possession of any offensive weapon or wear any 	

	<p>(h) use any vehicle bearing the colour or symbol of a political party by any means whatsoever;</p> <p>(i) loiter without lawful excuse after voting or after being refused to vote;</p> <p>(j) snatch or destroy any election materials; and</p> <p>(k) blare siren.</p> <p>(2) No person shall within the vicinity of a polling unit or collation centre on the day of which an election is held:</p> <p>(a) convene, hold or attend any public meeting during the hours of poll as may be prescribed by the Commission;</p> <p>(b) unless appointed under this Act to make official announcements, operate any megaphone, amplifier or public address apparatus;</p> <p>(c) wear or carry any badge, poster, banner, flag or symbol relating to a political party or to the election.</p> <p>(3) A person who contravenes any of the provisions of this section commits an offence and is liable on conviction to a fine of N100,000.00 or imprisonment for a term of 6 months for every such offence.</p> <p>(4) Any person who snatches or destroys any election material commits an offence and is liable on conviction to 24 months imprisonment.</p>		<p>dress or have any facial or other decoration which in any event is calculated to intimidate voters;</p> <p>(g) exhibit, wear or tender any notice, symbol, photograph or party card referring to the election;</p> <p>(h) use any vehicle bearing the colour or symbol of a political party by any means whatsoever;</p> <p>(i) loiter without lawful excuse after voting or after being refused to vote;</p> <p>(j) snatch or destroy any election materials; and</p> <p>(k) blare siren.</p> <p>(2) No person shall within the vicinity of a polling unit or collation centre on the day of which an election is held -</p> <p>(a) convene, hold or attend any public meeting during the hours of poll as may be prescribed by the Commission;</p>	
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			<p>(b) unless appointed under this Bill to make official announcements, operate any megaphone, amplifier or public address apparatus; or</p> <p>(c) wear or carry any badge, poster, banner, flag or symbol relating to a political party or to the election.</p> <p>(3) A person who contravenes any of the provisions of this section commits an offence and is liable on conviction to a fine of N100,000.00 or imprisonment for a term of six months for every such offence.</p> <p>(4) Any person who snatches or destroys any election material or any election device, commits an offence and is liable on conviction to imprisonment for a term of 24 months.</p>	
130.	<p>UNDUE INFLUENCE 130. A person who— (a) corruptly by himself or by any other person at any time after the date of an election has been announced, directly or indirectly gives or provides or pays money to or for any person for the purpose of corruptly influencing that person or any other person to vote</p>	<p>UNDUE INFLUENCE 130. Retained</p>	<p>Undue influence</p> <p>130. A person who— (a) corruptly by his or herself or by any other person at any time after the date of an election has been announced, directly or indirectly gives or provides or</p>	

	<p>or refrain from voting at such election, or on account of such person or any other person having voted or refrained from voting at such election; or</p> <p>(b) being a voter, corruptly accepts or takes money or any other inducement during any of the period stated in paragraph (a) of this section, commits an offence and is liable on conviction to a fine of N100,000.00 or imprisonment for a term of 12 months or both.</p>		<p>pays money to or for any person for the purpose of corruptly influencing that person or any other person to vote or refrain from voting at such election, or on account of such person or any other person having voted or refrained from voting at such election; or</p> <p>(b) being a voter, corruptly accepts or takes money or any other inducement during any of the period stated in paragraph (a), commits an offence and is liable on conviction to a fine of N100,000.00 or imprisonment for a term of 12 months or both.</p>	
<p>131.</p>	<p>THREATENING</p> <p>131. A person who:</p> <p>(a) directly or indirectly, by himself or by another person on his behalf, makes use of or threatens to make use of any force, violence or restrain;</p> <p>(b) inflicts or threatens to inflict by himself or by any other person, any minor or serious injury, damage, harm or loss on or against a person in order to induce or compel that person to vote or refrain from voting, or on account of such person having voted or refrained from voting; or</p>	<p>THREATENING</p> <p>131. Retained</p>	<p>Threatening</p> <p>131. A person who -</p> <p>(a) directly or indirectly, by his or herself or by another person on his or her behalf, makes use of or threatens to make use of any force, violence or restrain;</p> <p>(b) inflicts or threatens to inflict by his or herself or by any other person, any minor or serious injury, damage, harm or loss on or against a person in order to induce</p>	

	<p>(c) by abduction, duress, or a fraudulent device or contrivance, impedes or prevents the free use of the vote by a voter or thereby compels, induces, or prevails on a voter to give or refrain from giving his vote,</p> <p>(d) prevents any political aspirants from free use of the media, designated vehicles, mobilization of political support and campaign at an election; commits an offence and is liable on conviction to a fine of N1,000,000 or imprisonment for 3 years.</p>		<p>or compel that person to vote or refrain from voting, or on account of such person having voted or refrained from voting;</p> <p>(c) by abduction, duress, or a fraudulent device or contrivance, impedes or prevents the free use of the vote by a voter or thereby compels, induces, or prevails on a voter to give or refrain from giving his vote; or</p> <p>(d) prevents any political aspirant from free use of the media, designated vehicles, mobilization of political support and campaign at an election, commits an offence and is liable on conviction to a fine of N1,000,000 or imprisonment for a term of three years.</p>	
132.	<p>OFFENCES RELATING TO RECALL</p> <p>132. The offences referred to in this Act shall apply to recall of a member of a Legislative House and a member of an Area Council.</p>	<p>OFFENCES RELATING TO RECALL</p> <p>132. Retained</p>	<p>Offences relating to recall</p> <p>132. The offences referred to in this Bill shall apply to recall of a member of a Legislative House and a member of an Area Council <i>mutatis mutandis</i>.</p>	
	PART VIII	PART VIII DETERMINATION OF ELECTION	PART VIII	

	DETERMINATION OF ELECTION PETITIONS ARISING FROM ELECTIONS	DETERMINATION OF ELECTION	DETERMINATION OF ELECTION PETITIONS ARISING FROM ELECTIONS	
133.	<p>PROCEEDINGS TO QUESTION AN ELECTION</p> <p>133. (1) No election and return at an election under this Act shall be questioned in any manner other than by a petition complaining of an undue election or undue return (in this Act referred to as an “election petition”) presented to the competent tribunal or court in accordance with the provisions of the Constitution or of this Act, and in which the person elected or returned is joined as a party.</p> <p>(2) In this part “tribunal or court” means—</p> <p>(a) in the case of Presidential election, the court of Appeal; and</p> <p>(b) in the case of any other elections under this Act, the election tribunal established under the Constitution or by this Act.</p> <p>(3) The election tribunals shall—</p> <p>(a) be constituted not later than 30 days before the election; and</p> <p>(b) when constituted, open their registries for business 7 days before the election.</p>	<p>PROCEEDINGS TO QUESTION AN ELECTION</p> <p>133. Retained</p>	<p>Proceedings to question an election</p> <p>133. (1) No election and return at an election under this Bill shall be questioned in any manner other than by a petition complaining of an undue election or undue return (in this Bill referred to as an “election petition”) presented to the competent tribunal or court in accordance with the provisions of the Constitution or of this Bill, and in which the person elected or returned is joined as a party.</p> <p>(2) In this part “tribunal or court” means—</p> <p>(a) in the case of Presidential election, the court of Appeal; and</p> <p>(b) in the case of any other elections under this Bill, the election tribunal established under the Constitution or by this Bill.</p>	

			<p>(3) The election tribunals shall—</p> <p>(a) be constituted not later than 30 days before the election; and</p> <p>(b) when constituted, open their registries for business seven days before the election.</p>	
134.	<p>ESTABLISHMENT OF AREA COUNCIL ELECTION TRIBUNAL</p> <p>134. (1) There shall be established for the Federal Capital Territory one or more Election Tribunals (in this Act referred to as the Area Council Election Tribunal) which shall, to the exclusion of any other court or tribunal, have original jurisdiction to hear and determine any question as to whether:</p> <p>(a) any person has been validly elected to the office of Chairman, Vice-Chairman or Councillor;</p> <p>(b) the term of office of any person elected to the office of Chairman, Vice-Chairman or Councillor has ceased;</p> <p>(c) the seat of a member of an Area Council has become vacant; and</p> <p>(d) a question or petition brought before the Area Council Election Tribunal has been properly or improperly brought;</p>	<p>ESTABLISHMENT OF AREA COUNCIL ELECTION TRIBUNAL</p> <p>134. Retained</p>	<p>Establishment of Area Council Election Tribunal</p> <p>134. (1) There is established for the Federal Capital Territory one or more Election Tribunals (in this Bill referred to as “the Area Council Election Tribunal”) which shall, to the exclusion of any other court or tribunal, have original jurisdiction to hear and determine any question as to whether -</p> <p>(a) any person has been validly elected to the office of Chairman, Vice-Chairman or Councillor;</p> <p>(b) the term of office of any person elected to the office of Chairman, Vice-Chairman or Councillor has ceased;</p>	

	<p>(2) An Area Council Election Tribunal shall consist of a Chairman and two other members.</p> <p>(3) The Chairman shall be a Chief Magistrate and two other members shall be appointed from among Magistrates of the Judiciary of the Federal Capital Territory, Abuja and legal practitioners of at least 10 years post-call experience, non-legal practitioners of unquestionable integrity or other members of the Judiciary of the Federal Capital Territory not below the rank of a Magistrate.</p> <p><i>(4) The Chairman and other members of the Area Council Election Tribunal shall be appointed by the Chief Judge of the High Court of the Federal Capital Territory, Abuja.</i></p> <p><i>(5) The Area Council Election tribunal shall –</i></p> <p><i>(a) be constituted not later than 21 days before the election; and</i></p> <p><i>(b) when constituted, open their registries for business not later than 8 days before the election.</i></p>		<p>(c) the seat of a member of an Area Council has become vacant; and</p> <p>(d) a question or petition brought before the Area Council Election Tribunal has been properly or improperly brought.</p> <p>(2) An Area Council Election Tribunal shall consist of a Chairman and two other members.</p> <p>(3) The Chairman shall be a Chief Magistrate and two other members shall be appointed from among Magistrates of the Judiciary of the Federal Capital Territory, Abuja and legal practitioners of at least 10 years post-call experience, non-legal practitioners of unquestionable integrity or other members of the Judiciary of the Federal Capital Territory not below the rank of a Magistrate.</p> <p>(4) The Chairman and other members of the Area Council Election Tribunal shall be appointed by the Chief Judge of the High Court of the Federal Capital Territory, Abuja.</p>	
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			<p>(5) The Area Council Election tribunal shall –</p> <p>(a) be constituted not later than 21 days before the election; and</p> <p>(b) when constituted, open their registries for business not later than eight days before the election.</p> <p>(6) An Area Council Election Tribunal shall deliver its judgement in writing within 90 days from the date of filing of the petition.</p>	
135.	<p>ESTABLISHMENT OF AREA COUNCIL ELECTION APPEAL TRIBUNAL</p> <p>135. (1) There shall be established for the Federal Capital Territory (FCT) the Area Council Election Appeal Tribunal which shall to the exclusion of any other court or tribunal hear and determine appeals arising from the decision of the Area Council Election Petition Tribunal.</p> <p>(2) The decision of the Area Council Election Appeal Tribunal in respect of Area Council elections shall be final.</p> <p>(3) An Area Council Election Appeal Tribunal shall consist of a Chairman and two other members and the Chairman shall be a Judge of the High Court and the two other members shall be appointed from among Judges of the High Court of</p>	<p>ESTABLISHMENT OF AREA COUNCIL ELECTION APPEAL TRIBUNAL</p> <p>135. Retained</p>	<p>Establishment of Area Council Election Appeal Tribunal</p> <p>135. (1) There shall be established for the Federal Capital Territory the Area Council Election Appeal Tribunal which shall to the exclusion of any other court or tribunal hear and determine appeals arising from the decision of the Area Council Election Petition Tribunal.</p> <p>(2) The decision of the Area Council Election Appeal Tribunal in respect of Area Council elections shall be final.</p>	

	<p>the Federal Capital Territory, Abuja, Kadis of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, Judges of the Customary Court of Appeal or other members of the Judiciary of the Federal Capital Territory, Abuja not below the rank of a Chief Magistrate.</p> <p>(4) The quorum of an Area Council Election Tribunal shall be the Chairman and one other member.</p> <p>(5) The Chairman and other members of the Area Council Election Appeal Tribunal shall be appointed by the Chief Judge of the High Court of the Federal Capital Territory, Abuja.</p> <p>(6) The Area Council Election Appeal Tribunal shall –</p> <p style="padding-left: 40px;">(a) be constituted not later than 14 days before the election; and</p> <p style="padding-left: 40px;">(b) when constituted, open their registries for business not later than 30 days after the election.</p> <p>(7) The quorum of the Area Council Election Appeal Tribunal when hearing any appeal from decisions of the Area Council Election Tribunal shall be all three members of the Appeal Tribunal.</p>		<p>(3) An Area Council Election Appeal Tribunal shall consist of a Chairman and two other members and the Chairman shall be a Judge of the High Court and the two other members shall be appointed from among Judges of the High Court of the Federal Capital Territory, Abuja, Kadis of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, Judges of the Customary Court of Appeal or other members of the Judiciary of the Federal Capital Territory, Abuja not below the rank of a Chief Magistrate.</p> <p>(4) Deleted</p> <p>(5) The Chairman and other members of the Area Council Election Appeal Tribunal shall be appointed by the Chief Judge of the High Court of the Federal Capital Territory, Abuja.</p> <p>(6) The Area Council Election Appeal Tribunal shall –</p> <p style="padding-left: 40px;">(a) be constituted not later than 14 days before the election; and</p> <p style="padding-left: 40px;">(b) when constituted, open their registries for business</p>	<p>Has been addressed in section 113(2)</p>
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			<p>not later than 30 days after the election.</p> <p>(7) The quorum of the Area Council Election Appeal Tribunal when hearing any appeal from decisions of the Area Council Election Tribunal shall be all three members of the Appeal Tribunal.</p> <p>(8) An election petition shall be filed within 21 days after the date of the declaration of result of the elections.</p> <p>(9) The Tribunal shall deliver a judgement in writing within 180 days from the date of the filing of the petition.</p> <p>(10) An appeal from a decision of an Area Council Election Tribunal shall be heard and disposed of within 60 days from the date of the delivery of judgement of the Tribunal.</p> <p>(11) The court in all appeals from election tribunal may adopt the practice of first giving its decision and reserving the reason to a later date.</p>	
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<p>136.</p>	<p>PERSONS ENTITLED TO PRESENT ELECTION PETITIONS 136. (1) An election petition may be presented by one or more of the following persons— (a) a candidate in an election; (b) a political party which participated in the election. (2) A person whose election is complained of is, in this Act, referred to as the respondent. (3) If the petitioner complains of the conduct of an Electoral Officer, a Presiding or Returning Officer, it shall not be necessary to join such officers or persons notwithstanding the nature of the complaint and the Commission shall, in this instance, be: (a) made a respondent; and (b) deemed to be defending the petition for itself and on behalf its officers or such other persons.</p>	<p>PERSONS ENTITLED TO PRESENT ELECTION PETITIONS 136. Retained</p>	<p>Persons entitled to present election petitions</p> <p>136. (1) An election petition may be presented by one or more of the following persons— (a) a candidate in an election; or (b) a political party which participated in the election. (2) A person whose election is complained of is, in this Bill, referred to as the respondent. (3) If the petitioner complains of the conduct of an Electoral Officer, a Presiding or Returning Officer, it shall not be necessary to join such officers or persons notwithstanding the nature of the complaint and the Commission shall, in this instance, be - (a) made a respondent; and</p>	
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			(b) deemed to be defending the petition for itself and on behalf its officers or such other persons.	
137.	<p> GROUNDS OF PETITION</p> <p>137. (1) An election may be questioned on any of the following grounds, that is to say-</p> <p>(a) that a person whose election is questioned was, at the time of the election, not qualified to contest the election;</p> <p>(b) that the election was invalid by reason of corrupt practices or non-compliance with the provisions of this Act;</p> <p>(c) that the respondent was not duly elected by majority of lawful votes cast at the election; or</p> <p>(d) that the petitioner or its candidate was validly nominated but was unlawfully excluded from the election.</p> <p><i>(e) That the person whose election is questioned had submitted to the Commission affidavit containing false information of a fundamental nature</i></p>	<p> GROUNDS OF PETITION</p> <p>137. Retained</p> <p>(b) that the election was invalid by reason of corrupt practices or non-compliance with the provisions of this Act, <i>and published manuals, guidelines, regulations and or procedures issued by the Commission for the conduct of the election.</i>”;</p> <p>Retained</p>	<p>Grounds of petition</p> <p>137. (1) An election may be questioned on any of the following grounds -</p> <p>(a) a person whose election is questioned was, at the time of the election, not qualified to contest the election;</p> <p>(b) the election was invalid by reason of corrupt practices or non-compliance with the provisions of this Bill; or</p> <p>(c) the respondent was not duly elected by majority of lawful votes cast at the election.</p> <p>(2) An act or omission which may be contrary to an instruction or</p>	<p>a. This takes of the need to guarantee compliance with electoral guidelines/manuals issued by the Commission .</p> <p>b. Qualifications to contest an election are more clearly defined.</p>

	<p><i>in aid of his qualification for the election.</i></p> <p>(2) An act or omission which may be contrary to an instruction or directive of the Commission or of an officer appointed for the purpose of the election but which is not contrary to the provisions of this Act shall not of itself be a ground for questioning the election.</p> <p>New Insertion</p>	<p><i>Retained</i></p> <p><i>“(3) With respect to subsection (1) (a) of this Section, a person shall be deemed to be qualified for an elective office and his election shall not be questioned on grounds of qualification if, with respect to the particular election in question, he meets the applicable requirements of sections 65, 106, 131 or 177 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and he is not, as may be applicable, in breach of sections 66, 107, 137 or 182 of the Constitution of the Federal Republic of Nigeria, 1999.”</i></p>	<p>directive of the Commission or of an officer appointed for the purpose of the election but which is not contrary to the provisions of this Bill shall not of itself be a ground for questioning the election.</p> <p>(3) With respect to subsection (1) (a), a person is deemed to be qualified for an elective office and his election shall not be questioned on grounds of qualification if, with respect to the particular election in question, he meets the applicable requirements of sections 65, 106, 131 or 177 of the Constitution and he is not, as may be applicable, in breach of sections 66, 107, 137 or 182 of the Constitution.</p>	
<p>138.</p>	<p>CERTAIN DEFECTS NOT TO INVALIDATE ELECTION</p> <p>138. (1) An Election shall not be liable to be invalidated by reason of non-compliance with the provisions of this Act if it appears to the Election Tribunal or Court that the election was conducted</p>	<p>CERTAIN DEFECTS NOT TO INVALIDATE ELECTION</p> <p>138. (1) An Election shall not be liable to be invalidated by reason of non-compliance with the provisions of this Act if it appears to the Election Tribunal or Court that the election</p>	<p>Certain defects not to invalidate election</p> <p>138. (1) An Election shall not be liable to be invalidated by reason of non-compliance with the provisions of this Bill if it appears to the Election</p>	<p>This is for consistency with subsections 138(1) and (2) above, as amended above.</p>

	<p>substantially in accordance with the principles of this Act and that the non-compliance did not affect substantially the result of the election.</p> <p>(2) An election shall not be liable to be questioned by reason of a defect in the title, or want of title of the person conducting the election or acting in the office provided such a person has the right or authority of the Commission to conduct the election.</p>	<p>was conducted substantially in accordance with the principles of this Act and published manuals, guidelines, regulations and/or procedures issued by the Commission for the conduct of the election” and that the non-compliance did not affect substantially the result of the election.</p> <p>Retained</p>	<p>Tribunal or Court that the election was conducted substantially in accordance with the principles of this Bill and that the non-compliance did not affect substantially the result of the election.</p> <p>(2) An election shall not be liable to be questioned by reason of a defect in the title or want of title of the person conducting the election or acting in the office provided such a person has the right or authority of the Commission to conduct the election.</p> <p>(3) No election shall be questioned or cancelled by reason that there is a mistake, conflict or inconsistency in the date contained in the result of such election signed by a Returning Officer or any other officer of the Commission.</p>	
<p>139.</p>	<p>NULLIFICATION OF ELECTION BY TRIBUNAL OR COURT</p> <p>139. (1) Subject to subsection (2) of this section, if the Tribunal or the Court as the case may be, determines that a candidate who was returned as elected was not validly elected on any ground, the</p>	<p>(1) Subject to subsections (2) and (4) of this section, if the Tribunal or the Court as the case may be, determines that a candidate who was returned as elected was not validly</p>	<p>Nullification of election by Tribunal or Court</p> <p>139. (1) Subject to subsections (2) and (3), if the Tribunal or the Court as the case may be,</p>	<p>a. The new section 140(1) gives certainty on time for the conduct of rerun elections by limiting the</p>

	<p>Tribunal or the Court shall nullify the election.</p> <p>(2) <i>Where an election tribunal or court nullifies an election on the ground that the person who obtained the highest votes at the election was not qualified to contest the election, or that the election was marred by substantial irregularities or non-compliance with the provisions of this Act, the election tribunal or court shall not declare the person with the second highest votes or any other person as elected, but shall order a fresh election.</i></p> <p>(2) If the Tribunal or the Court determines that a candidate who was returned as elected was not validly elected on the ground that he did not score the majority of valid votes cast at the election, the Election Tribunal or the</p>	<p>elected on any ground, the Tribunal or the Court shall nullify the election <i>and shall order the Commission to conduct a fresh election not later than ninety (90) days after the decision if an appeal is not filed against the decision, or not later than ninety (90) days after the nullification of the election by the court having final appellate jurisdiction in respect of the said election.</i>”;</p> <p><i>“(2) Where an election Tribunal or Court nullifies an election on the ground that the person who obtained the highest votes at the election was not qualified to contest the election, the election Tribunal or Court shall declare the person with the second highest number of valid votes cast at the election who satisfies the requirements of the Constitution and this Act as duly elected</i></p> <p><i>PROVIDED that the person with the second highest number of valid votes cast at the election remains a member of the political party on which platform he contested the election; otherwise, the candidate with the next highest number of votes in the election and who</i></p>	<p>determines that a candidate who was returned as elected was not validly elected on any ground, the Tribunal or Court shall nullify the election and order the Commission to conduct a fresh election not later than 90 days after the –</p> <p>(a) decision if an appeal is not filed against the decision; or</p> <p>(b) nullification of the election by the court having final appellate jurisdiction in respect of the said election.</p> <p>(2) Where an election Tribunal or Court nullifies an election on the ground that the person who obtained the highest votes at the election was not qualified to contest the election, the election Tribunal or Court shall declare the person with the second highest number of valid votes cast at the election who satisfies the requirements of the</p>	<p>time to 90 days after a final judicial decision. It will cure the mischief of having vacancies in legislative houses all over the country because of the absence of clear statutory provisions mandating the Commission to act within stipulated timeframes.</p> <p>b. The new section 140(2) separates the effect of nullification of an election as a result of non-qualification of the winner, from the effect of nullification of an election on</p>
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	<p>Court, as the case may be, shall declare as elected the candidate who scored the highest number of valid votes cast at the election and satisfied the requirements of the Constitution and this Act.</p> <p>(3) New Insertion</p>	<p><i>satisfies the same conditions herein shall be declared the winner of the election.”; and</i></p> <p>Retained</p> <p><i>“(4) Where an election Tribunal or Court nullifies an election on the ground that the election was marred by substantial irregularities or non-compliance with the provisions of this Act, the election tribunal or court shall not declare the person with the second highest votes as elected.</i></p> <p><i>(5) All objections filed in an election petition shall be determined at the time of final judgment.”</i></p>	<p>Constitution and this Act as duly elected.</p> <p>PROVIDED that the person with the second highest number of valid votes cast at the election remains a member of the political party on which he contested the election; otherwise, the candidate with the next highest number of votes in the election and who satisfies the same conditions herein shall be declared the winner of the election.</p> <p>(3) If the Tribunal or the Court determines that a candidate who was returned as elected was not validly elected on the ground that he did not score the majority of valid votes cast at the election, the Election Tribunal or the Court, as the case may be, shall declare as elected the candidate who scored the highest number of valid votes cast at the election and satisfied the requirements of the Constitution and this Bill.</p> <p>(4) All objections filed in an election petition shall be</p>	<p>grounds of non-compliance and irregularities . The rationale is that the Electoral Act imposes obligations on Parties and their Candidates to satisfy relevant qualification criteria with added sanctions for defaulting. Public resources should not be wasted on fresh or rerun elections where a party and its candidates fail to comply with the law. Those who complied should not be subjected to another costly election</p>
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			<p>determined at the time of final judgment.</p>	<p>process. In athletics, where the winner of a race fails a doping test, the race is not retaken; the gold medal is awarded to a runner up.</p> <p>c. The new provision in sub-section 140(4) is sound in that no winner can reasonably emerge from an election that was marred by substantial irregularities and non-compliances .</p> <p>d. The new provision in sub-section 140(5) is to ensure that all petitions are determined on the merits.</p>
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<p>140.</p>	<p>EFFECT OF NON-PARTICIPATION IN AN ELECTION</p> <p>140. An election tribunal or court shall not under any circumstance declare any person a winner at an election in which such a person has not fully participated in all the stages of the said election.</p>	<p>EFFECT OF NON-PARTICIPATION IN AN ELECTION</p> <p>140.Retained</p>	<p>EFFECT OF NON-PARTICIPATION IN AN ELECTION</p> <p>140. It shall not be necessary for a party who alleges non-compliance with the provisions of this Bill for the conduct of elections to call oral evidence if originals or certified true copies manifestly disclose the non-compliance alleged.</p>	
<p>141.</p>	<p>ACCELERATED HEARING OF ELECTION PETITIONS</p> <p>141. Without prejudice to the provisions of section 294 subsection (1) of the Constitution of the Federal Republic of Nigeria, an election petition and an appeal arising therefrom under this Act shall be given accelerated hearing and shall have precedence over all other cases or matters before the Tribunal or Court. New insertion</p>	<p>Retained</p> <p><i>“Sufficiency of documentary evidence</i></p> <p><i>142A. It shall not be necessary for a party who alleges non-compliance with the provisions of this Act and</i></p>	<p>Accelerated hearing of election petitions</p> <p>141. It shall not be necessary for a party who alleges non-compliance with the provisions of this Bill for the conduct of elections to call oral evidence if originals or certified true copies manifestly disclose the non-compliance alleged.</p>	<p>This new provision makes the determination of election petitions on the merit a matter of substantive law rather than a procedural one. This is founded on the reasoned view that unjust determination of election petitions using procedural technicalities defeats the fundamental</p>

		<p><i>the published manuals, guidelines, regulations or procedures issued by the Commission for the conduct of elections to call oral evidence if originals or certified true copies of electoral documents or materials used by the Commission to conduct the election in the polling unit(s) where the noncompliance is alleged are listed in a petition and tendered at the trial of the petition in proof of the non-compliance complained of.”</i></p>		<p>essence of justice.</p>
<p>142.</p>	<p>PERSON ELECTED TO REMAIN IN OFFICE PENDING DETERMINATION OF APPEAL</p> <p>142. (1) If the Election Tribunal or the Court, as the case may be, determines that a candidate returned as elected was not validly elected, then if notice of appeal against that decision is given within 21 days from the date of the decision, the candidate returned as elected shall, notwithstanding the contrary decision of the Election Tribunal or the Court, remain in office pending the determination of the appeal. (2) If the Election Tribunal or the Court, as the case maybe, determines that a candidate returned as elected was not validly elected, the candidate returned as elected shall, notwithstanding the contrary decision of the Election</p>	<p>PERSON ELECTED TO REMAIN IN OFFICE PENDING DETERMINATION OF APPEAL</p> <p>142. Retained</p>	<p>Person elected to remain in office pending determination of appeal</p> <p>142. (1) Where the election is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate shall, notwithstanding the contrary decision of the court, remain in office and enjoy all the benefits that accrued to the office pending the determination of the appeal and shall not be sanctioned for the benefits derived while in office.</p> <p>(2) If the Election Tribunal or the Court, as the case maybe, determines that a candidate</p>	

	Tribunal or the Court, remain in office pending the expiration of the period of 21 days within which an appeal may be brought.		returned as elected was not validly elected, the candidate returned as elected shall, notwithstanding the contrary decision of the Election Tribunal or the Court, remain in office pending the expiration of the period of 21 days within which an appeal may be brought.
143.	<p>LEGAL REPRESENTATION OF COMMISSION, ETC.</p> <p>143. (1) where the Commission has been joined as a respondent in an election petition, a Legal Officer of the Commission or a Legal Practitioner engaged by the Commission shall represent the Commission at the Tribunal or Court.</p> <p>(2) The Attorney-General of the State concerned (acting in person or through any of his Legal Officers) or the Attorney General of the Federation (acting in person or through any of his Legal Officers) may represent the Commission and the Officers referred to in subsection (1) of this section with the written consent or authority of the Commission.</p> <p>(3) A private Legal Practitioner or Legal Officer engaged by the Commission pursuant to subsection (1) and (2) of this Section shall be entitled to be paid such professional fees or honorarium, as the</p>	<p>LEGAL REPRESENTATION OF COMMISSION, ETC.</p> <p><i>143. Retained</i></p>	<p>Legal representation of Commission, etc.</p> <p>143. (1) Where the Commission has been joined as a respondent in an election petition, a Legal Officer of the Commission or a Legal Practitioner engaged by the Commission shall represent the Commission at the Tribunal or Court.</p> <p>(3) A private Legal Practitioner or Legal Officer engaged by the Commission under subsection (1) shall be entitled to be paid such professional fees or honorarium, as the case may be, to be determined by the Commission.</p>

	case may be, to be determined by the Commission.			
144.	<p>RULES OF PROCEDURE FOR ELECTION PETITION</p> <p>144. (1) The rules of procedure to be adopted for election petitions and appeals arising therefrom shall be as set out in the First Schedule to this Act.</p> <p>(2) The President of the Court of Appeal may issue practice directions to election tribunals.</p>	<p>RULES OF PROCEDURE FOR ELECTION PETITION</p> <p>144. Retained</p>	<p>Rules of procedure for election petition</p> <p>144. (1) The rules of procedure to be adopted for election petitions and appeals arising therefrom shall be as set out in the First Schedule to this Bill.</p> <p>(2) The President of the Court of Appeal may issue practice directions to the –</p> <p>(a) Court of Appeal, in respect of pre-election and post-election appeals; and</p> <p>(b) Election Tribunal, in respect of post-election matters.</p>	First Schedule
	PART X MISCELLANEOUS	PART X MISCELLANEOUS	PART X MISCELLANEOUS	
145.	<p>PERSONS DISQUALIFIED FROM ACTING AS ELECTION OFFICERS</p> <p>145. No person holding an elective office to which this Act relates or a registered member of a Political Party shall be</p>	<p>PERSONS DISQUALIFIED FROM ACTING AS ELECTION OFFICERS</p> <p>145. Retained</p>	<p>PERSONS DISQUALIFIED FROM ACTING AS ELECTION OFFICERS</p>	

	<p>eligible for or be appointed to carry out the duties of a Returning Officer, an Electoral Officer, Presiding Officer or a poll clerk; and any officer appointed to carry out any of those duties shall be ineligible for nomination as a candidate for election while he continues to hold any such appointment.</p>		<p>145. No person holding an elective office to which this Bill relates or a registered member of a political party shall be eligible for or be appointed to carry out the duties of a Returning Officer, an Electoral Officer, Presiding Officer or a poll clerk; and any officer appointed to carry out any of those duties shall be ineligible for nomination as a candidate for election while he or she continues to hold any such appointment.</p>	
<p>146.</p>	<p>ELECTION EXPENSES BY THE COMMISSION 146. (1) The Commission may prescribe a scale of: (a) remuneration for officers appointed under this Act for the conduct of elections; (b) maximum charges in respect of other expenses incurred by an Electoral Officer, a Presiding Officer or a Returning Officer in connection with an election, and may revise the scale as it thinks fit or expedient. (2) An Electoral Officer, Presiding Officer, or Returning Officer shall, in addition to any remuneration prescribed under paragraph (a) of subsection (1) of this section be entitled to such sums in respect of expenses not exceeding the</p>	<p>ELECTION EXPENSES BY THE COMMISSION 146. Retained</p>	<p>Election expenses by the Commission</p> <p>146. (1) The Commission may prescribe a scale of -</p> <p>(a) remuneration for officers appointed under this Bill for the conduct of elections; and</p> <p>(b) maximum charges in respect of other expenses incurred by an Electoral Officer, a Presiding Officer or a Returning Officer in connection with an</p>	

	<p>prescribed scale, in connection with the conduct of an election as are reasonable.</p> <p>(3) The Commission may pay such honoraria as it may determine to all other persons and officers who may be involved in one way or the other in conducting an election under this Act, or in carrying out any task in connection with an election or election petition arising therefrom.</p> <p>(4) All fees and other remunerations approved under subsection (1) of this section shall be paid from the Fund established under section 3 (1) of this Act and shall be paid in such manner as the Commission deems fit.</p>		<p>election, and may revise the scale as it thinks fit or expedient.</p> <p>(2) An Electoral Officer, Presiding Officer, or Returning Officer shall, in addition to any remuneration prescribed under subsection (1) (a), be entitled to such sums in respect of expenses not exceeding the prescribed scale, in connection with the conduct of an election as are reasonable.</p> <p>(3) The Commission may pay such honoraria as it may determine to all other persons and officers who may be involved in one way or the other in conducting an election under this Bill, or in carrying out any task in connection with an election or election petition arising therefrom.</p> <p>(4) All fees and other remunerations approved under subsection (1) shall be paid from the Fund established under section 3 (1) and shall be paid in such manner as the Commission deems fit.</p>	
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147.	<p>SECURITY OF BALLOT</p> <p>147. No person who has voted in any election under this Act shall, in any legal proceedings arising out of the election, be required to say for whom he voted.</p>	<p>SECURITY OF BALLOT</p> <p>147. Retained</p>	<p>Secrecy of ballot</p> <p>147. No person who has voted in any election under this Bill shall, in any legal proceedings arising out of the election, be required to say for whom he or she voted.</p>	
148.	<p>PROSECUTION OF OFFENCE DISCLOSED IN ELECTION PETITION</p> <p>148. The Commission shall consider any recommendation made to it by a tribunal with respect to the prosecution by it of any person for an offence disclosed in any election petition.</p>	<p>PROSECUTION OF OFFENCE DISCLOSED IN ELECTION PETITION</p> <p>148. Retained</p>	<p>Prosecution of offence disclosed in election petition</p> <p>148. The Commission shall consider any recommendation made to it by a tribunal with respect to the prosecution by it of any person for an offence disclosed in any election petition.</p>	
149.	<p>TRIAL OF OFFENCES</p> <p>149. (1) An offence committed under this Act shall be triable in a Magistrate Court or a High Court of a State in which the offence is committed, or the Federal Capital Territory, Abuja.</p> <p>(2) A prosecution under this Act shall be undertaken by legal Officers of the Commission or any Legal Practitioner appointed by it.</p>	<p>TRIAL OF OFFENCES</p> <p>149. Retained</p>	<p>Trial of offences</p> <p>149. (1) An offence committed under this Bill shall be triable in a Magistrate Court or a High Court of a State in which the offence is committed, or the Federal Capital Territory, Abuja.</p> <p>(2) A prosecution under this Bill shall be undertaken by legal officers of the Commission or</p>	

		<p><i>“(3) Where there is a breach of an order of a court or tribunal directed at the Commission particularly, order to produce, inspect or take copies of electoral materials, such disobedience shall attract court sanctions, which shall include the committal by the Tribunal or Court of the Commission’s official to whom the order is directed to summary conviction to imprisonment for at least two (2) years, without an option of fine.”</i></p>	<p>(3) Where there is a breach of an order of the Election Tribunal or the Court directed at the Commission, particularly order to produce, inspect or take copies of electoral documents or materials, the Commission shall first be summoned to show cause why it cannot comply with the order to establish disobedience before it can be deemed to have disobeyed the order.</p> <p>(4) Such disobedience where established, shall attract court sanctions, which shall include the committal by the Tribunal or Court of the Commission’s official to whom the order is directed to summary conviction to imprisonment for at least two years, without an option of fine.</p>	
151.	<p>DELEGATION OF POWERS OF THE COMMISSION</p> <p>151. Without prejudice to the other provisions of this Act, the Commission may delegate any of its powers and functions to any National Electoral commissioner, Resident Electoral</p>	Retained	<p>Delegation of powers of the Commission</p> <p>151. Without prejudice to other provisions of this Bill, the Commission may delegate any of its powers and functions to</p>	<p>a. These new provisions are made pursuant to the powers of the National Assembly in Paragraph 11 of Part II (Concurrent</p>

	<p>Commissioner, Electoral Officer, any other officer of the Commission or any other officer appointed under the provision of this Act subject to any conditions or limitations which it may consider necessary or expedient to impose and no such delegation shall be construed to limit the right of the Commission to exercise such power, itself.</p> <p>New insertion</p>	<p><i>“151A. Subject to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the provisions of this Act guaranteeing the conduct of free, fair and credible elections by the Independent National Electoral Commission shall apply with equal force to elections conducted by State Independent Electoral Commissions in the Federation.</i></p> <p><i>151B All elections conducted by a State Independent Electoral Commission to a local government council in the Federation shall be in compliance with relevant provisions of this Act.</i></p> <p><i>151C. Any election conducted by a State Independent Electoral Commission to a local government council in the Federation in violation of section 152B of this Act shall be null, void and of no effect whatsoever.</i></p>	<p>any National Electoral commissioner, Resident Electoral Commissioner, Electoral Officer, any other officer of the Commission or any other officer appointed under the provision of this Bill subject to any conditions or limitations which it may consider necessary or expedient to impose and no such delegation shall be construed to limit the right of the Commission to exercise such power, itself.</p>	<p>Legislative List) of the Second Schedule (Legislative Powers) to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which provides that:</p> <p><i>“The National Assembly may make laws for the Federation with respect to the registration of voters and the procedure regulating elections to a local government council.”</i></p> <p>b. They will give greater integrity to Local Government elections all</p>
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		<i>151D. Any official of a State Independent Electoral Commission who acts in contravention of section 152B or any provision of this Act shall be subject to prosecution as if he were an official of the Independent National Electoral Commission.”</i>		over the country.
152.	REGULATIONS 152. The Commission may, subject to the provisions of this Act, issue regulations, guidelines, or manuals for the purpose of giving effect to the provisions of this Act and for its administration thereof.	REGULATIONS 152. Retained	Regulations 152. The Commission may, subject to the provisions of this Bill, issue regulations, guidelines, or manuals for the purpose of giving effect to the provisions of this Bill and for its administration.	
153.	CIVIC EDUCATION BY THE COMMISSION 153. The Commission shall have power to conduct civic education and enlightenment in the print and electronic media to enhance its functions.	CIVIC EDUCATION BY THE COMMISSION 153. Retained	Civic education by the Commission 153. Deleted	Repetition of section 2
154.	VALIDATION 155. Notwithstanding any other provisions of this Act, any defect or error arising from any actions taken by an official of the Commission in relation to any notice, form or document made or given or other thing whatsoever done by	VALIDATION 154. Retained	Validation 154. Notwithstanding any other provisions of this Bill, any defect or error arising from any actions taken by an official of the Commission in relation to any notice, form or document made or	

	him in pursuance of the provisions of the Constitution or of this Act, or any rules made thereunder remain valid, unless otherwise challenged and declared invalid by a competent Court of Law or Tribunal.		given or other things done by the official in pursuance of the provisions of the Constitution or of this Bill, or any rules made thereunder remain valid, unless otherwise challenged and declared invalid by a competent Court of Law or Tribunal.
155.			<p>Procedure for Local Government Election in furtherance of paragraph 11 of Part II of the Second Schedule to the Constitution</p> <p>155. (1) In furtherance of the provision of Paragraph 11 of Part II of the Second Schedule to the Constitution, the procedure regulating elections conducted by the Commission to Area Councils in the Federal Capital Territory under this Act shall be the same and apply with equal force as the procedure regulating elections conducted to Local Government Areas by any State Commission.</p> <p>(2) For the purpose of subsection (1), a State Commission shall be deemed to have and exercise the powers of the Commission in respect of the procedure regulating</p>

			<p>elections to Area Councils under this Act.</p> <p>(3) Any election to a Local Government Area that is conducted by a State Commission in violation of subsection (1) shall be invalid.</p> <p>(4) Any official of a State Commission who contravenes the provision of subsection (1) commits an offence and shall be subject to prosecution as if he were an official of the Commission who committed the same offence under this Act.</p>	
156	<p>INTERPRETATION</p> <p>156. In this Act— “<i>appointment</i>” includes appointment to an office, confirmation of appointment, promotion or transfer; “<i>Area Council</i>” means Area Councils recognized and existing by section 3 (6) of the Constitution and as set out in Part II of the First Schedule thereof and any additional Area Council provided by an Act of the National Assembly in accordance with section 8 (5) of the Constitution. “<i>Aspirant</i>” means a person who aspires or seeks or strives to contest an election to a political office</p>	<p>Retained</p> <p>Retained</p>	<p>156. In this Act—</p> <p>“Area Council” means Area Councils recognised and existing by virtue of section 3 (6) of the Constitution and as set out in Part II of the First Schedule thereof and any additional Area Council provided by an Act of the National Assembly in accordance with the Provisions of the Constitution;</p> <p>“appointment” includes appointment to an office, confirmation of appointment, promotion or transfer;</p>	<p>Interpretation</p>

	<p>person as a result of the conviction. Conviction further includes admission by a person in writing, verbally, or by conduct that he is guilty, or have committed or aided and abetted the commission of the offence or crime concerned;</p> <p>The “<i>Conduct</i>” referred to in the latter is, for instance, where a person reimburses the sums of money or any parts thereof obtained through corrupt practice in order to avoid prosecution;</p> <p>“<i>Decision</i>”, means in relation to court or tribunal, any determination of that court or tribunal and includes a judgment, decree, conviction, sentence, order or recommendation;</p> <p>“<i>Direct Primaries</i>” means an election at which candidates for elective office are chosen by direct vote of political party members instead of by delegates at a convention or congress</p> <p>“<i>Election</i>” means any election held under this Act and includes a referendum;</p> <p>“<i>Electoral Officer</i>” means a staff of the Commission who is the head of the Commission’s office at a Local Government Area or Area Council level;</p> <p>New Insertion</p>	<p>Retained</p> <p>Retained</p> <p>Retained</p> <p>Retained</p>	<p>“Chief Electoral Commissioner” means the Chairman of the Independent National Electoral Commission;</p> <p>“Civil Servant” means a person employed in the civil service of the Federation or of a State or Local government as contained in the Constitution of the Federal Republic of Nigeria, 1999 as (amended)”;</p> <p>“Clerk” means the Clerk of the National Assembly, Clerk of the State House of Assembly, and Clerk of the Legislative House of the Local Government or Area Council or any person acting in that capacity;</p> <p>“Commission” means the Independent National Electoral Commission established by the Constitution;</p> <p>“Constitution” means the Constitution of the Federal Republic of Nigeria;</p> <p>“Conviction” means a pronouncement by a Court or Tribunal that a person is guilty of an offence under this Bill or under the provisions of the Constitution whether or not any punishment is imposed on the person as a result of the conviction. Conviction further includes admission by a person in writing,</p>	
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	<p>“Federation” means the Federal Republic of Nigeria;</p> <p>“Function” includes power and duty;</p> <p>“General Election” means an election held in the Federation at large which may be at all levels, and at regular intervals to select officers to serve after the expiration of the full terms of their predecessors;</p> <p>“Government” includes the Government of the Federation, of a State or of a Local Government Area or Area Council, or any person or organ exercising power or authority on its behalf;</p> <p>“House” or “Legislative House” means the Senate, House of Representatives, House of Assembly of a State and includes the Legislative House of a Local Government Area or Area Council;</p> <p>“Indirect Primaries” means an intra-party election where a political party’s delegates to a party convection or congress elect the party’s candidates;</p> <p>“Leader of an association” means every person holding an executive position in that association, including in particular, the Chairman, Secretary or Treasurer of the association and every member of its committee of management, however described;</p> <p>“Leader of a political party” means every person holding an executive position in that political party, including</p>	<p><i>“electronic format” refers to the electronic version of the Register of Voters or National Electronic Register of Election Results, as the case may be, created, recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic or optical means or by any other means that has capabilities for creation, recording, transmission or storage similar to those means and which may be converted to or reproduced in a paper document.</i></p> <p>Retained</p> <p>Retained</p>	<p>verbally, or by conduct that he is guilty, or have committed or aided and abetted the commission of the offence or crime concerned;</p> <p>“Conduct” referred to in the latter is, for instance, where a person reimburses the sums of money or any parts of it obtained through corrupt practice in order to avoid prosecution;</p> <p>“Decision”, means in relation to court or tribunal, any determination of that court or tribunal and includes a judgment, decree, conviction, sentence, order or recommendation;</p> <p>“Direct Primaries” means an election at which candidates for elective office are chosen by direct vote of political party members instead of by delegates at a convention or congress</p> <p>“Election” means any election held under this Act and includes a referendum;</p> <p>“Electoral Officer” means a staff of the Commission who is the head of the Commission’s office at a Local Government Area or Area Council level;</p>	
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	<p>in particular, the Chairman, Secretary or Treasurer of the political party and every member of its committee of management, however described;</p> <p>“<i>Legal incapacity</i>” means a person disqualified under the Constitution or the present Act or any other Law, Rules and Regulations from registering as a voter or from contesting elections;</p> <p>“<i>Local Government</i>” means Local Government recognized and existing by section 3(6) of the 1999 Constitution and set out in Parts I and II of the First Schedule thereof and any additional Local Government provided for by an Act of the National Assembly in accordance with section 8 (5) of the Constitution;</p> <p>“<i>National Assembly</i>” means the Senate and the House of Representatives;</p> <p>New Insertion</p> <p>“<i>offensive weapon or missile</i>” includes any cannon, gun, rifle, carbine, revolver, pistol or any other firearm, bow and arrow, spear, cutlass, knife, dagger, axe, cudgel, or any other thing capable of being used as an offensive weapon or missile, including teargas, acid, and any inflammable substance capable of injuring a person;</p>	<p>Retained</p> <p>Retained</p> <p>Retained</p> <p>Retained</p>	<p>“Electronic format” refers to the electronic version of the Register of Voters or National Electronic Register of Election Results, as the case may be, created, recorded, transmitted or stored in digital form or in other intangible forms by electronic, magnetic or optical means or by any other means that has capabilities for creation, recording, transmission or storage similar to those means and which may be converted to or reproduced in a paper document”;</p> <p>“Federation” means the Federal Republic of Nigeria;</p> <p>“Function” includes power and duty;</p> <p>“General Election” means an election held in the Federation at large which may be at all levels, and at regular intervals to select officers to serve after the expiration of the full terms of their predecessors;</p> <p>“Government” includes the Government of the Federation, of a State or of a Local Government Area or Area Council, or any person or organ exercising power or authority on its behalf;</p>	
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	<p>“Office” or “Public Office” means any of the offices the occupation to which is by election or appointment under this Act; “Petition” means an election petition under this Act; “Polling Agent” means a person representing a political party or independent candidate at the polling unit, ward, Local Government, Federal constituency, Senatorial district, State or Federal collation centres. “Polling unit” means the place, enclosure, booth, shade or house at which voting takes place under this Act ; “Political party” includes any association of persons whose activities includes canvassing for votes in support of a candidate for election under this Act and registered by the Commission; “Power” includes function and duty ; “President” means the President of the Federal Republic of Nigeria; New Insertion</p> <p>New Insertion</p>	<p>Retained</p> <p><i>“number of unaccredited voters” as used in section 49(4) of this Act means number of intending voters not accredited to vote in a polling unit under section 49(3) of this Act.”</i></p> <p>Retained</p> <p>Retained</p> <p>Retained</p>	<p>“House” or “Legislative House” means the Senate, House of Representatives, House of Assembly of a State and includes the Legislative House of a Local Government Area or Area Council;</p> <p>“Indirect Primaries” means an intra-party election where a political party’s delegates to a party convention or congress elect the party’s candidates;</p> <p>“Leader of an association” means every person holding an executive position in that association, including in particular, the Chairman, Secretary or Treasurer of the association and every member of its committee management, however described;</p> <p>“Leader of a political party” means every person holding an executive position in that political party, including in particular, the Chairman, Secretary or Treasurer of the political party and every member of its committee of management, however described;</p> <p>“Legal incapacity” means a person disqualified under the Constitution or the present Act or any other Law, Rules</p>	
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	<p><i>“Primaries” mean an intra-party election by voters of a given political party to nominate candidates for elective office in accordance with a political party’s constitution and the law;</i></p> <p><i>“Registrar” includes Chief Registrar, Deputy Chief Registrar and Registrar of other grades of the Supreme Court, Court of Appeal, Federal High Court and the High Court of a State;</i></p> <p><i>“Registration Officer” includes supervisory assistant registration officer and assistant registration officer;</i></p> <p><i>“Resident Electoral Commissioner” means the Commissioner deployed for the time being to a State;</i></p> <p><i>“Return” means the declaration by a Returning Officer of a candidate in an election under this Act as being the winner of that election;</i></p> <p>New Insertion</p>	<p>Retained</p> <p>Retained</p> <p><i>““Presiding Officer” means a person appointed by the Commission to be in charge of the conduct of election in a polling unit or polling station, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities at a polling unit or polling station as a Presiding Officer.”; and</i></p> <p><i>“published manuals, guidelines, regulations and/or procedures issued by the Commission for the</i></p>	<p>and Regulations from registering as a voter or from contesting elections;</p> <p>“Local Government” means Local Government recognised and existing by section 3(6) of the Constitution and set out in Parts I and II of the First Schedule and any additional Local Government provided for by an Act of the National Assembly in accordance with section 8(5) of the Constitution;</p> <p>“National Assembly” means the Senate and the House of Representatives;</p> <p>“number of accredited voters” means number of intending voters accredited to vote in an election;</p> <p>“offensive weapon or missile” includes any cannon, gun, rifle, carbine, revolver, pistol or any other firearm, bow and arrow, spear, cutlass, knife, dagger, axe, cudgel, or any other thing capable of being used as an offensive weapon or missile, including teargas, acid, and any inflammable substance capable of injuring a person;</p> <p>“Office” or “Public Office” means any of the offices the occupation to which is by election or appointment under this Act;</p>	
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	<p>“<i>School Certificate</i>” has the meaning as defined in the Constitution; “<i>Secret Society</i>” has the meaning as defined in the Constitution. “<i>State</i>” when used otherwise than in reference to one of the component parts of the Federal Republic of Nigeria shall include government of a State; “<i>State Commission</i>” means State Independent Electoral Commission established by section 197 of the Constitution; New Insertion</p> <p>“<i>Campaigning in public</i>” referred to in section 99 means the campaign that commences after the publication of the notice of election by the commission pursuant to section 30 of this Act All references in this Act to a State in the Federation shall, where appropriate, be deemed to include references to the Federal Capital Territory.</p>	<p><i>conduct of the election</i>”, as follows:</p> <p><i>“published manuals, guidelines, regulations and/or procedures issued by the Commission for the conduct of the election” means any book, booklet or manual published by the Commission -</i></p> <p><i>(a) that is consistent with the provisions of this Act;</i></p> <p><i>(b) for the purpose of guiding the conduct of free, fair and credible elections; and</i></p> <p><i>(c) which is made public by the Commission at least thirty (30) days before the date of a general election.”</i></p> <p>Retained</p> <p>Retained</p>	<p>“person with disability’ means –</p> <p>(a) a person who has received temporary or permanent Certificate of Disability to have condition which is expected to continue permanently or for a considerable length of time which can reasonably be expected to limit the person’s functional ability substantially, but not limited to seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, rising and includes any related function or any limitation due to weakness or significantly decreased endurance so that it cannot perform his everyday routine, leaving and working without significantly increased hardship and vulnerability to everyday obstacles and hazards; and</p> <p>(b) a person with long time physical, mental, intellectual, or sensory impairment which interaction with various</p>	
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		Retained	barriers may hinder their full and effective participation in society on equal basis with others;	
		Retained	“person with special needs’ means person who requires assistance for disabilities that may be medical, mental, emotional, physical or psychological;	
		<p><i>“Returning Officer” means a person appointed by the Commission to declare the result of an election in a constituency, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer.”</i></p>	<p>“Petition” means an election petition under this Act;</p> <p>“Polling Agent” means a person representing a political party or <i>its</i> candidate at the polling unit, ward, Local Government, Federal constituency, Senatorial district, State or Federal collation centres.</p> <p>“Polling unit” means the place, enclosure, booth, shade or house at which voting takes place under this Act;</p>	
		Retained	“Political party” includes any association of persons whose activities includes canvassing for votes in support of a candidate for election under this Act and registered by the Commission;	
		Retained		

		<p>Retained</p> <p><i>“transmit” includes to convey electoral documents or other electoral information or data by manual, electronic or other means (prescribed by the Commission) from one person to another, one place to another, one stage to another, one process to another, or one system to another, as the case may be.”</i></p> <p>Retained</p>	<p>“Power” includes function and duty;</p> <p>“President” means the President of the Federal Republic of Nigeria;</p> <p>“Presiding Officer” means a person appointed by the Commission to be in charge of the conduct of election in a polling unit or polling station, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities at a polling unit or polling station as a Presiding Officer;</p> <p>“Primaries” or “primary election” mean intra-party election by voters of a given political party to nominate candidates for elective office in accordance with a political party’s constitution and the law;</p> <p>“Registrar” includes Chief Registrar, Deputy Chief Registrar and Registrar of other grades of the Supreme Court, Court of Appeal, Federal High Court and the High Court of a State;</p> <p>“Registration Officer” includes supervisory assistant registration officer and assistant registration officer;</p>	
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			<p>“Resident Electoral Commissioner” means the Commissioner deployed for the time being to a State;</p> <p>“Return” means the declaration by a Returning Officer of a candidate in an election under this Bill as being the winner of that election;</p> <p>“Returning Officer” means a person appointed by the Commission to be in charge of the conduct of election in a constituency, and this includes persons who may be under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer.”</p> <p>“School Certificate” has the meaning as defined in the Constitution;</p> <p>“Secret Society” has the meaning as defined in the Constitution.</p> <p>“State” when used otherwise than in reference to one of the component parts of the Federal Republic of Nigeria shall include government of a State and all references in this Bill to a State in the Federation shall, where appropriate, be deemed to include references to the Federal Capital Territory;</p>	
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			<p>"State Commission" means State Independent Electoral Commission created under section 197 of the Constitution;</p> <p>"Vulnerable person" means a woman, child or person living under extreme poverty, person with disability, the sick and the elderly, refugee, internally displaced person, migrant, person in detention or ethnic and religious minority groups,</p> <p>"Ward Collation Officer" means Registration Area Collation Officer.</p>	
157.	<p>REPEAL OF THE ELECTORAL ACT (NO.2), 2006 AND INEC ACT, CAP 15, LFN, 2004</p> <p><i>157. The Electoral Act 2006 is hereby repealed.</i></p>	<p>REPEAL OF THE ELECTORAL ACT (NO.6), 2010</p> <p><i>157.</i></p>	<p>Repeal of the Electoral Act No. 6, 2010 157. The Electoral Act No. 6, 2010 is hereby repealed.</p>	
158.	<p>CITATION</p> <p>158. This Act may be cited as the Electoral Act, 2010.</p>	<p>SHORT TITLE</p> <p>158. This Bill may be cited as Electoral Bill 2020</p>	<p>Citation</p> <p>158. This Bill may be cited as the Electoral Bill, 2021.</p>	
	<p>PROPOSED AMENDMENTS TO FIRST SCHEDULE</p>	<p>PROPOSED AMENDMENTS TO FIRST SCHEDULE</p>	<p>Proposed Amendments to Schedule</p>	
	<p>PARAGRAPH 41 - EVIDENCE AT HEARING</p>	<p>PARAGRAPH 41 - EVIDENCE AT HEARING</p>	<p>Schedules</p>	

	<p>(1) Subject to any statutory provision or any provision of these paragraphs relating to evidence, any fact required to be proved at the hearing of a petition shall be proved by written deposition and oral examination of witnesses in open court.</p> <p>(2) Documents which parties consented to at the pre- hearing session or other exhibits shall be tendered from the Bar or by the party where he is not represented by a legal practitioner.</p> <p>(3) There shall be no oral examination of a witness during his evidence in-chief except to lead the witness to adopt his written deposition and tender in evidence all disputed documents or other exhibits referred to in the deposition.</p> <p>(4) Real evidence shall be tendered at the hearing.</p> <p>(5) The Tribunal or Court may, at or before the hearing of a petition order or direct that evidence of any particular fact be given at the hearing in such manner as may be specified by the order or direction.</p> <p>(6) The power conferred by subparagraph (5) of this paragraph</p>		<p>First Schedule Section 140 (1)</p> <p><i>Rules of Procedure for Election Petitions</i></p> <p>1. In this Schedule -</p> <p><i>Interpretation</i></p> <p>“Attorney-General” means the Attorney-General of the Federation and includes the Attorney-General of a State where the context admits;</p> <p>“Civil Procedure Rules” means the Civil Procedure Rules of the Federal High Court for the time being in force;</p> <p>“Election” means any election under this Act to which an election petition relates;</p> <p>“Registry” means a Registry set up for an Election Tribunal established by the Constitution or this Act or the Registry of the Court of Appeal;</p> <p>“Secretary” means the Secretary of an election Tribunal established by the Constitution or this Act and shall include the Registrar of the Court of Appeal or any officer or Clerk acting for him;</p>	
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	<p>extends in particular to ordering or directing that evidence of any particular fact be given at the trial-</p> <ol style="list-style-type: none"> 1. (a) by statement on oath of information or belief; 2. (b) by the production of documents or entries in books; or 3. (c) in the case of a fact which is of common knowledge either generally or in a particular district by the production of a specified newspaper which contains a statement of that fact. <p>(7) The Tribunal or Court may, at or before the hearing of a petition order or direct that the number of witnesses who may be called at the hearing be limited as specified by the order or direction.</p> <p>(8) Save with leave of the Tribunal or Court, no document, plan, photograph or model shall be received in evidence at the hearing of a petition unless it has been listed or filed along with the petition in the case of the petitioner or filed along with the reply in the case of the respondent.</p> <p>(9) Such leave may be granted with costs save where in the circumstance the tribunal or court considers otherwise.</p>		<p>“Tribunal” means an Election Tribunal established under this Act or the Court of Appeal;</p> <p>“Tribunal Notice Board” means a notice board at the Registry or a notice board at the place of hearing where notice of presentation of election petition or notice of hearing an election petition or any other notice may be given or posted.</p> <p><i>Security for costs</i></p> <ol style="list-style-type: none"> 2. (1) At the time of presenting an election petition, the petitioner shall give security for all costs which may become payable by him to a witness summoned on his behalf or to a respondent. (2) The security shall be of such amount not less than N5,000.00 as the Tribunal or Court may order and shall be given by depositing the amount with the Tribunal or Court. (3) Where two or three persons join in an election petition, a deposit as may be ordered under subparagraph (2) shall be sufficient. 	
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	<p><i>(10)-The petitioner improving his case shall have not more than 14 days to do so and each of the respondents shall have not more 10 days to present its defence.</i></p>		<p>(4) If no security is given as required by this paragraph, there shall be no further proceedings on the election petition.</p> <p><i>Presentation of Election Petition</i></p> <p>3. (1) The presentation of an election petition under this Act shall be made by the petitioner (or petitioners if more than one) in person, or by his Solicitor, if any, named at the foot of the election petition to the Secretary, and the Secretary shall give a receipt.</p> <p>(2) The Petitioner shall, at the time of presenting the election petition, deliver to the Secretary a copy of the election petition for each respondent and ten other copies to be preserved by the Secretary.</p> <p>(3) The Secretary shall compare the copies of the election petition received in accordance with subparagraph (2) with the original petition and shall certify them as true copies of the election petition on being satisfied by the comparison that</p>	
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			<p>they are true copies of the election petition.</p> <p>(4) The petitioner or his Solicitor, as the case may be, shall, at the time of presenting the election petition, pay the fees for the service and the publication of the petition, and for certifying the copies and, in default of the payment, the election petition shall be deemed not to have been received; unless the Tribunal or Court otherwise orders.</p> <p><i>Contents of election petition</i></p> <p>4. (1) An election petition under this Bill shall—</p> <ul style="list-style-type: none"> (a) specify the parties interested in the election petition; (b) specify the right of the petitioner to present the election petition; (c) state the holding of the election, the scores of the candidates and the person returned as 	
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			<p>the winner of the election; and</p> <p>(d) state clearly the facts of the election petition and the ground or grounds on which the petition is based and the relief sought by the petitioner.</p> <p>(2) The election petition shall be divided into paragraphs each of which shall be confined to a distinct issue or major facts of the election petition, and every paragraph shall be numbered consecutively.</p> <p>(3) The election petition shall further—</p> <p>(a) conclude with a prayer or prayers, as for instance, that the petitioner or one of the petitioners be declared validly elected or returned, having polled the highest number of lawful votes cast at the election or that the election may be</p>	
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			<p>declared nullified, as the case may be; and</p> <p>(b) be signed by the petitioner or all petitioners or by the Solicitor, if any, named at the foot of the election petition.</p> <p>(4) At the foot of the election petition there shall also be stated an address of the petitioner for service at which address documents intended for the petitioner may be left and its occupier.</p> <p>(5) The election petition shall be accompanied by-</p> <p>(a) a list of the witnesses that the petitioner intends to call in proof of the petition;</p> <p>(b) written statements on oath of the witnesses; and</p> <p>(c) copies or list of every document to be relied on at the hearing of the petition.</p>	
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			<p>(6) A petition which fails to comply with sub-paragraph (5) shall not be accepted for filing by the secretary.</p> <p>(7)The election petition shall be accompanied by-</p> <ul style="list-style-type: none"> (a) a list of the witnesses that the petitioner intends to call in proof of the petition; (b) written statements on oath of the witnesses; and (c) copies or list of every document to be relied on at the hearing of the petition. <p>(8) A petition which fails to comply with subparagraph (7) shall not be accepted for filing by the Secretary.</p> <p>(9) An election petition, which does not comply with, subparagraph (1) of this paragraph or any provision of that subparagraph is defective and may be struck out by the Tribunal or Court.</p> <p><i>Further particulars</i></p>	
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			<p>5. Evidence need not to be stated in the election petition, but the Tribunal or Court may order such further particulars as may be necessary –</p> <ul style="list-style-type: none"> (a) to prevent surprise and unnecessary expense; (b) to ensure fair and proper hearing in the same way as in a civil action in the Federal High Court; and (c) on such terms as to costs or otherwise as may be ordered by the Tribunal or Court. <p><i>Address of service</i></p> <p>6. For the purpose of service of an election petition on the respondents, the petitioner shall furnish the Secretary with the address of the respondents' abode or the addresses of places where personal service can be effected on the respondents.</p> <p><i>Action by Secretary</i></p> <p>7. (1) On the presentation of an election petition and payment of</p>	
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			<p>the requisite fees, the Secretary shall immediately —</p> <ul style="list-style-type: none">(a) cause notice of the presentation of the election petition, to be served on each of the respondents;(b) post on the tribunal notice board a certified copy of the election petition; and(c) set aside a certified copy for onward transmission to the person or persons required by law to adjudicate and determine the election petition. <p>(2) In the notice of presentation of the election petition, the Secretary shall state a time, not being less than five days but not more than seven days after the date of service of the notice, within which each of the respondents shall enter an appearance in respect of the election petition.</p>	
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			<p>(3) In fixing the time within which the respondents are to enter appearance, the Secretary shall have regard to—</p> <p>(a) the necessity for securing a speedy hearing of the election petition; and</p> <p>(b) the distance from the Registry or the place of hearing to the address furnished under subparagraph (4).</p> <p><i>Personal service on respondent</i></p> <p>8. (1) Subject to subparagraph (2) and (3), service on the respondents—</p> <p>(a) of the documents mentioned in paragraph 7 (1) (a); and</p> <p>(b) of any other documents required to be served on them before entering appearance, shall be personal.</p> <p>(2) Where the petitioner has furnished, under paragraph 6, the addresses of the places where personal service can be</p>	
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			<p>effected on the respondents and the respondents or any of them cannot be found at the place or places, the Tribunal or Court on being satisfied, on an application supported by an affidavit showing that all reasonable efforts have been made to effect personal service, may order that service of any document mentioned in subparagraph (1) be effected in any ways mentioned in the relevant provisions of the Civil Procedure Rules for effecting substituted service in Civil cases and that service shall be deemed to be equivalent to personal service.</p> <p>(3) The proceedings under the election petition shall not be vitiated notwithstanding the fact that—</p> <p>(a) the respondents or any of them may not have been served personally; or</p> <p>(b) a document of which substituted service has been effected pursuant to an order</p>	
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made under subparagraph (2) did not reach the respondent, and in either case, the proceedings may be heard and continued or determined as if the respondents or any of them had been served personally with the document and shall be valid and effective for all purposes.

Entry of appearance

9. (1) Where the respondent intends to oppose the election petition, he shall—

(a) within such time after being served or deemed to have been served with the election petition; or

(b) where the Secretary has stated a time under paragraph 7 (2), within such time as is stated by the Secretary, enter an appearance by filing in the registry a memorandum of appearance stating that he intends to oppose the

			<p>election petition and giving the name and address of the solicitor, if any, representing him or stating that he acts for himself, as the case may be, and, in either case, giving an address for service at which documents intended for him may be left or served.</p> <p>(2) If an address for service and its occupiers are not stated, the memorandum of appearance shall be deemed not to have been filed, unless the Tribunal or Court otherwise orders.</p> <p>(3) The memorandum of appearance shall be signed by the respondent or his solicitor, if any.</p> <p>(4) At the time of filing the memorandum of appearance, the respondent or his solicitor, as the case may be, shall—</p> <p>(a) leave a copy of the memorandum of appearance for each of the other parties to the</p>	
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			<p>election petition and three other copies of the memorandum to be preserved by the Secretary; and</p> <p>(b) pay the fees for service as may be prescribed or directed by the Secretary and in default of the copies being left and the fees being paid at the time of filing the memorandum of appearance, the memorandum of appearance shall be deemed not to have been filed, unless the Tribunal or Court otherwise orders.</p> <p>(5) A respondent who has a preliminary objection against the hearing of the election petition on grounds of law may file a conditional memorandum of appearance.</p> <p><i>Non-filing of Memorandum of Appearance</i></p> <p>10. (1) If the respondent does not file a memorandum of appearance as required under paragraph 9, a</p>	
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			<p>document intended for service on him may be posted on the Tribunal notice board and that shall be sufficient notice of service of the document on the respondent.</p> <p>(2) The non-filing of a memorandum of appearance shall, not bar the respondent from defending the election petition if the respondent files his reply to the election petition in the Registry within a reasonable time, but, in any case, not later than 21 days from the receipt of the election petition.</p> <p><i>Notice of Appearance</i></p> <p>11. The Secretary shall cause copies of the memorandum of appearance to be served on, or its notice to be given to the other parties to the election petition.</p> <p><i>Filing of reply</i></p> <p>12. (1) The Respondent shall, within 21 days of the receipt of the notice of service of the petition on him file in the Registry his reply, specifying in it</p>	
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			<p>of the facts alleged in the election he admits and which he denies, and set out the facts on which he relies in opposition to the election petition.</p> <p>(2) Where the respondent in an election petition, complaining of an undue influence and claiming the seat or office, and the petitioner intend to prove that the facts alleged are incorrect or false, the respondent's reply shall set out the facts and circumstances clearly and distinctly disproving those of the petitioner.</p> <p>(3) The reply may be signed by the respondent or the solicitor representing him, if any and shall state the name and address of the solicitor at whose office subsequent processes shall be served. The reply shall be accompanied by copies of all documentary evidence, list of witnesses, and the written statements on oath of the witnesses.</p> <p>(4) At the time of filing the reply the respondent or his Solicitor, if any, shall leave with the Secretary copies of the reply for services on the other parties to the election petition with 10 extra copies of the reply to be preserved by the Secretary and pay the fees for service as prescribed or directed by the Secretary and in default of leaving the copies of the reply or paying the fees for service, the reply shall be deemed to have been filed.</p>	
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			<p>have been filed, unless the Tribal Court otherwise orders.</p> <p>(5) A respondent who has an objection to the hearing of the petition shall file his objection and state the objection in it, and the objection shall be heard along with the substantive petition.</p> <p><i>Service of Reply</i></p> <p>13. The Secretary shall cause a copy of the reply to be served on each of the other parties to the election petition.</p> <p><i>Amendment of Election petition and reply</i></p> <p>14. (1) Subject to subparagraph (2), the provisions of the Civil Procedure Rules relating to amendment of pleadings shall apply in relation to an election petition or a reply to the election petition as if for the words “<i>any proceedings</i>” in those provisions there were substituted the words “<i>the election petition or reply</i>”.</p> <p>(2) After the expiration of the time limited by—</p>	
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			<p>(a) Section 134 (1) of this Act for presenting the election petition, no amendment shall be made-</p> <p>(i) introducing any of the requirements of paragraph 4 (1) not contained in the original Election petition filed, or</p> <p>(ii) effecting a substantial alteration of the ground for, or the prayer in, the election petition, or</p> <p>(iii) except anything which may be done under subparagraph (2) (a) (ii), effecting a substantial alteration of or addition to, the statement of facts relied on to support the ground for, or sustain the prayer in the election petition; and</p> <p>(b) paragraph 12 for filing the reply, no amendment shall be made—</p> <p>(i) alleging that the claim of the seat or office by the</p>	
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			<p>petitioner is incorrect or false, or</p> <p>(ii) except anything which may be done under the provisions of subparagraph (2) (a) (ii), effecting any substantial alteration in or addition to the admissions or the denials contained in the original reply filed, or to the facts set out in the reply.</p> <p><i>Particulars of votes rejected</i></p> <p>15. When a petitioner claims the seat alleging that he had the highest number of valid votes cast at the election, the party defending the election or return at the election shall set out clearly in his reply particulars of the votes, if any, which he objects to and the reasons for his objection against such votes, showing how he intends to prove at the hearing that the petitioner is not entitled to succeed.</p> <p><i>Petitioner's Reply</i></p> <p>16. (1) If a person in his reply to the election petition raises new issues of facts in defence of his</p>	
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			<p>case which the petition has not dealt with, the petitioner shall be entitled to file in the Registry, within five days from the receipt of the respondent's reply, a petitioner's reply in answer to the new issues of fact, so however that—</p> <p>(a) the petitioner shall not at this stage be entitled to bring in new facts, grounds or prayers tending to amend or add to the contents of the petition filed by him; and</p> <p>(b) the petitioner's reply does not run counter to the provisions of paragraph 14 (1).</p> <p>(2) The time limited by subparagraph (1) shall not be extended.</p> <p>(3) The petitioner in proving his case shall have 14 days to do so and the respondent shall have 14 days to reply.</p> <p><i>Further particulars or directive</i></p>	
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			<p>17. (1) If a party in an election petition wishes to have further particulars or other directions of the Tribunal or Court, he may, at any time after entry of appearance, but not later than ten days after the filing of the reply, apply to the Tribunal or Court specifying in his notice of motion the direction for which he prays and the motion shall, unless the Tribunal or Court otherwise orders, be set down for hearing on the first available day.</p> <p>(2) If a party does not apply as provided in subparagraph (1), he shall be taken to require no further particulars or other directions and the party shall be barred from so applying after the period laid down in subparagraph (1) has lapsed.</p> <p>(3) Supply of further particulars under this paragraph shall not entitle the party to go beyond the ambit of supplying such further particulars as have been demanded by the other party, and embark on undue amendment of, or additions to,</p>	
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his petition or reply, contrary to paragraph 14.

Pre-hearing session and scheduling

18. (1) Within seven days after the filing and service of the petitioner's reply on the respondent or seven days after the filing and service of the respondent's reply, whichever is the case, the petitioner shall apply for the issuance of pre-hearing notice as in Form TF 007.

(2) Upon application by a petitioner under sub-paragraph (1), the Tribunal or Court shall issue to the parties or their Legal Practitioners (if any) a pre-hearing conference notice as in Form TF 007 accompanied by a pre-hearing information sheet as in Form TF 008 for —

(a) the disposal of all matters which can be dealt with on interlocutory application;

(b) giving such directions as to the future course of the petition as

			<p>appear best adapted to secure its just, expeditious and economical disposal in view of the urgency of election petitions;</p> <p>(c) giving directions on order of witnesses to be called and such documents to be tendered by each party to prove their cases having in view the need for the expeditious disposal of the petition; and</p> <p>(d) fixing clear dates for hearing of the petition.</p> <p>(3) The respondent may bring the application in accordance with subparagraph (1) where the petitioner fails to do so, or by motion which shall be served on the petitioner and returnable in three clear days, apply for an order to dismiss the petition.</p> <p>(4) Where the petitioner and the respondent fail to bring an application under this paragraph, the Tribunal or Court shall dismiss the petition as abandoned petition and no application for extension of</p>	
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			<p>time to take that step shall be filed or entertained.</p> <p>(5) Dismissal of a petition under subparagraphs (3) and (4) is final, and the Tribunal or Court shall be <i>functus officio</i>.</p> <p>(6) At the pre-hearing session, the Tribunal or Court shall enter a scheduling Order for—</p> <p>(a) joining other parties to the petition;</p> <p>(b) amending petition or reply or any other processes;</p> <p>(c) filing and adoption of written addresses on all interlocutory applications;</p> <p>(d) additional pre-hearing session;</p> <p>(e) order of witnesses and tendering of documents that will be necessary for the expeditious disposal of the petition; and</p> <p>(f) any other matters that will promote the quick</p>	
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			<p>disposal of the petition in the circumstances.</p> <p>(7) At the pre-hearing session, the Tribunal or Court shall consider and take appropriate action in respect of the following as may be necessary or desirable—</p> <p>(a) amendments and further and better particulars;</p> <p>(b) the admissions of facts, documents and other evidence by consent of the parties;</p> <p>(c) formulation and settlement of issues for trial;</p> <p>(d) hearing and determination of objections on point of law;</p> <p>(e) control and scheduling of discovery; inspection and production of documents,</p> <p>(f) narrowing the field of dispute between certain types of witnesses especially the Commission’s staff and</p>	
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			<p>witnesses that officiated at the election, by their participation at pre-hearing session or in any other manner;</p> <p>(g) giving orders or directions for hearing of cross-petitions or any particular issue in the petition or for consolidation with other petitions;</p> <p>(h) determining the form and substance of the pre-hearing order; and</p> <p>(i) such other matters as may facilitate the just and speedy disposal of the petition bearing in mind the urgency of election petitions.</p> <p>(8) At the pre-hearing session, the Tribunal or Court shall ensure that hearing is not delayed by the number of witnesses and objections to documents to be tendered and shall pursuant to subparagraphs (b), (e), (b) and (e) —</p>	
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			<p>(a) allow parties to admit or exclude documents by consent;</p> <p>(b) direct parties to streamline the number of witnesses to those whose testimonies are relevant and indispensable.</p> <p>(9) The pre-hearing session or series of the pre-hearing sessions with respect to any petition shall be completed within 14 days of its commencement, and the parties and their legal practitioners shall co-operate with the Tribunal or Court in working within this time table. As far as practicable, pre-hearing sessions shall be held from day to day or adjourned only for purposes of compliance with prehearing sessions, unless extended by the Chairman or the Presiding Justice.</p> <p>(10) After a pre-hearing session or series of pre-hearing sessions the Tribunal or Court shall issue a report and this report shall guide the subsequent course of the</p>	
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			<p>proceedings, unless modified by the Tribunal or Court.</p> <p>(11) If a party or his Legal Practitioner fails to attend the pre-hearing sessions or obey a scheduling or pre-hearing order or is substantially unprepared to participate in the session or fails to participate in good faith, the Tribunal or Court shall in the case of –</p> <p>(a) the petitioner, dismiss the petition; and</p> <p>(b) a respondent enter judgment against him.</p> <p>(12) Any judgment given under subparagraph (11) may be set aside upon an application made within seven days of the judgment (which shall not be extended) with an order as to costs of a sum not less than N20,000.00.</p> <p>(13) The application shall be accompanied by an undertaking to participate effectively in the pre-hearing session jointly signed by the</p>	
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			<p>applicant and the Legal Practitioner representing him.</p> <p><i>Hearing of petition to be in open tribunal or court</i></p> <p>19. Every election petition shall be heard and determined in an open tribunal or court.</p> <p><i>Time and place of hearing petition</i></p> <p>20. (1) Subject to the provisions of subparagraph (2), the time and place of the hearing of an election petition shall be fixed by the Tribunal or Court and notice of the time and place of the hearing, which may be as in Form TF. 005 set out in Second Schedule to this Act, shall be given by the Secretary at least five days before the day fixed for the hearing by—</p> <p>(a) posting the notice on the tribunal notice board; and</p> <p>(b) sending a copy of the notice by registered post or through a messenger to the —</p>	
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			<p>(i) the petitioner's address for service,</p> <p>(ii) the respondent's addresses for service, if any, or</p> <p>(iii) the Resident Electoral Commissioner or the Commission as the case may be.</p> <p>(2) In fixing the place of hearing, the Tribunal or Court shall have due regard to the proximity to and accessibility from the place where the election was held.</p> <p><i>Notice of hearing</i></p> <p>21. A tribunal or court, as the case may be, shall publish the notice of hearing by causing a copy of the notice to be displayed in the place which was appointed for the delivery of nomination papers prior to the election or in some conspicuous place or places within the constituency, but failure to do so or any miscarriage of the copy of notice of hearing shall not affect the proceedings if it does not</p>	
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			<p>occasion injustice against any of the parties to the election petition.</p> <p>Posting of notice on tribunal notice board deemed to be good notice</p> <p>22. The posting of the notice of hearing on the Tribunal notice board shall be deemed and taken to be good notice, and the notice shall not be vitiated by any miscarriage of the copy or copies of the notice sent pursuant to paragraph 16.</p> <p><i>Postponement of hearing</i></p> <p>23. (1) The Tribunal or Court may, from time to time, by order made on the application of a party to the election petition or at the instance of the Tribunal or Court, postpone the beginning of the hearing to such day as the Tribunal or Court may consider appropriate having regard at all times to the need for speedy conclusion of the hearing of the election petition.</p> <p>(2) A copy of the order shall be sent by the Secretary by registered post or messenger to the Electoral Officer or the</p>	
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			<p>Resident Electoral Commissioner or the Commission who shall publish the order in the manner provided in paragraph 20 for publishing the notice of hearing, but failure on the part of the Electoral Officer or Resident Electoral Commissioner or the Commission to publish the copy of the order of postponement shall not affect the proceedings in any manner whatsoever.</p> <p>(3) The Secretary shall post or cause to be posted on the tribunal notice board a copy of the order.</p> <p>(4) Where the Tribunal or Court gives an order of postponement at its own instance a copy of the order shall be sent by the Secretary by registered post or messenger to the address for service given by the petitioner and to the address for service, if any, given by the respondents or any of them.</p> <p>(5) The provisions of paragraph 21 shall apply to an order or a</p>	
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			<p>notice of postponement as they do to the notice of hearing.</p> <p><i>Non arrival of Chairman of tribunal or Presiding Justice of the court</i></p> <p>24. If the Chairman of the tribunal or Presiding Justice of the court has not arrived at the appointed time for the hearing or at the time to which the hearing has been postponed, the hearing shall, by reason of that fact, stand adjourned to the following day and so from day to day.</p> <p><i>Hearing continues from day to day</i></p> <p>25. (1) No formal adjournment of the Tribunal or Court for the hearing an election petition shall be necessary, but the hearing shall be deemed adjourned and may be continued from day to day until the hearing is concluded unless the Tribunal or Court otherwise directs as the circumstances may dictate.</p> <p>(2) If the Chairman of the tribunal or the Presiding Justice of the court who begins the hearing of an election petition is disabled by illness or otherwise, the hearing may be recommended</p>	
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and concluded by another Chairman of the Tribunal or Presiding Justice of the Court appointed by the appropriate authority.

Adjournment of hearing

26. (1) After the hearing of an election petition has begun, if the inquiry cannot be continued on the ensuing day or, if that day is a Sunday or a Public holiday, on the day following the same, the hearing shall not be adjourned *sine die* but to a definite day to be announced before the rising of the Tribunal or Court and notice of the day to which the hearing is adjourned shall forthwith be posted by the Secretary on the notice board.

(2) The hearing may be continued on a Saturday or on a public holiday if circumstances dictate.

Power of Chairman of the tribunal or the Presiding Justice of the court to dispose on interlocutory matters

			<p>27. (1) All interlocutory questions and matters may be heard and disposed of by the Chairman of the Tribunal or the Presiding Justice of the court who shall have control over the proceedings as a Judge in the Federal High Court.</p> <p>(2) After the hearing of the election petition is concluded, if the Tribunal or Court before which it was heard has prepared its judgment but the Chairman or the Presiding Justice is unable to deliver it due to illness or any other cause, the judgment may be delivered by one of the members, and the judgment as delivered shall be the judgment of the Tribunal or Court and the member shall certify the decision of the Tribunal or Court to the Resident Electoral Commissioner, or to the Commission.</p> <p><i>Effect of determination of election petition</i></p> <p>28. (1) At the conclusion of the hearing, the Tribunal shall determine whether a person whose election or return is complained</p>	
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			<p>of or any other person, and what person, was validly returned or elected, or whether the election was void, and shall certify the determination to the Resident Electoral Commissioner or the Commission.</p> <p>(2) If the Tribunal or Court has determined that the election is invalid, then, subject to section 134 of this Bill, where there is an appeal and the appeal fails, a new election shall be held by the Commission.</p> <p>(3) Where a new election is to be held under the provisions of this paragraph, the Commission shall appoint a date for the election which shall not be later than three months from the date of the determination.</p> <p><i>Withdrawal or abatement of petition</i></p> <p>29. (1) An election petition shall not be withdrawn without leave of the tribunal or court.</p> <p>(2) Where the petitioners are more than one no application for leave to withdraw the election petition shall be made except</p>	
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			<p>with the consent of all the petitioners.</p> <p>(3) The application for leave to withdraw an election shall be made by motion after notice of the application has been given to the respondents.</p> <p>(4) The notice of motion shall state the grounds on which the motion to withdraw is based, supported with affidavit verifying the facts and reasons for withdrawal, signed by the petitioner or petitioners in the presence of the Secretary.</p> <p>(5) At the time of filing the notice of motion the petitioner or petitioners shall leave copies for service on the respondent.</p> <p>(6) The petitioner or petitioners shall also file the affidavits required under paragraph 29 together with copies for each respondent and pay the fees prescribed or directed by the Secretary for services.</p> <p><i>Affidavits against illegal term of withdrawal</i></p>	
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			<p>30. (1) Before the leave for withdrawal of an election petition is granted, each of the parties to the petition shall produce an affidavit, stating that—</p> <p>(a) to the best of the deponent’s knowledge and belief no agreement or term of any kind whatsoever has been made; and</p> <p>(b) no undertaking has been entered into, in relation to the withdrawal of the petition, but if any lawful agreement has been made with respect to the withdrawal of the petition, the affidavit shall set forth that agreement and shall make the foregoing statement subject to what appears from the affidavit.</p> <p><i>Time for hearing motion for leave to withdraw petition</i></p> <p>31. (1) The time for hearing the motion for leave to withdraw the election petition shall be fixed by the Tribunal or Court.</p>	
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			<p>(2) The Secretary may give notice of the day fixed for the hearing of the motion to the respondents and post or cause to be posted on the Tribunal notice board a copy of the notice.</p> <p><i>Payment of costs to respondents</i></p> <p>32. If the election petition is withdrawn, the petitioner shall be liable to pay appropriate costs to the respondents or any of them unless the Tribunal or Court otherwise orders.</p> <p><i>Abatement of proceedings in election petition</i></p> <p>33. (1) If a sole petitioner or the survivor of several petitioners dies, then, subject to subparagraphs (2) and (3), there shall be no further proceedings on the election petition and the Tribunal or Court may strike it out of its cause list.</p> <p>(2) The death of a petitioner shall not affect his liability for the payment of costs previously incurred in the course of proceedings in respect of the</p>	
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			<p>election petition prior to its abatement.</p> <p>(3) Where notice, with copies for each party to the election petition supported by the affidavit of two witnesses testifying to the death of a sole petitioner or of the survivor of several petitioners, is given to the Secretary, he shall submit the notice to the Tribunal or Court and if the Tribunal or Court so directs, the Secretary shall—</p> <p>(a) serve notice on the other parties to the petition;</p> <p>(b) post or cause to be posted a notice on the Tribunal notice board; and</p> <p>(c) cause notice to be published in conspicuous places in the constituency, in such form as the Tribunal or Court may direct.</p> <p><i>Notice of no opposition to petition</i></p> <p>34. (1) If before the hearing of an election petition, a respondent, other than the Electoral Officer, the Returning Officer</p>	
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			<p>or Presiding Officer, gives to the Tribunal or Court notice in writing signed by him or his Solicitor before the Secretary that he does not intend to oppose the election petition, the Secretary shall—</p> <p>(a) serve notice on the other parties to the election petition; and</p> <p>(b) post or cause to be posted a notice on the Tribunal notice board.</p> <p>(2) The respondent shall file the notice with a copy for each other party to the election petition not less than six days before the day appointed for hearing of the election petition.</p> <p>(3) A respondent who has given notice of his intention not to oppose the election petition shall not appear or act as a party against the election petition in any proceeding on it; but the giving of the notice shall not of itself cause him to cease to be a respondent.</p>	
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			<p><i>Countermand of notice of hearing</i></p> <p>35. (1) Where a notice of—</p> <ul style="list-style-type: none"> (a) the petitioner’s intention to apply for leave to withdraw an election petition; or (b) the death of the sole petitioner or the survivor of several petitioners; or (c) the respondent’s intention not to oppose an election petition, is received after notice of hearing of the election petition has been given, and before the hearing has begun, the Secretary shall forthwith countermand the notice of hearing. <p>(2) The countermand shall be given in the same manner, and, as near as may be, as the notice of hearing.</p> <p><i>Discretion of tribunals or court if no reply</i></p>	
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			<p>36. Where the respondent has not entered an appearance, or has not filed his reply within the prescribed time or within such time as the tribunal or court may have allowed, or has given notice that he does not intend to oppose the petition, then if—</p> <p>(a) there remains no more than one other candidate in the election who was not returned;</p> <p>(b) the election petition contains no prayer for a determination that the election was void;</p> <p>(c) there are no facts or grounds stated in the election petition or in the reply, if any, or stated in any further particulars filed in the proceedings or otherwise appearing on proof of which it ought to be determined that election was void; or</p> <p>(d) the election petition is one complaining of undue return and claiming the seat or office for the candidate</p>	
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			<p>who was not returned and the respondent has not raised any formal or written objections to any of the votes relied on by the petitioner, the Tribunal or Court may, if it deems fit, determine the proceedings on the election petition without hearing evidence or further evidence, and in any case, the proceedings shall be continued and determined on such evidence or otherwise as the Tribunal or Court may deem necessary for the full and proper determination of the election petition.</p> <p><i>Fees</i></p> <p>37. (1) The fee payable on the presentation of an election petition shall not be less than N1,000.00.</p> <p>(2) A hearing fee shall be payable for the hearing at the rate of N40.00 per day of the hearing but not exceeding N2000.00 in all, but the Tribunal or Court may direct a different fee to be</p>	
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			<p>charged for any day of the hearing.</p> <p>(3) For the purpose of subparagraph (2), the petitioners shall make a deposit of not less than N2000.00 at the time of presenting his petition.</p> <p>(4) Subject to the provisions of this paragraph, the fees payable in connection with an election petition shall be at the rate prescribed for civil proceedings in the Federal High Court.</p> <p>(5) No fees shall be payable by the Attorney-General of the Federation (acting in person or through any other legal officer) or by a respondent who was the Commission or any of its officers appointed pursuant to the provisions of this Act.</p> <p>(6) No fees shall be payable for the summoning of witnesses by the Tribunal or Court at its own instance.</p> <p><i>Allocation of costs</i></p> <p>38. (1) All costs, charges and expenses of and incidental to the</p>	
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			<p>presentation of an election petition and to the proceedings consequent thereon, with the exception of such as are otherwise provided for, shall be defrayed by the parties to the election petition in such manner and in such proportions as the Tribunal or Court may determine, regard being had to the —</p> <p>(a) disallowance of any costs, charges or expenses, which may in the opinion of the Tribunal or Court have been caused by vexatious conduct, unfounded allegation or unfounded objection on the part of the petitioner or of the respondent, as the case may be; and</p> <p>(b) discouragement of any needless expenses by throwing the burden of defraying the expenses on the party by whom it has been caused; whether that party is or is not on the whole successful.</p>	
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			<p>(2) Where the Tribunal or Court declares an election to be void, it may, if satisfied that the invalidity was due either wholly or in part to the culpable default of an officer responsible for the conduct of the election in the performance of his duties, order that the whole or part of the cost awarded to the successful petitioner be paid by that officer.</p> <p><i>Return of Security</i></p> <p>39. Money deposited as security shall, when no longer needed as security for costs, charges or expenses, be returned to the person in whose name it was deposited or to the person entitled to receive it by order of the Tribunal or Court which may be made on motion after notice and proof that all just claims have been satisfied or otherwise sufficiently provided for as the Tribunal or Court may require.</p> <p><i>Payment of costs out of security</i></p> <p>40. (1) The Tribunal or Court may, on application made by a person to whom any costs, charges or expenses is payable, order it to</p>	
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			<p>be paid out of a deposit made to secure it, after notice to the party by or on whose behalf the deposit was made, requiring him to file a statement within a specified time whether he opposes the application and the ground of his opposition.</p> <p>(2) Where a dispute arises on an application under subparagraph (1), the Tribunal or Court shall afford every person affected by the dispute an opportunity of being heard and shall make such order there on as it may deem fit.</p> <p>(3) A person shall be deemed to have been afforded the opportunity of being heard if notice of the appointed time for the inquiry into the dispute was given to him, though the person may not have been present at the making of the inquiry.</p> <p>(4) A notice to be given to a person under this paragraph may be given by the Secretary handing him the notice or sending it to him by registered letter in the case of —</p>	
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			<p>(a) a party, at the address for service;</p> <p>(b) an application for payment, at the address given in his application, so however, that the provisions of this subparagraph shall not preclude the giving of notice in any other manner in which notice may be given or which may be authorised by the Tribunal or Court.</p> <p>(5) Execution may be levied under an order for payment made by the tribunal or court under this paragraph in the same manner and to the same extent as execution may be levied under judgment for the payment of money.</p> <p><i>Evidence at Hearing</i></p> <p>41. (1) Subject to any statutory provision or any provision of these paragraphs relating to evidence, any fact required to be proved at the hearing of a</p>	
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			<p>petition shall be proved by written deposition and oral examination of witnesses in open court.</p> <p>(2) Documents which parties consented to at the pre-hearing session or other exhibits shall be tendered from the Bar or by the party where he is not represented by a legal practitioner.</p> <p>(3) There shall be no oral examination of a witness during his evidence-in-chief except to lead the witness to adopt his written deposition and tender in evidence all disputed documents or other exhibits referred to in the deposition.</p> <p>(4) Real evidence shall be tendered at the hearing.</p> <p>(5) The Tribunal or Court may, at or before the hearing of a petition order or direct that evidence of any particular fact be given at the hearing in such manner as may be specified by the order or direction.</p>	
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			<p>(6) The power conferred by subparagraph (5) of this paragraph extends in particular to ordering or directing that evidence of any particular fact be given at the trial—</p> <p>(a) by statement on oath of information or belief;</p> <p>(b) by the production of documents or entries in books; or</p> <p>(c) in the case of a fact which is of common knowledge either generally or in a particular district by the production of a specified newspaper which contains a statement of that fact.</p> <p>(7) The Tribunal or Court may, at or before the hearing of a petition order or direct that the number of witnesses who may be called at the hearing be limited as specified by the order or direction.</p> <p>(8) Save with leave of the Tribunal or Court after an applicant has shown exceptional circumstances, no document,</p>	
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			<p>plan, photograph or model shall be received in evidence at the hearing of a petition unless it has been listed or filed along with the petition in the case of the petitioner or filed along with the reply in the case of the respondent.</p> <p>(9) Such leave may be granted with costs save where in the circumstance the Tribunal or Court considers otherwise.</p> <p>(10) The petitioner, in proving his case shall have, in the case of-</p> <p>(a) Councillor, Chairman and State House of Assembly, two weeks;</p> <p>(b) House of Representatives, three weeks;</p> <p>(c) Senate, five weeks;</p> <p>(d) Governor, six weeks; and</p> <p>(e) President, seven weeks,</p>	
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to do so and each respondent shall have not more than 10 days to present his defence.

Calling of witnesses

42. (1) On the hearing of an election petition, the Tribunal or Court may summon a person as a witness who appears to the Tribunal or Court to have been concerned in the election.

(2) The Tribunal or Court may examine a witness so summoned or any other person in the Tribunal or Court although the witness or person is not called and examined by a party to the election petition, and thereafter he may be cross-examined by or on behalf of the petitioner and the respondent.

(3) The expenses of a witness called by the Tribunal or Court at its own instance shall, unless the Tribunal or Court otherwise orders, be deemed to be costs of the election petition and may, if the Tribunal or Court so directs,

			<p>be paid in the first instance by the Secretary in the same way as State witness' expenses and recovered in such manner as the Tribunal or Court may direct.</p> <p>(4) Where the Tribunal or Court summons a person as a witness under this paragraph, the provisions of the Civil Procedure Rules relating to the expenses of persons ordered to attend a hearing shall apply as if they were part of this paragraph.</p> <p>(5) The Tribunal or Court shall in —</p> <p>(a) making and carrying into effect an order for the production and inspection of documents used in the election; and</p> <p>(b) the examination of any witness who produces or will produce a document, ensure that the way in which the vote of a particular person</p>	
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			<p>has been given shall not be disclosed.</p> <p><i>Privileges of a witness</i></p> <p>43. (1) A person called as a witness in a proceeding in the Tribunal or Court shall not be excused from answering a question relating to an offence or connected with an election on the grounds that the answer thereto may incriminate or tend to incriminate him, or on the ground of privilege.</p> <p>(2) A witness who answers truly all questions which he is required by the Tribunal or Court to answer shall be entitled to receive a certificate of indemnity under the hand of the Chairman or the tribunal or Presiding Justice of the court stating that the witness has so answered.</p> <p>(3) An answer by a person to a question before the Tribunal or Court shall not, except in the case of a criminal proceeding for perjury in respect of the answer, be admissible in any</p>	
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			<p>proceeding, civil or criminal, in evidence against him.</p> <p>(4) When a person has received a certificate of indemnity in relation to an election and legal proceedings are at any time brought against him for an offence against the provisions of this Act, committed by him prior to the date of the certificate at or in relation to that election, the Tribunal or Court having cognizance of the case shall, on proof of the certificate, stay the proceeding, and may, at its discretion award to that person such costs as he may have been put to in the proceeding.</p> <p><i>Evidence of respondent</i></p> <p>44. At the hearing of an election petition complaining of an undue return and claiming the seat or office for a petitioner, the respondent may, subject to the provisions of paragraph 12 (2), give evidence to prove that the election of the petitioner was undue in the same manner as if he were the person presenting the</p>	
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			<p>election petition complaining of the election.</p> <p><i>Enlargement and abridgement of time</i></p> <p>45. (1) The Tribunal or Court shall have power, subject to the provisions of section 134 of this Act and paragraph 11, to enlarge time for doing any act or taking any proceedings on such terms (if any) as the justice of the case may require except otherwise provided by any other provision of this Schedule.</p> <p>(2) An enlargement of time may be ordered although the application for the enlargement is not made until after the expiration of the time appointed or allowed.</p> <p>(3) When the time for delivering a pleading or document or filing any affidavit, answer or document, or doing anything or act is or has been fixed or limited by any of the sections, paragraphs or rules under or in pursuance of this Act or by a direction or an order of the Tribunal or Court, the costs of an application to extend the time,</p>	
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			<p>where allowed or of an order made there on shall be borne by the party making the application unless the Tribunal or Court otherwise orders.</p> <p>(4) Every application for enlargement or abridgement of time shall be supported by affidavit.</p> <p>(5) An application for abridgement of time may be <i>ex parte</i>, but the Tribunal or Court may require notice of the application to be given to the other parties to the election petition.</p> <p>(6) An application for enlargement of time shall be made by motion after notice to the other party to the election petition but the Tribunal or Court may, for good cause shown by affidavit or otherwise, dispense with the notice.</p> <p>(7) A copy of an order made for enlargement or abridgement of time shall be filed or delivered together with any document filed or delivered by virtue of the order.</p>	
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			<p><i>Hearing in a Petition</i></p> <p>46. (1) When a petition comes up for hearing and neither party appears, the Tribunal or Court shall, unless there are good reasons to the contrary, strike out the petition and no application shall be brought or entertained to re-list it.</p> <p>(2) When a petition comes up for hearing, if the petitioner appears and the respondent does not appear the petitioner may prove his petition so far as the burden of proof lies upon him and the Tribunal or Court shall enter a final judgment in the petition.</p> <p>(3) When a petition comes up for hearing, if the respondent appears and the petitioner does not appear, the respondent shall be entitled to final judgment dismissing the petition.</p> <p>(4) Documentary evidence shall be put in and may be read or taken as read by consent, such documentary evidence shall be deemed demonstrated in open court and the parties in the petition shall be entitled to</p>	
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			<p>address and urge argument on the content of the document, and the Tribunal or Court shall scrutinize or investigate the content of the documents as part of the process of ascribing probative value to the documents or otherwise.</p> <p>(5) A party shall close his case when he has concluded his evidence and either the petitioner or respondent may make oral application to have the case closed.</p> <p>(6) Notwithstanding the provision of subparagraph (5), the Tribunal or Court may <i>suo-motu</i> where it considers that either party fails to conclude its case within a reasonable time, close that party's case.</p> <p>(7) The Secretary shall take charge of every document or object put in as exhibit during the hearing of a petition and shall mark or label every exhibit with a letter or letters indicating the party by whom the exhibit is put in (or where more convenient the witness by whom the exhibit is proved) and with a number so</p>	
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			<p>that all the exhibits put in by a party (or proved by a witness) are numbered in one consecutive series.</p> <p>(8) The Secretary shall cause a list of all the exhibits in the petition to be made which when completed shall form part of the record of the proceedings.</p> <p>(9) For the purpose of subparagraph (8), a bundle of documents may be treated and counted as one exhibit.</p> <p>(10) When the party beginning has concluded his evidence, if the other party does not intend to call evidence, the party beginning shall within 10 days after close of evidence file a written address. Upon being served with the written address, the other party shall within seven days file his own written address.</p> <p>(11) Where the other party calls evidence, he shall within 10 days after the close of its evidence file a written address.</p>	
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			<p>(12) Upon being served with other party's written address the party beginning shall within seven days file his written address.</p> <p>(13) The party who files the first address shall have a right of reply on points of law only and the reply shall be filed within five days after service of the other party's address.</p> <p><i>Motions and Applications</i></p> <p>47. (1) No motion shall be moved and all motions shall come up at the pre-hearing session except in extreme circumstances with leave of Tribunal or Court.</p> <p>(2) Where by these Rules any application is authorised to be made to the Tribunal or Court, such application shall be made by motion which may be supported by affidavit and shall state under what rule or law the application is brought and shall be served on the respondent.</p> <p>(3) Every such application shall be accompanied by a written</p>	
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			<p>address in support of the reliefs sought.</p> <p>(4) Where the respondent to the motion intends to oppose the application, he shall within seven days of the service on him of such application file his written address and may accompany it with a counter affidavit.</p> <p>(5) The applicant may, on being served with the written address of the respondent file and serve an address in reply on points of law within three days of being served and where a counter-affidavit is served on the applicant he may file further affidavit with his reply.</p> <p><i>Service of Notice</i></p> <p>48. (1) Where a summons, notice or document, other than a notice or document mentioned in paragraph 7 (1), is required to be served on a person for a purpose connected with an election petition, it may be served by delivering it to the person or by leaving it at his last known place of abode in the</p>	
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			<p>constituency with any person there found who is a resident of the abode and appears to be 18 years of age or more.</p> <p>(2) After a party has given an address for service it shall be sufficient if, in lieu of serving him personally with a document intended for him, the document is served on the person —</p> <p>(a) appearing on the paper last filed on his behalf as his Solicitor wherever the person may be found or, if the person is not found at his office, on the clerk there apparently in charge; or</p> <p>(b) named as occupier in his address for service wherever the person may be found or, if the person is not found at the address, on—</p> <p>(i) the person there found apparently in charge, if such address is a place or business, or</p> <p>(ii) a person, other than a domestic servant, there found who is a resident</p>	
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			<p>of the address and appears to be 18 years of age or more.</p> <p>(3) A party may change his address for service by giving notice of his new address for service and its occupier to the Secretary and to each party to the election petition, but, until a notice, is received by the Secretary, his old address for service shall continue to be his address for service.</p> <p>(4) Where service by one of the modes specified in this paragraph has proved impracticable, the Tribunal or Court may, on being satisfied, on an application supported by an affidavit showing what has been done, that all reasonable efforts have been made to effect service—</p> <p>(a) order that service be effected in any of the ways mentioned in the provisions of the Civil Procedure Rules relating to substituted service</p>	
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			<p>which service shall be sufficient; or</p> <p>(b) dispense with service or notice as the Tribunal or Court deems fit.</p> <p><i>Two or more candidates as respondents</i></p> <p>49. Two or more candidates may be made respondents to the same petition and their case may, for the sake of convenience be heard at the same time but for all purposes (including the taking of security) the election petition shall be deemed to be a separate petition against each of the respondents.</p> <p><i>Consolidated petitions</i></p> <p>50. Where two or more petitions are presented in relation to the same election or return, all the petitions shall be consolidated, considered and be dealt with as one petition unless the Tribunal or Court shall otherwise direct in order to do justice or an objection against one or more of the petitions has been upheld by the Tribunal or Court.</p>	
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			<p><i>Electoral Officer, etc. as Respondents</i></p> <p>51. (1) Where an election petition complains of the conduct of an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission he shall for all purposes be deemed to be a respondent and joined in the election petition as a necessary party, but an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission shall not be at liberty to decline from opposing the petition except with the written consent of the Attorney-General of the Federation.</p> <p>(2) If consent is withheld by the Attorney-General under subparagraph (1) of this paragraph the Government of the Federation shall indemnify the Electoral Officer, Presiding Officer, Returning Officer or such other official of the Commission against any costs which may be awarded against him by the Tribunal or</p>	
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			<p>Court in respect of the election petition.</p> <p>(3) Where the Commission, an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission has been joined as a respondent in an election petition, a Legal Officer of the Commission or a Legal Practitioner engaged by the Commission or the Attorney-General of the State concerned (acting in person or through any of his Legal Officers), or the Attorney-General of the Federation (acting in person or through any of his Legal Officers) shall represent the Commission Electoral Officer, Presiding Officer, Returning Officer or other official of the Commission at the Tribunal or Court.</p> <p>(4) A private Legal Practitioner engaged by the Commission under subparagraph (3) shall be entitled to be paid his professional fees and a Legal Officer so engaged shall be paid such honorarium as may</p>	
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			<p>be approved by the Commission.</p> <p><i>Duplicate of document</i></p> <p>52. In the absence of express provision in this Schedule, a party filing any document or process paper in connection with any step being taken in the proceedings of an election petition shall, unless the Secretary otherwise directs, leave with the Secretary copies of the document or process paper for service on each of the parties to the election petition in addition to three copies which the Secretary may preserve.</p> <p><i>Noncompliance with rules, etc.</i></p> <p>53. (1) Noncompliance with any of the provisions of this Schedule, or with a rule of practice for the time being operative, except otherwise stated or implied, shall not render any proceeding void, unless the Tribunal or Court so directs, but the proceeding may be set aside wholly or in part as irregular, or amended, or otherwise dealt</p>	
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			<p>with in such manner and on such terms as the Tribunal or Court may deem fit and just.</p> <p>(2) An application to set aside an election petition or a proceeding resulting there from for irregularity or for being a nullity, shall not be allowed unless made within a reasonable time and when the party making the application has not taken any fresh step in the proceedings after knowledge of the defect.</p> <p>(3) An application to set aside an election petition or a proceeding pertaining thereto shall show clearly the legal grounds on which the application is based.</p> <p>(4) An election petition shall not be defeated by an objection as to form if it is possible at the time the objection is raised to remedy the defect either by way of amendment or as may be directed by the Tribunal or Court.</p> <p>(5) An objection challenging the regularity or competence of an</p>	
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election petition shall be heard and determined after the close of pleadings.

Application of rules of court

54. Subject to the express provisions of this Act, the practice and procedure of the Tribunal or the Court in relation to an election petition shall be as nearly as possible, similar to the practice and procedure of the Federal High Court in the exercise of its civil jurisdiction, and the Civil Procedure Rules shall apply with such modifications as may be necessary to render them applicable having regard to the provisions of this Act, as if the petitioner and the respondent were respectively the plaintiff and the defendant in an ordinary civil action.

Practice and procedure of Court of Appeal and Supreme Court

55. Subject to the provisions of this Act, an appeal to the Court of Appeal or to the Supreme Court shall be determined in accordance with the practice and procedure relating to civil appeals in the Court of Appeal or of the Supreme Court, as the case may be, regard being

			had to the need for urgency on electoral matters.	
	<p>PARAGRAPH 46- HEARING IN A PETITION</p> <p>(1) When a petition comes up for hearing and neither party appears, the Tribunal or Court shall, unless there are good reasons to the contrary, strike out the petition and no application shall be brought or entertained to re-list it.</p> <p>(2) When a petition comes up for hearing, if the petitioner appears and the respondent does not appear the petitioner may prove his petition so far as the burden of proof lies upon him and the tribunal or court shall enter a final judgment in the petition.</p> <p>(3) When a petition comes up for hearing, if the respondent appears and the petitioner does not appear, the respondent shall be entitled to final judgment dismissing the petition.</p> <p>(4) Documentary evidence shall be put in and may be read or taken as read by consent.</p> <p>(5) A party shall close his case when he has concluded his evidence and either the petitioner or respondent may make oral application to have the case closed.</p> <p>(6) Notwithstanding subparagraph (5) of this paragraph, the tribunal or court may suo-</p>	<p>PARAGRAPH 46- HEARING IN A PETITION</p>		

	<p>motu where it considers that either party fails to conclude its case within a reasonable time, close that party's case.</p> <p>(7) The Secretary shall take charge of every document or object put in as exhibit during the hearing of a petition and shall mark or label every exhibit with a letter or letters indicating the party by whom the exhibit is put in (or where more convenient the witness by whom the exhibit is proved) and with a number so that all the exhibits put in by a party (or proved by a witness) are numbered in one consecutive series.</p> <p>(8) The Secretary shall cause a list of all the exhibits in the petition to be made which when completed shall form part of the record of the proceedings.</p> <p>(9) For the purpose of subparagraph (8) of this paragraph, a bundle of documents may be treated and counted as one exhibit.</p> <p>(10) When the party beginning has concluded his evidence, if the other party does not intend to call evidence, the party beginning shall within 10 days after close of evidence file a written address. Upon being served with the written address, the other party shall within 7 days file his own written address.</p> <p>(11) Where the other party calls evidence, he shall within 10 days after the close of its evidence file a written address.</p>			
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	<p>(12) Upon being served with other party's written address the party beginning shall within 7 days file his written address.</p> <p>(13) The party who files the first address shall have a right of reply on points of law only and the reply shall be filed within 5 days after service of the other party's address.</p>			
	<p>EXPLANATORY MEMORANDUM This Bill seeks to amend the Electoral Act No. 6, 2010 to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended); use of Card Readers and other technological devices in elections and Political Party Primaries, to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses, and address the omission of names of candidates or logo of political parties.</p>	<p><i>EXPLANATORY MEMORANDUM</i> <i>This Bill seeks to repeal the Electoral Act No. 6, 2010 and enact Independent National Electoral Commission Bill 2020, to regulate the conduct of Federal, State and Area Council elections and for related matters, to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended); use of Card Readers and other technological devices in elections and Political Party Primaries, to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses, and address the omission of names of candidates or logo of political parties.</i></p>		

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FORM TF 001

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDENAT.....

Petition No.....

The election to the..... For..... Constituency or the
office held on theday of 20....

Between

A.B.....

C.D.....

(Plaintiff(s))

And

E.F.....

G.H.....

Respondent(s)

Petition

The petition of A.B. of (or

A.B. of.....and C.D. of or as the case may be) whose names are subscribed.

Your petitioner A.B. was a candidate at the above election or claims to have had a right to contest or be returned at the above election or was a registered political party and your petition..... (here state in like manner the right of each petitioner..... and your petitioner(s) state(s) that the election was held on the..... day of.....20..... when A.B. (and C.D.) and E.F. (and G.H.) were candidate(s). And your petitioner(s) state(s) that (here stated facts and grounds on which the petitioner(s) rely.....

Wherefore your petitioner(s) pray(s) that it may be determined that the said E.F. (and G.H.) was (were) not duly elected (or returned) and that their (or his) election was void or that the said A.B. (and C.D.) was (were) elected and ought to have been returned, or as the case may be.

Signed.....

A.B.....

C.D. Address for service.....

..... The

The name of any (or our) Solicitor is.....Or I (or we) am (or are) acting for myself (or ourselves)

Signed.....B. Petitioners)

..... C.D.

Signed before me this.....day of.....20.....

.....

Secretary

Schedule 1

Paragraph 3

FORM TF 002

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

.....

.....

(Petitioner(s))

And

.....

.....

Respondent(s)

.....

RECEIPT OF PETITION

Received on the..... day of..... 20..... at the
Registry of the Tribunal, a petition touching the election of as a
member of..... to..... the office
of.....purporting to be signed
by.....

Dated.....this.....day of.....20.....

.....
Secretary

Secretary for Service on: Petitioner

.....
.....
.....

FORM TF 003

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

.....Petitioner(s)

.....and.....

.....Respondent(s)

.....

To Respondent(s)

NOTICE OF PRESENTATION OF PETITION

TAKE NOTICE that a petition, a duplicate whereof is attached hereto, has this day been presented in the Registry of the Tribunal/Court of Appeal named above and that you are to enter an appearance in respect of the petition to the said Registry withindays of the date when this notice was left at your address set out below, or as the Court may direct by order under paragraph 8(2) of First Schedule to this Act, otherwise proceedings on the petition may be continued and determined in default of your appearance, and any document intended for you may be posted up on the notice board, which shall be sufficient notice thereof.

Dated this..... day of..... 20.....

.....
Secretary

To.....

.....

.....

FORM TF 004

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

.....Petitioner(s)

.....

And Respondent(s)

.....

To: The Secretary

MEMORANDUM OF APPEARANCE

Election Tribunal/Court of Appeal

Please enter appearance for.....

Who is

.....

in the above election petition.

The name and address of his Solicitor are as follows:

.....
.....
.....

Dated this.....day of.....20.....

.....
Signed

For Service on Petitioner.....

First Schedule

Paragraph 19

FORM TF 005

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

.....Petitioner(s)

And.....(Respondent(s))

.....

The petition ofPetitioner)

of.....

(or.....of.....of.....and

.....(Petitioners) as the case may be) whose name(s) are subscribed.

NOTICE OF HEARING

TAKE NOTICE the above election petition will be heard at on theday of.....20..... and on such other days as the Court of Appeal may determine.

Dated this.....day of.....20.....

.....
Secretary

Address For Service:

Petitioner

.....

Respondent

.....

FORM TF 006

ELECTORAL ACT, 2010

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

Petitioner(s)

.....

And

.....

Respondent(s)

.....

.....

NOTICE OF MOTION TO WITHDRAW PETITION

TAKE NOTICE that this Honourable Tribunal/Court will be moved on.....the.....day of.....20..... at the hour of 9 o'clock in the afternoon or as soon thereafter as the Petitioner or Counsel on his behalf can be heard praying the Tribunal/Court for an order enabling the Petitioner to withdraw the above petition on the following ground (s)

.....

Dated.....this.....day of.....20.....

.....

Petitioner(s) or Solicitor

FORM TF 007

ELECTORAL ACT, 2021

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

Petitioner(s)

.....
.....
.....

And

.....

Respondent(s)

.....
.....

To(Insert Name of parties)

HEARING NOTICE FOR PRE-HEARING SESSION

Take Notice that you are required to attend the Tribunal/Court on the day of 20 at 9 o' clock in the forenoon, for a Pre-Hearing Session for the purposes set out hereunder:

1. – (a) disposal of all matters which must or can be dealt with on interlocutory application;

 (b) giving directions as to the future of the petition as appear best adapted to secure its just, expeditious and economical disposal in view of the urgency of election petitions;

 (c) giving directions on order of witnesses to be called and such documents to be tendered by each party to prove their cases having in view of the need to expeditious disposal of the petition;

 (d) fixing clear dates for hearing of the petition.

2. Please answer the questions in the attached Pre-Hearing Information Sheet (Form TF 008) on a separate sheet and submit seven clear days before the above mentioned date.

Take Notice that if you do not attend in person or by Legal Practitioner at the time and place mentioned such proceeding will be taken and such order will be made as the Tribunal or Court may deem just an expedient.

Dated the day of 20.....

Signed.....
Secretary

FORM TF 008

ELECTORAL ACT, 2021

IN THE NATIONAL ELECTION TRIBUNAL/ COURT OF APPEAL

HOLDEN AT.....

Petition No.....

Between

Petitioner(s)

.....
.....
.....

And

.....

Respondent(s)

.....
.....
.....

PRE-HEARING INFORMATION SHEET

This Pre-Hearing Information Sheet is intended to include reference to all applications which the parties would wish to make at the Pre-Hearing Session. Information Sheet should be entered under item 14 below.

All parties shall not, later than seven days before the first Pre-Hearing Session file and serve on all parties:

(a) all applications in respect of matters to be dealt with before hearing including but not limited to the matters listed hereunder,

(b) written answers to the questions contained in this Pre-Hearing Information Sheet.

1. Do you require that this action be considered with any other action(s)? If so give particulars.
2. Are amendments to a petition, reply or other process required?
3. Are further and better particulars of any petition or reply required? If so specify what particulars are required.
4. If you intend to make any additional admissions, give details.
5. Are there witnesses you may now wish to call.
6. Will interpreters be required for any witness? If so, state in what language.
7. Is this a case in which the use of a single or joint expert might be suitable? If not state reasons.
8. Is there any way in which the Tribunal or Court can assist the parties to resolve their dispute or particular issues in it without the need for a hearing or full hearing?
9. Have you considered any lawful means of resolving or narrowing down the dispute or particular issues in it? If yes state the steps that have been taken. If not state reasons.
10. List the paragraphs of the petition/reply you are admitting.
11. List the documents you are consenting to.
12. List the documents you are disputing and the reasons for the dispute.
13. List the witnesses you feel may not be necessary for any party to call and state your reasons for the opinion.

List the applications you wish to make at the Pre-Hearing Session.

Dated this Day of 20.....

Signed

(Legal Practitioner for the)

For service on-

.....

.....

SUPPLEMENTAL

Transitional Provisions

1. The statutory functions, rights, interests, obligations and liabilities of the Independent National Electoral Commission established pursuant to the Electoral Act 2006, existing before the commencement of this Act under any contract or instrument, or in law or in equity shall, by virtue of this Act, be deemed to have been assigned to and vested in the Independent National Electoral Commission established by this Act.
2. Any such contract or instrument as is mentioned in subsection (1), shall be of the same force and effect against or in favour of the Independent National Electoral Commission established by this Act and shall be enforceable as fully and effectively as if instead of the Independent National Electoral Commission existing before the commencement of this Act, the Independent National Electoral Commission established by this Act has been named therein or had been a party thereto.
3. The Independent National Electoral Commission established by this Act shall be subject to all the obligations and liabilities to which the Independent National Electoral Commission existing before the commencement of this Act was subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Independent National Electoral Commission established by this Act as they had against the Independent National Electoral Commission of Nigeria existing before the commencement of the Act.
4. Any proceeding or cause of action pending or existing immediately before the commencement of this Act, by or against the Independent National Electoral Commission existing before the commencement of this Act in respect of any right, interest, obligation or liability of the Independent National Electoral Commission existing before the commencement of this Act may be continued or may be commenced and any determination of the court of law, tribunal or other authority or person may be enforced by or against the Independent National Electoral Commission established by this Act to the same extent as would have been against the Independent National Electoral Commission existing before the commencement of this Act.

5. All assets, funds, resources and other movable or immovable property, which immediately before the commencement of this Act, were vested in the Independent National Electoral Commission, existing before the commencement of this Act shall by virtue of this Act and without further assurance, be vested in the Independent National Electoral Commission established by this Act.

6. Any person who immediately before the coming into force of this Act is the holder of any office in the Independent National Electoral Commission existing before the commencement of this Act shall, on the commencement of this Act, and subject to the provisions of the Constitution, continue in office and be deemed to have been appointed to his office by the Independent National Electoral Commission established by this Act unless the authority by which the person was appointed terminates the appointment.

Second Schedule

Section 26 (1)

INDEPENDENT NATIONAL ELECTORAL COMMISSION OATH/ AFFIRMATION OF NEUTRALITY

Ido solemnly swear/affirm that I will be faithful to the Federal Republic of Nigeria; that as _____ I will discharge my duties to the best of my ability in accordance with the Constitution of the Federal Republic of Nigeria, the Electoral Act and the Guidelines issued by the Independent National Electoral Commission; that I will do the right to all candidates and political parties according to law without fear or favour, affection or ill-will. So help me God.

Deponent

Sworn to / Affirmed at: _____ this: _____ day of

Before me: _____ Resident Electoral Commissioner Electoral officer.

Third Schedule

Section 10 (4)

ELECTORAL ACT, 2010

SECTION A

Form Ec. 1

APPLICATION FOR INCLUSION IN REGISTER OF VOTERS

To the Registration Officer,.....

.....Constituency.....20.....of.....apply to be included in the Preliminary List of the Register of Voters for the above constituency upon the grounds:-

- 1. That I am a citizen of Nigeria;
 - 2. That I am 18 years or above 18 years of age;
 - 3. That I am now ordinarily resident at
-

(here state town or village and if possible the street number if known)

4. And I declare that the above particulars are true to the best of my belief and-

*(a) that I am not already registered in this or any other Preliminary List or Register of Voters under the above Act (or I request that my name be entered in the appropriate list); or

*(b) that I have already registered, but wish my name transferred to the area of my new abode. Particular of my former place of residence are given below-

CODE

STATE.....

LOCAL GOVERNMENT AREA

REGISTRATION AREA

REGISTRATION UNIT.....

VOTER'S NUMBER.....

VOTER'S NAME SECTION B

APPLICANT'S OTHER PARTICULARS (IN CAPITALS)

5. NAME IN FULL.....

(Family Name First)

6. OCCUPATION.....

7. AGE.....

8. SEX MALE (M) FEMALE (F).....

9. ADDRESS (i.e. House Number, Street Name or Name of Village or Hamlet)

.....

.....

*Signed.....

*Right thumb print impressed in the presence of witness to thumb print.

.....

.....

.....

*Cross out whichever is inapplicable

SECTION 21(1)

ELECTORAL ACT, 2010

FORM EC.2

CLAIM FOR CORRECTION OF OUR INSERTION OF NAME IN PRELIMINARY LIST

To the Supervisory Assistant Registration Officer..... WARD

I.....

ofhereby declare.

1. That I applied for inclusion in the Supplementary List for the Updating Register of Voters for the above Ward on the 20..... and that my particulars have been omitted/inaccurately stated.
2. I am a citizen of Nigeria.
3. I am 18 years of age or over
4. I am ordinary resident at the above address

or.....

5. I hereby apply for the Supplementary List to be completed/corrected accordingly.
6. I declare that the above particulars are true to the best of my belief and that I am not already registered in this or any Supplementary List or Register of Voters.

Date

Signature or Thumb Print

OBJECTION TO NAME IN SUPPLEMENTARY LIST

To the Supervisory/Assistant Registration/Officer.....

Constituency..... 20.....

of.....Address).....

Whose name appears in the Supplementary List for the above Ward hereby give notice:

That I object to the inclusion in such list of the name of.....

whose.....address is given as..... on the

on the following grounds.....

.....

..... (Here Insert The Grounds)

I wish to produce the following witnesses.....

.....

..... Signed..... Registered

Voter.....

Dated this.....Day of.....20.....

SECTION 20 (2)

FORM EC 3A

NOTIFICATION OF DEATH OF A PERSON NAMED IN THE REGISTER OF VOTERS

To the Registration Officer,..... Constituency..... 20.....

I,.....of.....

hereby give notice thatthe

Register of Voters.....Registration Centre as.....is dead.

I wish to produce the following evidence witness.....

witness.....

.....

Signed