

**A BILL FOR AN ACT TO AMEND THE PROVISIONS OF THE ELECTORAL ACT NO 6 2010 AND FOR OTHER
RELATED MATTERS 2018**

(SB231 & 234) (HBs 165, 174, 220, 429, 468, 484, 809 & 966)

S/N O	CLAUSE	PROVISIONS OF THE PRINCIPAL ACT	SENATE	HOUSE OF REPRESENTATIVES	COMMITTEE RECOMMENDATION
1	8	Section 8 of the principal Act is amended by inserting after subsection (4), a new subsection "(5)", as follows: "(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 shall be liable, on conviction, to imprisonment for at least five (5) years or a fine of at least N5,000,000, or both."	"(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 shall be liable, on conviction, to imprisonment for at least five (5) years or a fine of at least N5,000,000, or both."		
2	9	Section 9 of the principal Act is amended by – (a) inserting, after subsection (1), a new subsection "(1A)" – "(1A) The Commission shall keep the Register of Voters as the National Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time: PROVIDED that the Commission	"(1A) The Commission shall keep the Register of Voters as the National Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time: PROVIDED that the Commission shall keep the Register of Voters in – (a) electronic format in its central database; and (b) manual, printed, paper-based record		

		shall keep the Register of Voters in – (a) electronic format in its central database; and (b) manual, printed, paper-based record or hard copy format.” (b) in subsection (5) in line 2, by substituting for the figure “30”, the figure “60”.	or hard copy format.” (5) The registration 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.		
3	15	Section 15 of the principal Act is amended by inserting after the word “printed” in line 1, the expression “or reproduced, copied, duplicated or saved in an electronic format”.	The commission shall cause a voters registration for each state to be printed, 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 local government or Area council or registration area within it.		
4	18	(i) Amend marginal note by replacing the word “duplicate” with the word “replacement” (ii) 18 (2) If the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the Voters’ card, he shall issue to the voter a Replacement Permanent Voter Card. (iii) 18 (3) No person shall issue a replacement to any Voter on polling day or less than thirty (30) days before polling day.	(2) If the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the Voters’ card, he shall issue to the voter a Replacement Permanent Voter Card. (3) No person shall issue a replacement to any Voter on polling day or less than thirty (30) days before polling day.		

5	19	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.	"(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."; "(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." "(4) Failure to display or publish the voters' register as provided under subsection (1) of this section shall constitute an offence for which any official or staff of the Commission responsible for such default shall be guilty and liable, on conviction, to imprisonment for a term of 6 months or a fine of N100,000 or both."		
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6	25	“25 (1) Election to each of the 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. (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. (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. (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. (5) An election to the office of the President shall be held on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.		(1) Elections into the offices of the President and Vice President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and Houses of Assembly of each State of the Federation shall be held in the following order- (a) National Assembly Elections; (b) State Houses of Assembly and Governorship Elections; (c) Presidential Election. (2) The dates for these elections shall be as appointed by the Independent National Electoral Commission. (3) Election into the offices of the Chairman and Vice Chairman and membership of the Area Councils of the FCT shall	
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		(6) An election to the said office of the President shall be held on a date not earlier than 150 days and not later 30 days before the expiration of the term of office of the last holder of that office. (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. (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.		be held on the dates to be appointed by the Independent National Electoral Commission".	
7	27	(i) 27(1) (b) The Ward collation Officer at the Ward Collation Centre (ii) 27 (2) (a) Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory		(1) (b) the Registration Area/Ward Collation Officer at the Registration Area/Ward Collation Centre; (2) (a) Registration Area/Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory.	

8	30	Section 30 (1) is amended by replacing the figure "90" with the figure "150" The commission shall not later than 90 days before the day appointed for holding of an election under this act published a notice in each state of the federation and the federal capital territory: (a) Stating the date of the election; and (b) Appointing the place at which nomination papers are to be delivered.		(1) The commission shall not later than 150 days before the day appointed for holding election under the Act publish a notice in each state of the federation and the federal capital territory (a) Stating the date of the election and (b) Appointing the place at which nomination papers are to be delivered	
9	31	Section 31 of the Principal Act is amended by substituting for a new subsection (6)" and "(7)": (6) If the Court determines that any of the information contained in the Affidavit is false, the Court shall issue an order disqualifying the candidate from contesting the election, if already elected, shall not be eligible to re-contest another election which shall be conducted within ninety (90) days by		(6) If the Court determines that any of the information contained in the Affidavit is false, the Court shall issue an order disqualifying the candidate from contesting the election, if already elected, shall not be eligible to re-contest	

		the Independent National Electoral Commission”. (7) Any political party that presents to the Commission the name of a Candidate that does not meet the qualification stipulated in the Constitution commits an offence and shall, on conviction, not be allowed to participate in the contest to that particular office”; and (b) In subsection (8), by substituting for the expression, “N500,000”, in line 3, the expression, “N1,000,000”.		another election which shall be conducted within ninety (90) days by the Independent National Electoral Commission”. (7) Any political party that presents to the Commission the name of a Candidate that does not meet the qualification stipulated in the Constitution commits an offence and shall, on conviction, not be allowed to participate in the contest to that particular office”; and (8) A political party which presents to the commission the name of a candidate who does not meet the qualification stipulated in this section shall be guilty of an offence and on conviction shall be liable to a maximum fine of N 1, 000, 000	
10	33	Section 33 of the principal Act is amended by inserting a proviso as follows: “Provided that in the case of such withdrawal or death of a candidate, the political party affected shall within 10	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		

		days of the occurrence of the event hold a fresh primary election to produce and submit a fresh candidate to the Independence National Electoral Commission for the election concerned."	"Provided that in the case of such withdrawal or death of a candidate, the political party affected shall within 10 days of the occurrence of the event hold a fresh primary election to produce and submit a fresh candidate to the Independence National Electoral Commission for the election concerned."		
11	34	Section 34 of the Principal Act is amended by adding a new subsection (2), (3) and (4) to read: "(2) Any candidate who observes his name or that of his party missing on the list published in accordance with subsection (1) above, shall notify the Commission in writing, signed by himself and supported with an affidavit not later than 21 days to the election (3) Where the candidate fails to notify the Commission in accordance with subsection (2) above, the candidate shall be deemed to have waived his right". (4) The Commission shall produce ballot papers for the relevant elections in accordance with the list published after corrections in conformity with subsection (2) above.		"(2) Any candidate who observes his name or that of his party missing on the list published in accordance with subsection (1) above, shall notify the Commission in writing, signed by himself and supported with an affidavit not later than 21 days to the election (3) Where the candidate fails to notify the Commission in accordance with subsection (2) above, the candidate shall be deemed to have waived his right". (4) The Commission shall produce ballot papers for the relevant elections in accordance with the list published after corrections in conformity with subsection (2) above.	

				(7) 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 and which shall only be allowed not later than 30 days to the election."	
12	35	Amended by substituting 45 with 30 in section 35 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 withdrawals to the commission and which shall only be allowed not later than 45 days to the elections.		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 and which shall only be allowed not later than 30 days to the election."	

13	36A	. Insert a new section "36A": <i>"Second run-off to replace candidate."</i> 36 A. Where a candidate withdraws his candidature or dies before the commencement of polls in accordance with the provisions of sections 35 and 36 of this Act, the political party that nominated the candidate shall conduct a new primary to nominate another candidate in accordance with section 87 of the Electoral Act within seven (7) days of such withdrawal or death".	A. Where a candidate withdraws his candidature or dies before the commencement of polls in accordance with the provisions of sections 35 and 36 of this Act, the political party that nominated the candidate shall conduct a new primary to nominate another candidate in accordance with section 87 of the Electoral Act within seven (7) days of such withdrawal or death".	
14	36	Section 36 of the Principal Act is amended by inserting a new subsection (3) - "(3) Where a nominated candidate dies in the circumstances stated under subsection (1) of this section, the next person, from the same political party where the deceased emerged, with the highest votes in the primary election shall be submitted to the Commission to replace the deceased, and the Commission shall accept such replacement as if the deceased is alive".	"(3) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies: (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days; (b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh direct primary within 14 days of the death of its candidate and submit a new candidate to the Commission to replace the dead candidate; and (c) subject to paragraphs (a) and (b) of this subsection, the Commission shall	"(3) Where a nominated candidate dies in the circumstances stated under subsection (1) of this section, the next person, from the same political party where the deceased emerged, with the highest votes in the primary election shall be submitted to the Commission to replace the deceased, and the Commission shall accept such replacement as if the deceased is alive".

			continue with the election, announce the final result and declare a winner.”		
15	38	Section 38 of the Principal Act is amended by inserting a new subsection (2): “(2) Where there is a valid nomination by at least one political party, failure of a political party to validly nominate a candidate shall not constitute ground for extension of time for nomination or postponement of election”; and (b) renumbering the section appropriately.		“(2) Where there is a valid nomination by at least one political party, failure of a political party to validly nominate a candidate shall not constitute ground for extension of time for nomination or postponement of election”; and (b) Renumbering the section appropriately.	
16	43	Section 43 of the principal Act is amended by inserting after subsection (4), new subsections “(4A)”, “(4B)”, and “(4C)”, as follows: “(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, including ballot papers, result sheets, ballot papers’ account and verification documents and other electoral forms to be used by the Commission for the election inspected; and this process may be recorded in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission. (4B) An election conducted at any	“(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, including ballot papers, result sheets, ballot papers’ account and verification documents and other electoral forms to be used by the Commission for the election inspected; and this process may be recorded in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission. (4B) An election conducted at any polling unit in violation of subsections (3), (4), (4A) or (5) of this section this of this section shall be invalid. (4C) A Presiding Officer who contravenes subsections (3), (4), (4A) or		

		polling unit in violation of subsections (3), (4), (4A) or (5) of this section this of this section shall be invalid. (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 at least one (1) year imprisonment or a fine of N1,000,000, or both."	(5) of this section commits an offence and shall be liable, on conviction, to at least one (1) year imprisonment or a fine of N1,000,000, or both."		
17	44	Section 44 of the principal Act is amended by inserting after subsection (2), new subsections "(3)", "(4)" and "(5)" respectively, as follows: "(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 shall 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. (4) Unless the political party disapproves of its identity under subsection (3) of this section, 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. (5) A political party that fails to comply with an invitation by the Commission under subsection (3) of	"(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 shall 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. (4) Unless the political party disapproves of its identity under subsection (3) of this section, 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. (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."		

		this section shall be deemed to have approved its identity on samples of electoral materials proposed to be used for an election."			
18	48	"48 (1) At the hour fixed for opening of the poll before the commencement of-p 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."		(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 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."	
19	49	Section 49 of the principal Act is amended by substituting for the existing section 49 a new Section "49", as follows: "49. Accreditation of Voters, Transmission of accreditation data, Issuance of ballot papers to voters, etc (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. (2) The Presiding Officer shall use a Smart Card Reader or any other	(2) The Presiding Officer shall use a Smart Card Reader or any other technological device that may be prescribed by the Commission from time to time for the accreditation of voters, to verify, confirm or authenticate - (a) the genuineness or otherwise of the voter's card; (b) that the voter's card presented by the voter is registered at the polling unit in the constituency in which the card is presented; (c) the biometric connection or otherwise of the intending voter with the voter's	(2) The Presiding Officer shall verify the voter card and authenticate the particulars of the voter in the manner prescribed by the Commission.	

	technological device that may be prescribed by the Commission from time to time for the accreditation of voters, to verify, confirm or authenticate - (a) the genuineness or otherwise of the voter's card; (b) that the voter's card presented by the voter is registered at the polling unit in the constituency in which the card is presented; (c) the biometric connection or otherwise of the intending voter with the voter's card; and (d) the number of duly accredited voters in the polling unit. (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 - (a) a genuine voter's card issued by the Commission to the intending voter; (b) registered at the polling unit in the constituency in which the card is presented, and (c) biometrically connected to the intending voter. (4) Notwithstanding paragraph (3) (c) of this section if the card reader fails, the Presiding Officer on being satisfied that an intending voter is the owner of the voter's card, may	card; and (d) the number of duly accredited voters in the polling unit.		
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		accredit the intending voter to vote in the election: PROVIDED that where the number of voters unaccredited under this subsection exceeds ten percent (10%) of the total number of registered voters in the polling unit, the Commission shall suspend the election in that unit and comply with subsection (3) (c) of this section at a later date, if the result of the election at that polling unit may affect the overall result in the Constituency. (5) The Commission shall continue the conduct of an election suspended under subsection (4) of this section within 7 days of the suspension if the result of the election at that polling unit may affect the overall result in the Constituency: PROVIDED that the Commission shall comply with subsection (3) (c) of this section. (6) Subject to subsections (1), (2), (3) and (4) 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 record by ticking on the Register of Voters that the intending voter, having been accredited, received a ballot paper to vote in the particular election. (7) The number of intending voters whose names are ticked for accreditation on the Register of Voters under subsection (6) of this section			
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shall not be inconsistent with the number of intending voters accredited under subsections (3) and (4) of this section.

(8) At the end of accreditation of voters, the Presiding Officer shall instantly transmit the total number of intending voters accredited to vote with all other voter accreditation data captured under subsection (3) and (4) of this section by secured mobile electronic communication to the:

(a) collation center at each level of collation of results to which the polling unit belongs in the constituency where the election is held; and

(b) central database of the Commission kept at the National Headquarters of the Commission:

PROVIDED that the Presiding Officer shall first record 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 from time to time and provide duly signed copies to Polling Agents.

(9) In respect of data of accreditation of voters, including polling unit results, for a particular election, the Commission shall not shut down its central database kept at its National Headquarters, until all election petitions and appeals pertaining to that election are heard and determined by

		the Tribunal or Court, as the case may be. (10) Notwithstanding any provision to the contrary in this Act, a report issued by the Presiding Officer and certified by a designated official in the National Headquarters of the Commission showing the number of voters accredited under subsections (3) and (4) of this section shall be the conclusive record of accreditation of voters in an election. (11) The result of an election in a polling unit shall be declared invalid, null and void either by the Commission or Tribunal or Court, as the case may be, if – (a) in the case of the Commission, there is no record of accreditation directly from the Smart Card Reader or any technological device used by the Commission in that polling unit for accreditation of voters; or (b) in the case of the Tribunal or Court, there is no certified report of accreditation issued by the Commission under subsection (11) of this section. (12) A Presiding Officer who intentionally contravenes any provision of this section that applies to him shall be guilty of an offence and shall be liable, on conviction, to imprisonment for at least 5 years, without an option of fine.”		
20	52	Section 52 of the principal Act is		

		amended by: (a) substituting for subsection (2), a new subsection "(2)", - "(2) The Commission shall adopt electronic voting in all elections or any other method of voting as may be determined by the Commission from time to time."	"(2) The Commission shall adopt electronic voting in all elections or any other method of voting as may be determined by the Commission from time to time."		
21	53	Section 53 (2) of the principal Act is amended by inserting after the word: (a) "exceeds" in line 1, the word "either"; and (b) "of" in line 2, the words "accredited or". (2) Where the votes cast at an election in any polling unit exceeds 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	(2) Where the vote cast at an election in any polling unit exceed either the number of accredited 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	(2) Where the votes cast at an election in any polling unit exceed the number of accredited 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."	
22	63	Section 63 of the principal Act is amended by: (a) substituting for subsection (4), a	"(4) Except electronic voting is adopted by the Commission and does not permit manual counting of votes, the Presiding Officer shall count the votes and	(4) The Presiding Officer shall announce the result at the Polling Unit".	

	new subsection (4), as follows: “(4) Except electronic voting is adopted by the Commission and does not permit manual counting of votes, the Presiding Officer shall count the votes and announce the result at the polling unit and, instantly thereafter, transmit the votes and result of the election in the polling unit by secured mobile electronic communication to the; (a) collation center at each level of collation of results to which the polling unit belongs in the constituency where the election is held; and (b) central database of the Commission kept at the National Headquarters of the Commission: PROVIDED that the Presiding Officer shall first record the votes and result in forms or electoral documents as shall be prescribed by the Commission for this purpose from time to time and such copies given to party agents.” (b) by inserting after subsection (4), a new subsection “(5)”, as follows: “(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.” (c) by inserting after subsection (5), a new subsection “(6)”, as follows:	announce the result at the polling unit and, instantly thereafter, transmit the votes and result of the election in the polling unit by secured mobile electronic communication to the; (a) collation center at each level of collation of results to which the polling unit belongs in the constituency where the election is held; and (b) central database of the Commission kept at the National Headquarters of the Commission: PROVIDED that the Presiding Officer shall first record the votes and result in forms or electoral documents as shall be prescribed by the Commission for this purpose from time to time and such copies given to party agents.”		
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		"(6) A Presiding Officer who intentionally contravenes any provision of this section shall be guilty of an offence and shall be liable, on conviction, to imprisonment for at least 5 years, without an option of fine." (i) Section 63 (1) is amended by substituting it with a new subsection (1) as follows: "63 (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate in a form prescribed by the Commission and electronically transmit same". (ii) Subsection 4 is amended by deleting the phrase "count and"- "63 (4) The Presiding Officer shall announce the result at the Polling Unit".			
23	65A	The principal Act is amended by inserting after section 65, a new section 65A: "National Electronic Register of Election Results "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 distinct database or repository of	"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 distinct database or repository of polling unit by polling 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.		

		polling unit by polling 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. (2) Any person or political party may obtain from the Commission, on payment of 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, Ward or Polling Unit, as the case may be and the certified true copy may be in printed or electronic format."	(2) Any person or political party may obtain from the Commission, on payment of 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, Ward or Polling Unit, as the case may be and the certified true copy may be in printed or electronic format."		
24	67A	The principal Act is amended by inserting after section 67, a new section 67A: "Verification and confirmation of results 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: (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(8) of this Act; and	(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: (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(8) of this Act; and (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.		

	(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. (2) Subject to subsection (1) of this section, a Collation Officer or Returning Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 49(8) 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 an election if a collated result at his or a lower level of collation is not correct. (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: (a) the original of the disputed collated result or result for each polling unit where the election is disputed; (b) the Smart Card Reader or other technological 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 technological device; (c) data of accreditation recorded and transmitted directly from each polling unit where the election is disputed, as	(2) Subject to subsection (1) of this section, a Collation Officer or Returning Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 49(8) 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 an election if a collated result at his or a lower level of collation is not correct. (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: (a) the original of the disputed collated result or result for each polling unit where the election is disputed; (b) the Smart Card Reader or other technological 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 technological device; (c) data of accreditation recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 49 (8) of this Act; and (d) the votes and result of the election recorded and transmitted directly from each polling unit where the election is		
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		prescribed under section 49 (8) of this Act; and (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 63(4) of this Act. (4) 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), (b), (c) and (d) of this section. (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. (6) A Returning Officer or Collation Officer, as the case may be, who intentionally 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 at least 5 years' imprisonment, without an option of a fine."	disputed, as prescribed under section 63(4) of this Act. (4) 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), (b), (c) and (d) of this section. (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. (6) A Returning Officer or Collation Officer, as the case may be, who intentionally 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 at least 5 years' imprisonment, without an option of a fine."		
25	76A	The principal Act is amended by inserting after section 76, a new section "76A", as follows: "Recording of details of electoral materials	(1) 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		

		76A. (1) 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. (2) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (1) of this section is guilty of an offence and shall be liable, on conviction, to imprisonment for at least one (1) year without an option of fine."	and other sensitive electoral materials made available by the Commission for the conduct of the election shall be invalid. (2) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (1) of this section is guilty of an offence and shall be liable, on conviction, to imprisonment for at least one (1) year without an option of fine."		
26	78	Section 78 (5) of the principal Act is amended by inserting after the word "cancelled" in line 3, the words "and the Association and each of its executives or principal officers shall, on account of such false or misleading information, be guilty of an offence and be liable, on conviction, - (a) in the case of the Association, to a fine of N5,000,000; and (b) in the case of each executive or principal officer of the Association, to imprisonment for at least 6 months or a fine of N1,000,000 or both." Amend by replacing "30 with 60 in subsection (4)"-	(5) Association and each of its executives or principal officers shall, on account of such false or misleading information, be guilty of an offence and be liable on conviction, (a) in the case of association to a fine of N5,000,000; and (b) in the case of each executive or principal officer of the association to imprisonment for at least 6 months or a fine of 1,000,000 or both." To a fine of N1,000,000	(4) A political association that meets the conditions stipulated in the Constitution and this Act 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".	

		“78 (4) A political association that meets the conditions stipulated in the Constitution and this Act 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”.			
27	82	(1) Section 82 (1) of the Electoral Act is amended by inserting the words "and name" between the word "symbol and names" and "for use....." (2) Section 82 (2) of the Electoral Act is amended by inserting the word "name" between the words "symbol names" and "of a political party" . (a) inserting the words "or name" between the words "symbol or name" and "of the same design..." (b) inserting the words "or name" between the words "symbol or name" and "is distinct from ... " (3) The Commission shall remove a symbol or name from the register of symbols and names if- (4) Amend the Marginal Note of section 82 as follows: "Symbols and names of political parties"		17. (1) The commission shall keep a register of symbols and name for use at election (2) The commission shall register the symbol and name of a political party if it is satisfied that (a) No other symbol and name of the same design is registered (b) The symbol and name is distractive from any other symbol already registered (3) The Commission shall remove a symbol or name from the register symbols and names if- (a) the political party in	

				whose name it is registered request the removal; or (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 (4) Amend the Marginal Note of section 82 as follows: "Symbols and names of political parties"	
28	85	Section 85 (1) of the Electoral Act is amended by inserting the words "merger, fusion" between the words "for the purpose of merger and fusion" and "electing members of its ..." Every registered political party shall give the commission at least 21 days' notice of convention, congresses, conference or meeting convened for the purpose of electing members of its executive committees, other governing bodies or nominating candidate for any of the elective offices specified under this Act.		(1) Every registered political party shall give the commission at least 21 days' notice of convention, congresses, conference or meeting convened for the purpose of merger and fusion and electing members of its executive committees, other governing bodies or nominating candidate for any of the elective offices specified under this Act.	

29	87	87 The principal act is amended by substituting for section 87 a new section 87 as follows: (1) A political party seeking to nominate candidates for elections under this Act shall hold primaries for aspirants to all elective positions. (2) The procedure for the nomination of candidates by political parties for the various elective positions shall be by direct or indirect primaries. (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. (4) A political party that adopts the system of indirect primaries for the choice of its candidate shall adopt the procedure outlined below: (a) In the case of nomination at a presidential convention in the Federal Capital 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 (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	<i>"87. Nomination of Candidates by Parties</i> (1) <i>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 every primary to elect candidates for an election to be conducted by the Commission shall be endorsed or certified by the Commission.</i> (2) <i>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 the Federal Republic of Nigeria, 1999 (as amended).</i> (3) <i>For the purpose of nomination of candidates for election, the total fees, charges, dues and any payment howsoever named</i>	<i>"(9A) Where a primary election is conducted, and duly attended and certified by the Commission in compliance with this Act, and the result is subsequently altered by a political party, the Commission shall have the power to overrule the alteration made by the political party and uphold such primaries".</i> (a) the Primaries of Political Parties shall follow the following sequence (i) State House of Assembly, (ii) National Assembly, (iii) Governorship, (iv) President. (b) the dates for the above stated primaries shall not be earlier than ninety (90) days and not later than sixty (60) days before the date of elections to the offices.	
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	party and the aspirant name shall be forwarded to the Independent National Electoral Commission as the candidate of the party (b) In the case of nomination to the position of Governorship candidate, a political party shall, where it intend to sponsor candidates: (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 (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 aspirant's name shall be forwarded to the Commission as the candidate of the party, for the particular State. (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) 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	<i>imposed by a political party on an aspirant or candidate shall not exceed:</i> (i) <i>One Hundred and Fifty Thousand Naira (N150,000) for a Ward Councillorship aspirant in the FCT;</i> (ii) <i>Two Hundred and Fifty Thousand Naira (N250,000) for an Area Council Chairmanship aspirant in the FCT;</i> (iii) <i>Five Hundred Thousand Naira (N500,000) for a House of Assembly aspirant;</i> (iv) <i>One Million Naira (N1,000,000) for a House of Representatives aspirant;</i> (v) <i>Two Million Naira (N2,000,000) for a Senatorial aspirant;</i> (vi) <i>Five Million naira (N5,000,000) for a Governorship aspirant; and</i> (vii) <i>Ten Million Naira (N10,000,000) for a Presidential aspirant.</i> (4) <i>Any requirement, criteria, measures, or conditions for the nomination of candidates for elections outside the</i>		
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	specified dates. (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. (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) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at designated centres on a specified date, and (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. (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. (6) Where there is only one aspirant in	<i>provisions of subsections (2) or (3) of this section shall be invalid, null, void and of no effect whatsoever.</i> (5) <i>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> <i>Direct Primaries</i> (6) <i>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> (a) <i>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>		
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	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. (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. (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 appointee is also an officer of a political party. (9) Notwithstanding the provisions of the Act or rules of a political party, an aspirant who complains that	(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 and may freely vote for any Presidential aspirant of their choice;</i> (ii) <i>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> (iii) <i>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> (iv) <i>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> (b) <i>in the case of nomination to the position of Governorship candidate in a Governorship election in a State, a political party shall, where</i>		
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	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. (10) Nothing in this section shall empower the Courts to stop the holding of primaries or general election under this Act pending the determination of the suit.	<i>it intends to sponsor a candidate:</i> (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 and may freely vote for any Governorship aspirant of their choice;</i> (ii) <i>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> (iii) <i>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> (iv) <i>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> (c) <i>in the case of nominations to the position of Senatorial candidate, House of Representatives</i>		
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			<i>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> (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 and may freely vote for any Senatorial aspirant of their choice;</i> (ii) <i>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 and may freely vote for any House of Representatives aspirant of their choice;</i> (iii) <i>conduct direct primaries in the registration areas in each Local Government Area in the State Assembly Constituency where all</i>		
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			registered members of the party in the State Assembly Constituency shall be eligible to vote and may freely vote for any State House of Assembly aspirant of their choice; (iv) subject to sub-paragraph (i) of this paragraph, declare the 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; (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		
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			(vi) <i>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 of Assembly Candidate of the party in the election for the State Assembly Constituency.</i> (d) <i>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> (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 and may vote for any Chairmanship aspirant of their choice;</i> (ii) <i>declare the Chairmanship aspirant with the highest number of votes in all registration areas in the Area</i>	
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			<i>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> <i>Election of Delegates for Indirect Primaries</i> <i>(7) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall conduct a delegates election in all registration areas in the constituency where the election is to be held and all registered members of the party in that registration area shall be eligible to vote for any contestant who presents himself to be a delegate of the party,</i> <i>PROVIDED that the delegates election shall be monitored by the Commission and the result of every delegates election shall be endorsed or certified by the Commission.</i> <i>Substitute for section 87 of the Principal Act a new section "87"</i>	
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			as follows: <i>"87. Nomination of Candidates by Parties</i> <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 every primary to elect candidates for an election to be conducted by the Commission shall be endorsed or certified by the Commission.</i> <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 the Federal Republic of Nigeria, 1999 (as amended).</i> <i>(3) For the purpose of</i>		
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			<i>nomination of candidates for election, the total fees, charges, dues and any payment howsoever named imposed by a political party on an aspirant or candidate shall not exceed:</i> <i>(i) One Hundred and Fifty Thousand Naira (N150,000) for a Ward Councillorship aspirant in the FCT;</i> <i>(ii) Two Hundred and Fifty Thousand Naira (N250,000) for an Area Council Chairmanship aspirant in the FCT;</i> <i>(iii) Five Hundred Thousand Naira (N500,000) for a House of Assembly aspirant;</i> <i>(iv) One Million Naira (N1,000,000) for a House of Representatives aspirant;</i> <i>(v) Two Million Naira (N2,000,000) for a Senatorial aspirant;</i> <i>(vi) Five Million naira (N5,000,000) for a Governorship aspirant; and</i> <i>(vii) Ten Million Naira</i>		
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(N10,000,000) for a Presidential aspirant.

(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, null, void and of no effect whatsoever.

(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.

Direct Primaries

(6) A political party that adopts the system of direct primaries for the nomination of it 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 –

			(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) 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 and may freely vote for any Presidential aspirant of their choice; (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; (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 (iv) forward the name of the winner of the Presidential	
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			<i>primaries to the Commission as the Presidential candidate of the party in the Presidential election.</i> <i>(b) in the case of nomination to the position of Governorship candidate in a Governorship election in a State, a political party shall, where it intends to sponsor a candidate:</i> <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 and may freely vote for any Governorship aspirant of their choice;</i> <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> <i>(iii) hold a State Congress where it shall present the winner of the Governorship primaries to the public as the Governorship</i>		
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			<i>Candidate of the party in the Governorship election; and</i> <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> <i>(c) in the case of nominations to the position of Senatorial candidate, 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> <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 and may freely vote for any Senatorial aspirant of their choice;</i> <i>(ii) conduct direct primaries</i>		
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			<i>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 and may freely vote for any House of Representatives aspirant of their choice;</i> <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 and may freely vote for any State House of Assembly aspirant of their choice;</i> <i>(iv) subject to sub-paragraph (i) of this paragraph, declare the 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>		
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			(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 (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 of Assembly Candidate of the party in the election for the State Assembly Constituency. (d) in the case of the position of a Chairmanship candidate of an Area Council in the Federal		
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			<i>Capital Territory, a political party shall, where it intends to sponsor a candidate:</i> (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 and may vote for any Chairmanship aspirant of their choice;</i> (ii) <i>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> <i>Election of Delegates for Indirect Primaries</i> (7) <i>A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall conduct a delegates election in all registration areas in the</i>		
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			<i>constituency where the election is to be held and all registered members of the party in that registration area shall be eligible to vote for any contestant who presents himself to be a delegate of the party,</i> <i>PROVIDED that the delegates election shall be monitored by the Commission and the result of every delegates election shall be endorsed or certified by the Commission.</i> <i>(8) A political party leader or official who is not elected in his or her registration area as a delegate of his or her party under subsection (7) of this section shall not be a voting delegate of the party and shall not vote in his or her party's indirect primaries but may perform his or her functions in a neutral as may be prescribed in his or her party's constitution in relation to indirect primaries,</i> <i>PROVIDED that in performing his or her functions as a party leader or official in relation to indirect primaries, the party leader or</i>		
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			<i>official shall not conduct himself in any manner whatsoever to impact the election in favour of any aspirant in the indirect primaries.</i> <i>(9) A party leader or official who contravenes the provisions of subsection (8) of this section commits an offence and shall be liable on conviction to imprisonment for one (1) year or a fine of One Million Naira (N1,000,000).</i> <i>Automatic Delegates</i> <i>(8) All National, State, Local Government Area/Area Council and Ward executives of a party and elected officials of government mentioned below who are members of the party shall be automatic or super delegates who shall be eligible to vote in their party's indirect primaries –</i> <i>(a) President and former Presidents;</i> <i>(b) Vice President and former Vice Presidents,</i> <i>(c) Governors and former Governors;</i> <i>(d) Deputy Governors and former Deputy Governors;</i>		
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			(e) Senators and former Senators; (f) Members of the House of Representatives and former Members of the House of Representatives; (g) Members of State Houses of Assembly; (h) Chairmen of Local Government Areas/Area Councils; and (i) Councillors of Wards, PROVIDED that: (i) the number of automatic or super delegates shall not exceed Ten percent (10%) of the total number of elected delegates, and (ii) the party shall have the power to determine in its constitution or nomination guidelines and manuals, the particular indirect primaries or election to particular elective offices(s) that automatic or super delegates shall vote. (9) A political party that adopts the system of indirect primaries for the choice of its candidate may outline further guidelines, rules and procedures to guarantee free, fair, and credible election of	
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			<i>delegates to vote at a convention or congress of the party, but such further guidelines, rules and procedures shall not be inconsistent with the provisions of this Act.</i> <i>(10) Any official of the Commission who issues, endorses or certifies a false report or result in respect of a delegates election or primaries of a political party commits an offence and shall be liable on conviction to imprisonment for one (1) year or a fine of One Million Naira (N1,000,000), or both.</i> <i>Indirect Primaries</i> <i>(11) 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 delegates of the party who shall be registered members of the party.</i> <i>(12) Where a political party adopts the system of indirect primaries for the nomination of its candidate(s) for elections, the</i>		
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party shall adopt the procedure outlined below –

(a) in the case of nominations to the position of Presidential candidate, a political party shall, where it intends to sponsor a candidate, –

(i) hold a special presidential convention at a designated centre in the Federal Capital Territory or any other place within the Federation and on a date agreed by the National Executive Committee of the party where delegates of the party shall vote for each of the presidential aspirants of the party; and

(ii) the presidential 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 Commission as the presidential candidate of the party;

(b) in the case of nomination to the position of Governorship candidate, a political party shall,

			where it intends to sponsor candidates, - (i) hold a special congress at a designated centre in the State Capital or any other place within the State and on a date agreed by the party where delegates of the party shall vote for each of the governorship aspirant of the party; 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 and the party shall forward the aspirant's name to the Commission as the candidate of the party, for the particular State; (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) hold special congresses in the Senatorial District, Federal Constituency and the State assembly constituency respectively		
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			<i>in designated centres and on a date or dates agreed by the party where delegates of the party shall vote for each of the Senatorial, House of Representatives and House of Assembly aspirants of the party; and</i> <i>(ii) the Senatorial, House of Representatives and House of Assembly aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party for Senatorial District, Federal Constituency and the State assembly constituency respectively and the aspirant's name shall be forwarded to the Commission as the Senatorial, House of Representatives and House of Assembly candidate of the party, as the case may be; and</i> <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> <i>(i) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at</i>		
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			<i>designated centres on a specified date, and</i> <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> <i>(13) 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> <i>(14) Where there is only one aspirant for an elective position in a party that has adopted the direct system of 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.</i> <i>(15) Where there is only one</i>		
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			<i>aspirant for any of the elective positions mentioned in subsection (12)(a), (b), (c) and (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 confirm that aspirant as the candidate of the party and the party shall forward the name of the aspirant to the Commission as the candidate of the party.</i> <i>(16) A political appointee at any level of government shall not be an automatic or super delegate at the convention or congress of any political party for the purpose of nomination of candidates for any election under the indirect primaries system, except where such a political appointee is also an officer of a political party or otherwise elected as a delegate under subsection (7) of this section.</i> <i>(17) Where a political party conducts its primaries or delegates election with the Commission in attendance and the result of the primaries or delegates election is</i>		
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			endorsed or certified by the Commission, this shall be prima facie proof of the result of the election or delegates election. (18) Nothing in this section shall prevent a political party from organising staggered primaries. (19) 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. (20) 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 the suit." Section 112 of the Principal Act is amended by inserting after subsection (3), a new subsection "(4)", as follows:	
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			<i>"(4) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies,</i> <i>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;</i> <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 a new candidate to the Commission to replace the dead candidate; and</i> <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>		
30	91	(i) Section 91 of the Principal Act is amended by substituting the figures "N1,000,000,000.00 in subsection (2) with the figures "N5,000,000,000" (ii) Section 91 of the Principal Act is amended by substituting the figures "N200,000,000" in subsection (3) with the figures "N1,000,000,000"		(1) Election expenses shall not exceed the sum stipulated in subsection (2)-(7) of this section. (2) the maximum election expenses to	

	(iii) Delete subsection (4) of the Principal Act and substitute with a new subsection (4) as follows: "The maximum amount of election expenses to be incurred in respect of Senatorial and House of Representatives Seats shall be N100,000,000 and N70,000,000 respectively" (iv) Section 91 of the Principal Act is amended by substituting the figures "N10,000,000" in subsection (5) with the figures "N30,000,000" (v) Section 91 of the Principal Act is amended by substituting the words "Ten Million Naira (N10,000,000)" in subsection (6) with the words "thirty Million Naira (N30,000,000)" (vi) Section 91 of the Principal Act is amended by substituting the words "shall be One Million Naira (N1,000,000)" in subsection (7) with the words "shall be Five Million Naira (N5,000,000)" (vii) Section 91 of the Principal Act is amended by substituting the figures "N1,000,000" in subsection (9) with the figures "N10,000,000" (viii) Section 91 of the Principal Act is amended by substituting for subsection (10), a new subsection "(10)"- "(10) A candidate who knowingly acts in contravention of this section, commits an offence and is liable on conviction to a maximum fine of 1% of the amount permitted as the limit of campaign expenditure under this Act or imprisonment for a term not exceeding 12 months, or both." 21. "99. (1) For the purpose of this		be incurred by a candidate at a presidential election shall be five billion naira "(N5,000,000,000.00) (3) the maximum amount of election expenses to be incurred by a candidate in respect of Governorship election shall be one billion naira "(N1,000,000,000.00) (4) the maximum amount of election expenses to be incurred by a candidate in respect of Senatorial and House of Representatives seat shall be one hundred million "(N100,000,000.00) and seventy million (N70,000,000.00) respectively (5) in the case of State Assembly election, the maximum amount of election expenses to be incurred shall be
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		Act, 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." 22. (100) Amend by "replacing the existing subsection (6) with a new subsection (6)"- "100 (6) Any person who contravenes subsections (3) and (4) of this section commits an offence and upon conviction is liable. "A public media that contravenes subsections (3) and (4) of this section commits an offence and is liable on conviction to: (a) in the case of a public media to a maximum fine of N2,000,000.00 in the first instance and to a maximum fine of N5,000,000.00 for subsequent conviction; and (b) in the case of principal officer(s) and other officer(s) of the media house to a maximum fine of N2,000,000.00 or to imprisonment for a term of 12 months."		Thirty Million naira "(N30,000,000.00) (6) in the case of a chairmanship election to an area Council, the maximum amount of election expenses to be incurred shall be Thirty Million naira "(N30,000,000.00) (7) in the case of Councillorship election to an area Council, the maximum amount of election expenses to be incurred shall be five Million naira "(N5,000,000.00) (9). No individual or other entity shall donate more than one Ten million naira"(N10,000,000.00). (10). A candidate who knowingly acts in contravention of this section, commits an offence and is liable on conviction to a maximum fine of 1% of the amount permitted as the limit	
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				of campaign expenditure under this Act or imprisonment for a term not exceeding 12 months, or both."	
31	99	"99. (1) For the purpose of this Act, 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."		(1) For the purpose of this Act, 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."	
32	100	(100) Amend by "replacing the existing subsection (6) with a new subsection (6)"- "100 (6) Any person who contravenes subsections (3) and (4) of this section commits an offence and upon conviction is liable. "A public media that contravenes subsections (3) and (4) of this section commits an offence and is liable on conviction to: (a) in the case of a public media to a maximum fine of N2,000,000.00 in the first instance and to a		(6) Any person who contravenes subsections (3) and (4) of this section commits an offence and upon conviction is liable. "A public media that contravenes subsections (3) and (4) of this section commits an offence and is liable on conviction to: (a) in the case of a public media to a maximum fine of N2,000,000.00 in the	

		maximum fine of N5,000,000.00 for subsequent conviction; and (b) in the case of principal officer(s) and other officer(s) of the media house to a maximum fine of N2,000,000.00 or to imprisonment for a term of 12 months."		first instance and to a maximum fine of N5,000,000.00 for subsequent conviction; and (b) in the case of principal officer(s) and other officer(s) of the media house to a maximum fine of N2,000,000.00 or to imprisonment for a term of 12 months."	
33	112	Section 112 of the Principal Act is amended by inserting after subsection (3), a new subsection "(4)", as follows: <i>"(4) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies,</i> <i>(a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;</i> <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</i>	"(4) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies: (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days; (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 a new candidate to the Commission to replace the dead candidate; and		

		<i>candidate and submit a new candidate to the Commission to replace the dead candidate; and</i> (c) <i>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>	(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."		
34	138	Section 138 of the Principal Act is amended by: (a) inserting after the word "Act" in line 2 of subsection (1)(b), the words "<i>and published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election.</i>"; (b) inserting after the word "Act" in line 4 of subsection 2, the words "<i>and published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election.</i>"; and (c) inserting after subsection (2), a new subsection "(3)", as follows: <i>"(3) With respect to subsection (1) (a) of this Section, a person shall be</i>	(1) An election may be questioned on any of the following grounds, that is to say: (a) That a person whose election is questioned was, at the time of the election, not qualified to contest the election; (b) That the election was invalid by reason of corrupt practices or non-compliance with the provisions of Act; and published manuals, guidelines, regulations and or procedures issued by the Commission for the election". (2) An Act or omission which may be contrary to an instruction or directive of the commission or of an office appointed for the purpose of the election but which is not contrary to the provisions of this Act and published manuals, guidelines, regulations		

		<i>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>	and/or procedures issued by the Commission for the conduct of the election shall not of itself be a ground for questioning the election. (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."		
35	139	Section 139 of the Principal Act is amended by inserting after the word "Act" in line 4 of subsection (1), the words "and published-manuals, guidelines, regulations and/or procedures issued by the Commission for the conduct of the election."	(1) Notwithstanding the provision of this Act or any other law, an Election shall not be liable to be invalidated by reason of non compliance with the provisions of this Act "<i>and published-manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election</i>". if it appears to the Election Tribunal or		

			Court that the election was conducted substantially in accordance with the principles of this Act and that the non compliance did not affect substantially the result of the election.		
36	140	Section 140 of the Principal Act is amended by substituting for subsection (4), a new subsection "(4)" — Insert a new subsection "(4)"— "(4) If, at the point of display or distribution of ballot papers by the Commission, a candidate or his agent discovers that his name or the name or logo of his party is omitted, a candidate or his agent shall notify the Commission and the Commission shall— (a) postpone the election to rectify the omission; and (b) appoint another date to conduct the election not later than ninety (90) day		"(4) If, at the point of display or distribution of ballot papers by the Commission, a candidate or his agent discovers that his name or the name or logo of his party is omitted, a candidate or his agent shall notify the Commission and the Commission shall— (b) postpone the election to rectify the omission; and (b) appoint another date to conduct the election not later than ninety (90) days."	
37	142A	Insert after section 142, a new section "142A", as follows:	(142A.) It shall not be necessary for a petitioner who alleges non-compliance		

		"Sufficiency of documentary evidence 142A. It shall not be necessary for a petitioner who alleges non-compliance with the provisions of this Act and the published manuals, guidelines, regulations, procedures or directives 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 where the noncompliance is alleged are listed in the petition and tendered at the trial of the petition by the petitioner in proof of the non-compliance complained of."	with the provisions of this Act and the published manuals, guidelines, regulations, procedures or directives 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 where the noncompliance is alleged are listed in the petition and tendered at the trial of the petition by the petitioner in proof of the non-compliance complained of."		
38	143	143 (3) 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".		(3) 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".	

39	151	Section 151 of the Principal Act is amended by inserting after subsection (2), a new subsection "(3)", as follows: "(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."	"(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."		
40	152	The Principal Act is amended by inserting after section "152", new sections "152A", "152B", "152C" and "152D" as follows: "152A. 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. 152B All elections conducted by a State Independent Electoral	"(152A). 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. (152B) All elections conducted by a State Independent Electoral Commission to a Local Government Council in the Federation shall be in compliance with the relevant provisions this Act. (152C) Any election conducted by a		

		Commission to a Local Government Council in the Federation shall be in compliance with the relevant provisions this Act. 152C. 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. 152D. 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."	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. (152D). 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."		
41	156	Section 156 of the Principal Act is amended by: (a) inserting after the definition of the words "Electoral Officer", the definition of the expression "electronic format", as follows: "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	(A) "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.	(A) "Candidate" means a person who has secured the nomination of a political party or independent candidate to contest an election for any elective office". (B) "fusion" means a process by which a political party fuses with another political party by dropping its name and symbol and become	

	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. (b) inserting after the definition of the phrase "National Assembly", the definition of the expression "number of unaccredited voters", as follows: "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." (c) inserting after the definition of the word "President", the definition of the expression "Presiding Officer", as follows: "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	(B) <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> (C) <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> (D) <i>"published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election": which is made public by the Commission at least seven (7) days before the date of general elections."</i> (D) <i>"Returning Officer" means a person appointed by the Commission to be in charge of the conduct of election in a constituency, and this shall include persons who may be</i>	subsumed in another political party, thereby cease to exist.	
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	Officer.”; and (d) inserting after the definition of the words “Presiding Officer”, the definition of the expression “published manuals, guidelines, regulations and/or procedures issued by the Commission for the conduct of the election”, as follows: “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 - (a) that is consistent with the provisions of this Act; (b) for the purpose of guiding the conduct of free, fair and credible elections; and (c) which is made public by the Commission at least thirty (30) days before the date of a general election.” (e) inserting after the definition of the word “Return”, the definition of the expression “Returning Officer”, as follows:	<i>under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer.”</i>		
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		"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."			
42	Paragraph 46	Paragraphs 46(4) of the First Schedule to the Principal Act is amended by inserting after the word "consent" in line 2, the expression "; such documentary evidence shall be deemed demonstrated in open court; the parties in the petition shall be entitled to 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."	(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; the parties in the petition shall be entitled to 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."		
43	51	Paragraph 51(1) and (2) of the First Schedule to the Principal Act is hereby deleted. (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		(1) Where the nomination of an elected candidate 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	

electoral officer, a presiding officer, a 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.

(2) if the consent is withheld by the attorney general under sub paragraph (1) of this paragraph the government of the federation shall indemnify the electoral officer, presiding officer, returning officer or such other officials of the commission against any cost which may be awarded against him by the tribunal or court in respect of the election petition.

contrary decision of the court remain in office pending the determination of the appeal. If the court determines that a candidate was not validly nominated, the elected candidate shall not withstanding the contrary decision of the Court remain in office within the period for which an appeal may be filed and shall not be sanctioned for the benefits he derived while in office pursuant to this section"

(2) The Presiding/Collation Officer shall, after counting/collation the votes at the polling unit/collation centre, enter the votes scored by each candidate in the form prescribed by the Commission and transmit same in a manner prescribed by the Commission"

44

This Bill may be cited as the Electoral Act No. 6, 2010 (Amendment) Bill.

This Bill may be cited as

			2017.	the Electoral Act (Amendment) Bill 2018	
45			EXPLANATORY MEMORANDUM The Bill seeks to amend the Electoral Act No. 6 of 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 other matters. THIS BILL WAS PASSED BY THE SENATE ON THURSDAY, 30TH MARCH, 2017	EXPLANATORY MEMORANDUM This Bill seeks to amend the 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	