



FACTSHEET

April, 2017

Amendments to the Electoral Act Passed by the Senate on 30th March 2017

This factsheet presents the substance of the Electoral Act (Amendment) Bill, 2016 passed by the Senate, which seeks to amend the Substantive Electoral Act. It is important to note that this amendment Bill is from the Senate, which is one of the two chambers of the National Assembly. It would still require that the Bill is totally adopted by the House of Representatives or harmonised with whatever version the House passes. It would also need to be assented (signed) by the President to become law. If the President vetoes the amendments, it could still become law if both chambers of the the National Assembly vote to override the veto.

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
1.	Section 8	<p>Secretary and Other Staff of the Commission</p> <p>Provides for the appointment and functions of the Secretary to the Independent National Electoral Commission (INEC), as well as other staff of the Commission. There is however no provision specifying that aspiring appointees or employees of the Commission should disclose political party affiliations.</p>	<p>Insertion of a new subsection "(5)" after subsection 4 of the Principal Act</p> <p>Proposed amendment seeks to penalize persons who knowingly fail to disclose their affiliation or membership of a political party in a bid to secure an appointment with the Commission. Failure to disclose such information attracts a fine of at least N5,000,000, imprisonment for at least 5 years or both.</p> <p>It appears that this is aimed at deterring persons affiliated with a political party from securing appointment with the Commission in any capacity. This position can be understood within the context of the Commission's principle of non-partisanship.</p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
2.	Section 9 (1)&(5)	<p>National Register of Voters and Voters' Registration</p> <p>9(1) mandates INEC to compile, maintain, and update on a continuous basis, a National Register of Voters, which shall include the names of all persons entitled to vote in any Federal, State or Local Government or Area Council elections.</p> <p>9 (5) Provides that the updating and revision of the voters register must end not later than 30 days before any election.</p>	<p>Insertion of a new subsection (1A) and amendment to subsection (5)</p> <p>The insertion of the new subsection 1A mandates the Commission to keep a Register of Voters as the National Register of Voters in its National Headquarters and other locations as it may determine. It also provides for the keeping of the Voters Register in an electronic format in INEC's central database, as well as in manual, printed or hard copy format.</p> <p>The second amendment adjusts the timeframe for registration of voters, update and revision of the voters register from at least 30 days to an election, to at least 60 days before an election to enable INEC have more time to attend to other issues <i>It is important to note that 60 days was the original time frame given when the Act was passed in 2010. An amendment of this section was done in 2011 abridging the time to 30 days. The current Senate proposal if successful, would be actually a reversion to the original provision of 60 days.</i></p>
3.	Section 15	<p>Power to print and issue register of voters</p> <p>Mandates the Commission to print and issue a voters' register for each State. Furthermore, political parties or persons can obtain from the Commission a certified copy of the voters' register for the State, Local Government, Area Council or registration area.</p>	<p>Amendment to Section 15</p> <p>In addition to printing the voter's register, the Commission is now required to duplicate and save same in an electronic format. This is to give legal backing to INEC's issuance of certified copies of the voters register in printed copies, as well as in additional formats.</p>

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4.	Section 19	<p>Display of the copies of the voters’ list</p> <p>Section 19(1) Mandates the Commission to appoint a period not less than 5 days and not more than 14 days to display the voters register for public scrutiny. Objections relating to omitted names must also be raised or filed within this period.</p> <p>Furthermore, under 19(3), such objections or claims must be addressed to the Resident Electoral Commissioner through the Electoral Officer in charge of the Local Government or Area Council.</p>	<p>Substituted with a new subsection 19(1), “19 (1A)” and “19 (4)”</p> <p>In the new 19(1), the Commission is mandated to publish the voters register at every registration area, its official website(s) or any website established by the Commission for period of 7 days. This is to give the public an opportunity to search for their names and draw the Commission’s attention to any observation/omission. The Commission is also mandated to assign the period for publishing the voters’ register no later than 30 days to a general election.</p> <p>Publishing the Register on a website would enable wider accessibility to the voters’ register irrespective of a voter’s physical location however, the strict time frame for publication of the register limits the Commission’s discretion. For instance, under the current provision, the Commission could enable accessibility between at least 5 days to a maximum of 14 days. The new provision provides for a strict time frame of 7 days.</p> <p>Furthermore, the language of the provision is also limiting in that it envisages the publication of a voter’s register only when a general election is anticipated.</p> <p>Under the proposed subsection 19(1A), the Commission is mandated to consider all complaints to the voters register within 14 days of its publication.</p> <p>Lastly, under the proposed 19(4) INEC officers who fail to publish the voters register within the time frame proposed could face a criminal penalty of 6 months imprisonment, a fine of N100, 000 or both</p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
5.	Section 33	<p>Political Parties changing candidates</p> <p>Provides that a political party shall not be allowed to change or substitute its candidate whose name has been submitted pursuant to section 31 of this candidate Act, except in the case of death or withdrawal by the candidate.</p>	<p>Amendment of section 33</p> <p>This amendment inserts an exception to the current provision, which says 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 INEC for the election concerned.</p>
6.	Section 36 (1)	<p>Death of a Candidate</p> <p>Section 36 (1) of the Principal Act provides that where a candidate dies after the time for the delivery of nomination paper and before the commencement of the poll, the Chief National Electoral Commissioner or the Resident Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days</p>	<p>Amendment of 36(1) of the Principal Act and Insertion of a new subsection “(3)”</p> <p>The amendment to subsection (1) clarifies that it is only the Chief National Electoral Commissioner who shall countermand a poll and appoint a convenient date for an election in the event that a nominated candidate dies before the commencement of an election.</p> <p>A new subsection (3) seeks to empower the Commission to suspend elections in cases where a nominated candidate dies after commencement of an election but before the declaration of the final result for a period not exceeding 21 days upon being satisfied of the death. This is to fill the lacuna in the law as was highlighted in the 2015 Kogi State governorship elections where a candidate died after the commencement of poll but before the declaration of election result.</p> <p>The proposal further allows the affected Political Party a period of 14 days from the death of its candidate to conduct new primaries to replace the deceased.</p> <p>After the periods indicated in the foregoing, INEC shall continue with the election, announce the final result and declare a winner.</p> <p><i>Note: One of the justifications given for the proposal to conduct new primaries and not replace a deceased candidate with a running mate is that it reinforces section 141 of the Act which provides that an election tribunal or court shall not under any circumstance declare any person a winner at an election in which such a person has not fully participated in all the stages of the said election.</i></p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
7.	Section 43	<p>Ballot Boxes</p> <p>This section grants polling agents certain privileges in an election. For instance an entitlement to be present during the distribution of election materials from the office to polling booth, as well as during voting, counting and collation of election results.</p> <p><i>There are no provisions allowing for audio-visual recording of inspection of election materials by party agents, INEC officials or election observers.</i></p>	<p>Insertion of new subsections “ (4A)”, “(4B)”, and “(4C)” after section 43(4) of Principal Act</p> <p>The insertion in 4A seeks to create additional observation privileges for polling agents by allowing inspection of election materials, as well as making written and audio-visual recordings of their inspections before commencement of elections. Accredited observers and officials of the Commission are now added to the list of persons who can make these inspections.</p> <p>The proposal in (4B) seeks to invalidate any election conducted in violation of these provisions. (4C) adds that Presiding Officers who carry out elections in breach of these proposed provisions will face a criminal penalty of at least one-year imprisonment, a fine of N1, 000,000 or both.</p>
8.	Section 44	<p>Format of Ballot Papers</p> <p>The Commission is responsible for prescribing the format of the ballot paper, which must contain the symbol of the political parties and any other information required.</p> <p>Ballot papers shall also be bound in booklets and numbered serially with different colors for each office being contested.</p>	<p>Insertion of new subsections (3) (4) and (5)</p> <p>The new insertions seek to enable political parties to inspect its identity appearing on samples of relevant electoral materials and confirm within 2 days of its invitation by the Commission as to whether it approves or disapproves of its identity as appears on the samples. It further seeks to preclude any political party so invited and who has failed to raise an issue here from complaining of exclusion afterwards.</p> <p><i>The justification for this amendment is to address the issue usually raised in election petitions that a party was excluded from an election because its identity, logo, name etc. was omitted or misstated on election materials</i></p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
9.	Section 49	<p>Issue of Ballot Papers</p> <p>Provides that persons intending to vote with their vote's card must present themselves to a Presiding Officer at the polling unit where his name is registered. However, the Presiding Officer will only issue him a ballot paper and indicate that he has voted on the register after confirming that his name is on the Register of Voters under section 49(1) and (2).</p>	<p>Substitution with new section "49" with 12 subsections</p> <p>This is a comprehensive amendment aimed at enshrining the use of the Smart Card Reader (SCR) and/or other technological devices for accreditation of voters during an election. It proposes the following:</p> <ul style="list-style-type: none"> • Mandates Presiding Officers to use the Smart Card Reader or any other Technological Device to record, verify, confirm or authenticate: <ul style="list-style-type: none"> -the genuineness of a voter's card; -the registration of the card at the polling unit where its being presented; -the biometric connection of an intended voter with a voter's card; • the number of accredited voters in the polling unit. <p>While giving priority to the use of Smart Card Readers and other technological devices, the section envisages the possibility of device failure by granting the Presiding Officer discretionary powers to accredit authentic voters and proceed with elections where he/she is unable to connect the voter biometrically to the card, if the card reader fails and the Presiding Officer is satisfied that the intending voter is the owner of the voter's card (provided that the number of unaccredited voters is less than 10% of registered voters within the polling unit-PU).</p> <p>Where it goes beyond 10%, INEC has to suspend the election in the PU in question to remedy the situation. However, INEC must continue the election within 7 days of the suspension if the result of the election at the PU will affect the overall result in the constituency.</p>

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9. (cont.)			<p>Some other provisions include that:</p> <ul style="list-style-type: none"> • Presiding Officers should instantly transmit the total number of intending voters accredited to vote - via secured electronic mobile communication - to their respective collation centers and the central database of INEC. INEC should leave its central database turned on until all election petitions and appeals pertaining to that election have been heard and determined • The result of an election can be declared invalid, null and void either: <ul style="list-style-type: none"> ○ by the Commission, where there is no record of accreditation from the SCR/device used by the Commission ○ or by a Tribunal or Court, where there is no certified report of accreditation issued by the Commission. • There is a criminal penalty of at least, 5 years imprisonment without an option of fine for any Presiding Officer convicted of intentionally violating the provision of this section
10.	Section 52(2)	<p>Conduct of Polls by Open Secret Balloting</p> <p>This provision gives INEC discretion to determine the procedure for voting in an election.</p>	<p>Section 52 (2) - Conduct of polls and e-voting</p> <p>In 2015, this provision was amended to give INEC the discretion to determine the procedure for voting. Now, it seeks to further amend the provision to mandate the Commission to conduct elections by electronic voting or any other method of voting as it may determine from time to time.</p>
11.	Section 53 (2)	<p>Over voting</p> <p>Allows INEC to nullify elections in a Polling Unit where the votes cast at the polling unit exceeds the number of registered voters in that polling unit, especially where the result at that polling unit may affect the overall result in the Constituency.</p>	<p>Amends the provision to include that an election in a Polling Unit be nullified where the total number of votes cast exceeds the number of accredited voters in the Polling Unit.</p>

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12.	Section 63 (4)	<p>Counting of Votes and Forms</p> <p>Provides the procedure that a Presiding Officer should follow for counting of votes and announcing results at polling units, which includes entering of the results into prescribed forms and having same counter-signed by candidates/party agents.</p>	<p>New subsections (4), (5) and (6)</p> <p>The new subsection (4) provides that except the Commission adopts electronic voting and disallows the manual counting of votes, the Presiding Officer should count the votes, announce the results at the polling unit, and then instantly transmit the votes and result by secured mobile electronic communication to the Collation Centre and central database of the Commission.</p> <p>It however maintains the requirement that the results be recorded in prescribed forms, which copies shall be shared with party agents.</p> <p>Subsection (5) enables members of the public, observers, party agents and INEC officials to record the process while subsection (6) seeks to penalise Presiding Officers who breach the provision with imprisonment of at least 5 years with no option of fine- upon conviction.</p>
13.	Section 65	<p>Post-election Procedure and Collation of Election Results</p> <p>Provides that after results are recorded and announced, the Presiding Officer must submit election materials and the recorded results to any person prescribed by the Commission. This must be done under security and in the company of the candidates or their polling agents.</p> <p><i>There is no provision mandating electronic storage of election results.</i></p>	<p>Insertion of a new section “(65A)” after section 65 of the Principal Act</p> <p>This amendment seeks to mandate digital storage and archiving of election results by INEC at its national headquarters.</p> <p>It mandates the Commission to compile, maintain and update a National Electronic Register of Election Results as a separate database. The National Electronic Register will contain the information of results relating to polling units in every election conducted.</p> <p>Furthermore, it allows any person or political party to obtain a certified true copy of an election result that is stored in the National Electronic Register in a State, Local Government, Area Council, Ward or polling unit. This could be printed or stored in an electronic format after paying the fees prescribed by the Commission.</p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
14.	Section 67	<p>Endorsement on Ballot Paper without Official Mark</p> <p>This states the procedure that a Presiding Officer must follow when rejecting a ballot paper.</p> <p><i>There is no provision on verification and confirmation of results against accredited voters.</i></p>	<p>New 67 A after section 67 of the Principal Act</p> <p>“Verification and Confirmation of Results”</p> <p>This is a new insertion that mandates the Collation or Returning Officer to collate and announce the result of an election after verifying and confirming that the number of accredited voters stated on the collated result corresponds with the number of accredited votes recorded and transmitted from the polling unit. It further specifies the procedure for confirming the number of accredited voters in the event a collated result is not correct, as well as the procedure for resolving disputes regarding results from the polling unit.</p> <p>The provision goes on to prescribe a 5 years imprisonment penalty without option of a fine for a Returning Officer or Collation Officer who collates or announces false results.</p>
15.	Section 76	<p>Forms for Use at Elections</p> <p>Provides that INEC shall determine the forms used to conduct elections.</p>	<p>Insertion of a new section “(76A)”after section 76 of the Principal Act-</p> <p>“Recording of details of Electoral Materials”</p> <p>Mandates the Commission to record details of electoral materials such as the quantities, serial numbers, particulars of result sheets and other sensitive materials used to conduct elections. Failure to do so shall cause the election to be invalid.</p> <p>Also, Presiding Officers who deliberately announce an election result without adhering to this procedure will be liable to imprisonment of at least one year without an option of fine.</p>
16.	Section 78 (5)	<p>Powers of the Commission to Register Political Parties</p> <p>This empowers the Commission to cancel the certificate of registration of any Association that was obtained through giving false or misleading information.</p>	<p>Amendment of Section 78 (5) of the Principal Act by inserting a penalty for violation of subsection (5)</p> <p>This amendment goes further than the current provision by stipulating a penalty of N5 000,000 for Associations who obtain a certificate of registration by providing false or misleading information. However, where it is an Executive or Principal Officer who gives such information, he/she shall be liable to a lower fine of N1, 000,000, or 6 months imprisonment or both.</p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
17.	Section 87	<p>Nomination of Candidates by Parties</p> <p>Mandates political parties to nominate candidates by direct and indirect elections.</p> <p>While political parties who adopt direct primaries must ensure its aspirants are given equal opportunity to be voted for by members of the party, the procedure for indirectly nominating candidates in Presidential, Governorship, Senatorial, House of Representatives, State House of Assembly, Chairmanship and Councillorship elections is extensively detailed in its subsections.</p> <p><i>The current provision does not stipulate nomination fees for elective positions.</i></p>	<p>New section 87 - Nominations of Candidates by Parties</p> <p>This is an extensive new provision with 26 new subsections seeking to guarantee inclusive primaries and forestall systematic control of parties' primaries processes by a select few thus opening up the party system and enhancing internal democracy. It also seeks to reduce the arbitrary fees that are informally imposed on party candidates so as to open up the space for political participation.</p> <p>In summary, the provision:</p> <ul style="list-style-type: none"> • Enables political parties seeking to nominate candidates for elections to hold direct or indirect primaries for aspirants to all elective positions, which shall be monitored and endorsed by the Commission. • Prohibits Political Parties from imposing nomination qualifications or disqualification criteria, conditions or measures on any Nigerian for the purpose of nomination for elective offices outside of those provided in the Constitution <p>New provisions prohibit political parties from imposing arbitrary fees on political aspirants and prescribes limits for each elective office as follows:</p> <ul style="list-style-type: none"> ▪ N150,000 for a Ward Councillorship aspirant in the FCT; ▪ N250,000 for an Area Council Chairmanship aspirant in the FCT; ▪ N500,000 for a House of Assembly aspirant; ▪ N1,000,000 for a House of Representatives aspirant; ▪ N2,000,000 for a Senatorial aspirant; ▪ N5,000,000 for a Governorship aspirant; and ▪ N10,000,000 for a Presidential aspirant.

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17. (cont.)			<p>The provision also seeks to invalidate any requirement or criteria set outside of the foregoing and outside of those in the Constitution i.e. age, citizenship and school certificate qualification requirements. Others include, conviction for fraud, dishonesty, certified lunatic, bankruptcy, etc.</p> <p>Subsections (5) - (26) detail extensively, a new procedure for political party primaries</p> <p>For direct primaries: Mandates all political parties to ensure that all aspirants are given equal opportunity to be voted for in direct primaries. Details procedure on how aspirants are nominated in Presidential, Governorship, Senatorial, House of Representatives, State House of Assembly, Chairmanship and Area Council elections for political parties who adopt direct primaries</p> <p>For indirect primaries:</p> <ul style="list-style-type: none"> • Political parties must have both Statutory and Ad-hoc Delegates for the nomination of its candidates. ○ <i>Statutory delegates:</i> elected officials of the party and elected government functionaries e.g. serving members of party's board of trustees, elected serving national and zonal executive committees, serving and past Presidents, Vice Presidents, Governors, Deputy Governors, Senators, Members of House of Reps, Principal Officers of State Houses of Assembly, LG Council Chairmen, Women Leaders, Youth Leaders, etc. ○ <i>Adhoc delegates:</i> registered members of the party elected by an intra-party election (mode of election detailed in the provision) • Political appointees who do not fall under statutory or <i>adhoc</i> delegates are not eligible to serve as delegates

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17. (cont.)			<p>Other provisions</p> <ul style="list-style-type: none"> Political Parties are allowed to stagger their primaries Courts are not allowed to stop the holding of an <i>ad hoc</i> delegates election, primaries or even the general election pending the determination of a suit brought by an aspirant complaining that the party nomination rules of provisions of the Act were not followed - 87 (24) & (25)
18.	Section 112	<p>Death of Chairman before Oath of office</p> <p>Makes provisions for the replacement of a Chairman and Vice Chairman elected to an Area Council who dies before taking the Oath of Office</p>	<p>Insertion of new subsection (4)</p> <p>The proposed insertion is the same as that in section 36. It seeks to make provision for death of a candidate after commencement of poll, but before declaration of result in Area Council Elections</p>
19.	Section 138 (1) & (2)	<p>Grounds for Petition</p> <p>This provision gives grounds for petitioning an election, one of which is that the election is invalid by reason of corrupt practices or non-compliance with the provisions of the Act - <i>subsection (1) (b)</i></p> <p>Further provides that “an act or omission which may be contrary to an instruction or directive of the Commission or of an officer appointed for the purpose of the election but which is not contrary to the provisions of this Act shall not of itself be a ground for questioning the election” - <i>subsection (2)</i></p>	<p>Amendment to 138 (1) (b) & (2) and an insertion of a new subsection (3)</p> <p>This amendment expands the original provision in (1) (b) to include that in addition to non-compliance with the Act, an election can be petitioned for non-compliance with published INEC manuals, guidelines, regulations, procedures or directives.</p> <p>This amendment is reproduced in the proposed new subsection (2) to read that:</p> <p><i>An act or omission which may be contrary to an <u>instruction or directive of the Commission</u> or of an officer appointed for the purpose of the election but which is not contrary to the provisions of this Act and published manuals, guidelines, regulations, procedures or directives issued by the commission for the conduct of the election, shall not of itself be a ground for questioning the election.</i></p> <p>There appears to be a contradiction here on directives issued by the Commission. It is unclear if there are two different kinds of INEC directives being referred to. This should be better clarified.</p>

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19. (cont.)			Finally, a proposed new subsection (3) seeks to limit grounds for disqualification to that stated in the Constitution. It provides that the winner of an election cannot be challenged on grounds of qualification, if the winner satisfied the applicable requirements outlined in Sections 65, 106, 131 or 177 of the 1999 Constitution, and also where the winner is not, (as may be applicable) in breach of sections 66, 107, 137 or 182 of the Constitution.
20.	Section 139 (1)	<p>Certain defects not to invalidate election</p> <p>Prevents a Court or Tribunal from invalidating an election where non-compliance with provisions of the Act did not substantially affect the election result and where there was substantial compliance with the principles of the Act.</p>	<p>Amendment to section 139 (1)</p> <p>In line with the proposals in section 138, this amendment seeks to include that substantial compliance with the principles of published INEC manuals, guidelines, regulations, procedures or directives is sufficient not to invalidate an election and this should also be considered by the Court or Tribunal.</p>
21.	Section 142	<p>Accelerated Hearing of Election Petitions</p> <p>Provides for precedence and accelerated hearing for election petitions in a Court or Tribunal, subject to the provisions of section 294(1) of the Constitution which specifies among others, the mode and time frame for delivery of judgment</p>	<p>Insertion of a new section 142 A after section 142 of the Principal Act – “Sufficiency of Documentary Evidence”</p> <p>Provides that oral evidence is unnecessary if the originals/certified true copies of electoral documents used by the Commission have been listed in an election petition and have been tendered by the Petitioner in proof of a non-compliance being complained of.</p> <p><i>The justification given for this amendment is that it would provide certainty on the issue to the courts by making it substantive rather than procedural - a situation that allows the courts apply discretion and promotes unjust determination of petitions based on procedural technicalities.</i></p>

S.No	Section	Current Provision	Senate Proposal/ Bill as passed
22.	Section 151	<p>Inspection of Documents</p> <p>151(2) Documents outside polling documents can be opened for inspection provided an order has been made by an Election Tribunal or Court compelling their production in a legal proceedings.</p>	<p>Insertion of a new subsection (3) after subsection (2) of the Principal Act</p> <p>The insertion mandates all staff and officials of the Commission to comply with Court orders or Tribunals with regard to inspection and production of electoral materials. Staff that fail to obey Court orders under this proposal shall be liable, upon summary conviction, to at least 2 years imprisonment without the option of fine.</p>
23.	Section 152	<p>Delegation of Powers of the Commission</p> <p>The Commission can delegate any of its powers to any of its officers subject to any conditions or limitations it may impose. However, such delegation must not be interpreted as limiting the right of the Commission to exercise such right itself.</p>	<p>Insertions of new sections “(152A)”, “(152B)”, “(152C)” and “(152D)” after section 152 of the Principal Act</p> <p>These provisions target the State Independent Electoral Commission (SIECs).</p> <p>It seeks to guarantee the conduct of free and fair and credible elections in elections conducted by SIEC’s by making the provisions of the Act applicable to them with equal force. However, it adds that where the SIEC fails to comply with the spirit of the Electoral Act or its procedures in its conduct of elections to Local Government Councils of the Federation, the election shall be null and void. Furthermore, staff of the State Independent Electoral Commission who contravene this provision and other provisions of the Act would also be liable to prosecution as if they were a staff of INEC.</p>
24.	Paragraph 46(4) of First Schedule to the Principal Act	<p>Hearing in a Petition</p> <p>Provides that documentary evidence shall be put in and may be read or taken as read by consent.</p>	<p>The provision is amended by inserting after the word “consent”, the expression “; <i>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.</i>”</p> <p>It appears that the amendment seeks to ensure that parties are given the opportunity to address a tribunal or court on documentary evidence before deciding what probative value it prescribes to the documents or not.</p>

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25.	Section 156	<p>Interpretation Section</p> <p>Contains definitions of certain relevant terms in the Act</p>	<p>Amendment to insert the following definitions:</p> <p>Electronic format</p> <ul style="list-style-type: none"> “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. <p>Number of voters not accredited</p> <ul style="list-style-type: none"> “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.” <p>Presiding Officer</p> <ul style="list-style-type: none"> “Presiding Officer” means a person appointed by the Commission to be in charge of the conduct of election in a polling unit or polling station, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities at a polling unit or polling station as a Presiding Officer.” <p>Published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election</p> <ul style="list-style-type: none"> “published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election” means any book, booklet or manual published by the Commission - <ul style="list-style-type: none"> (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 seven (7) days before the date of general elections.”

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25. (cont.)			<p>Returning Officer</p> <ul style="list-style-type: none"> • “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 under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer.”



**Plot 1059 Adamu Aliero Crescent, off Edwin Clark Crescent, Guzape District,
Abuja**

Website: www.placng.org *Email: info@placng.org *Phone: 08091899999

About PLAC

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