

DEBATE ON THE BILL FOR AN ACT TO FURTHER AMEND THE ELECTORAL ACT OF 2010 AS AMENDED IN 2015 AND FOR MATTERS RELATED THEREOF.

SPONSORED BY: HON. AZODO EUCHARIA.

Mr. Speaker, my respected colleagues, the amendments sought in this Bill is essentially anchored on six substantive sections of the principal act, Vi z:

Sections, 9, 12, 26, 117, 118 and 119.

In Section 9 of the principal Act, its sub-section 1, 2 and 3 are amended.

In section 12 of the principal Act, its sub-sections 1a, 2 and 3 are amended

In section 26 of the principal Act, its sub-section 1 becomes (1a) while new 1b and 1c are inserted.

A new part VIII is added By inserting – PROCEDURE FOR DIASPORA VOTING IN PRESIDENTIAL ELECTIONS: Power of commission For Diaspora Voting.

New Sections 117, 118 and 119 are added to the principal Act.

The whole of the sections from former section 117 changes by adding three 93) to each proceeding figures such that the last section of the Act which was section 158 now becomes section 161.

The above amendments sought are geared towards incorporating Diaspora voting in the Presidential elections in Nigeria electoral process.

Diaspora voting is a situation when citizens of a given country who are residing outside the country are made to vote in their host countries during the country's Presidential/general elections. Usually, Diaspora voting is done in the country's embassies/liaison office for easy administration.

In most advanced democracies like United States of America (USA) Britain, Germany India etc, it is on record that the ability of its citizens to vote outside of their countries during their elections has been one of the hallmarks of their electoral processes/successes. Even some smaller and emerging democracies in Africa continent like Senegal, South Africa, Guinea, Chad, Ghana and Mozambique today have already adopted Diaspora voting in their Electoral processes.

The question now is why is it then difficult for the emerging largest democracy of African continent not to adopt Diaspora voting in our electoral process?

For Nigeria to be really recognized and counted as one of the leading democracies of the world, it has to conform to the norms of advanced democracies of the world. This can be better enhanced by widening the democratic space. The ability of a citizen of a given country to vote during its Presidential/general election outside the shore of the nation is a manifestation of the growth of nations' democracy.

Although people may be afraid of the consequences it may have in our electoral process that is still grappling with same tooting problem. I have no doubt that INEC have the capacity to begin this vital aspect of our steady march towards joining the league of democratic nations of the world if backed by law.

It is a good development that INEC over the years have continued to improve on its performance as regards election in this country; it is for this reason that with the enactment of this amendment into Law that INEC will do what is right to the Satisfaction of many Nigerians as regards this controversial issue of Diaspora Voting.

Explanatory Memorandum- The prime objective of this amendment is to incorporate Diaspora voting in the Presidential elections in the Nigeria electoral Act. 2010 as amended in 2015 as a germane amendment to the promotion of democracy in the country.

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1. The electoral Act of 2010 as amended in 2015 (in this Bill referred to as the "the principal Act" is further amended as set out in this Bill.
2. Section 9(1) of the principal Act which deals with the levels that should maintain a voter's register. This section is amended by inserting the words "or any country outside of Nigeria where Nigerians there who are qualified to vote, will vote in the Presidential elections" after the words "or area Councils elections"

3. Section 9 (2) of the principal Act is amended by inserting the words "for any country outside of Nigeria where Nigerians resident there can vote in the Presidential election" after the words "Federal Capital Territory".
4. Section 9 (3) of the principal Act is amended by inserting the words "or in the Nigeria Embassy or place(s) that the Commission will determine within a country outside Nigeria where a Presidential election will hold" after the words "Federal Capital Territory".
5. Section 12 (1a) of the principal Act is amended by inserting the word "or holds a Nigerian international Passport"
6. Section 12 (2) of the principal Act is amended by inserting the words "but Nigerians who are resident in a country outside Nigeria can only register once in a registration centre, in the centre(s) to be designated by the Commission" after the words "in same registration centre".
7. Section 12 (3) of the principal Act is amended by inserting the words "However, Nigerians in Diaspora, who are qualified to vote who violates subsection (2) of this section shall be disqualified from voting for two consecutive Presidential elections following the one for which the person has violated this subsection".
8. Section 26 (1) of the principal Act is amended by subsection (1) becoming subsection (1a), while a new subsection (1b) and (1c) are inserted after the words "reason for the postponement is cogent and verifiable".
9. Subsection (1b) reads thus "the Commission shall fix a date for any country outside Nigeria where a Presidential election shall hold, such that the Diaspora voting will hold not later than twenty four (24) hours to the date the Presidential election will hold in Nigeria.

10. Subsection (1c) reads thus "the result of voting in a Presidential election conducted in any country outside Nigeria shall only be announced by the Chief Electoral Commissioner or the Returning Officer for the Presidential election same day as for the states of the Federation and FCT results".
11. Section 117 (1) – "The conduct of elections into the office of the President of Nigeria and participation of Nigerians outside the country shall be under the direction and supervision of the Commission in accordance with this Act".
12. "The Embassy/liaison officer in any country outside Nigeria where Diaspora voters will vote and the centres where voting will take place, established by the Commission and any other regulations, guidelines, rules or manual issued or made by the Commission shall be used for the Diaspora voting".
13. Section 118 (1) – "For the avoidance of doubt, only Nigerians who are legally residing in country where the Commission is to organized Diaspora voting, shall be qualified to be registered by the Commission to vote in Nigeria's Presidential elections in that country".
14. Section 118 (2) – "The Commission shall decide with the Nigerian Embassy/liaison office, outside Nigeria the number of registration and voting centres for any country where Diasporas will vote".
15. Section 119 – "The procedure for voting shall be the same as the procedure adopted for the Presidential election in Nigeria".

Following this amendments, former PART VIII becomes PART IX.

While section 117 (1) becomes section 120; section 118 (1) becomes section 121; Section 119 becomes section 122; section 120 becomes section 123; section 121 becomes section 124; section 122 becomes section 126; section 123 becomes section 126, the whole of the section changes by adding three 3

to each proceeding figures such that the last section of this Act which was section 158 now becomes section 161.

Interpretation: In this Bill unless the contexts otherwise requires- "Nigerians in Diaspora "means persons who are citizens of Nigeria according to the 1999 Constitution and are resident outside Nigeria";

"Diaspora voters are Nigerians resident outside the country who comply with the conditions as to be set out by the Commission before they can vote outside Nigeria";

Mr. Speaker Sir, My respected colleagues, I am convinced beyond doubt that the enactment of this Bill will go a long way in improving our democracy by providing opportunities for thousands if not millions of Nigerian in Diaspora to have a voice in our democratic process.

I therefore urge my colleagues to support this Bill for the second Reading.

Thanks.

HON. AZODO EUCHARIS

