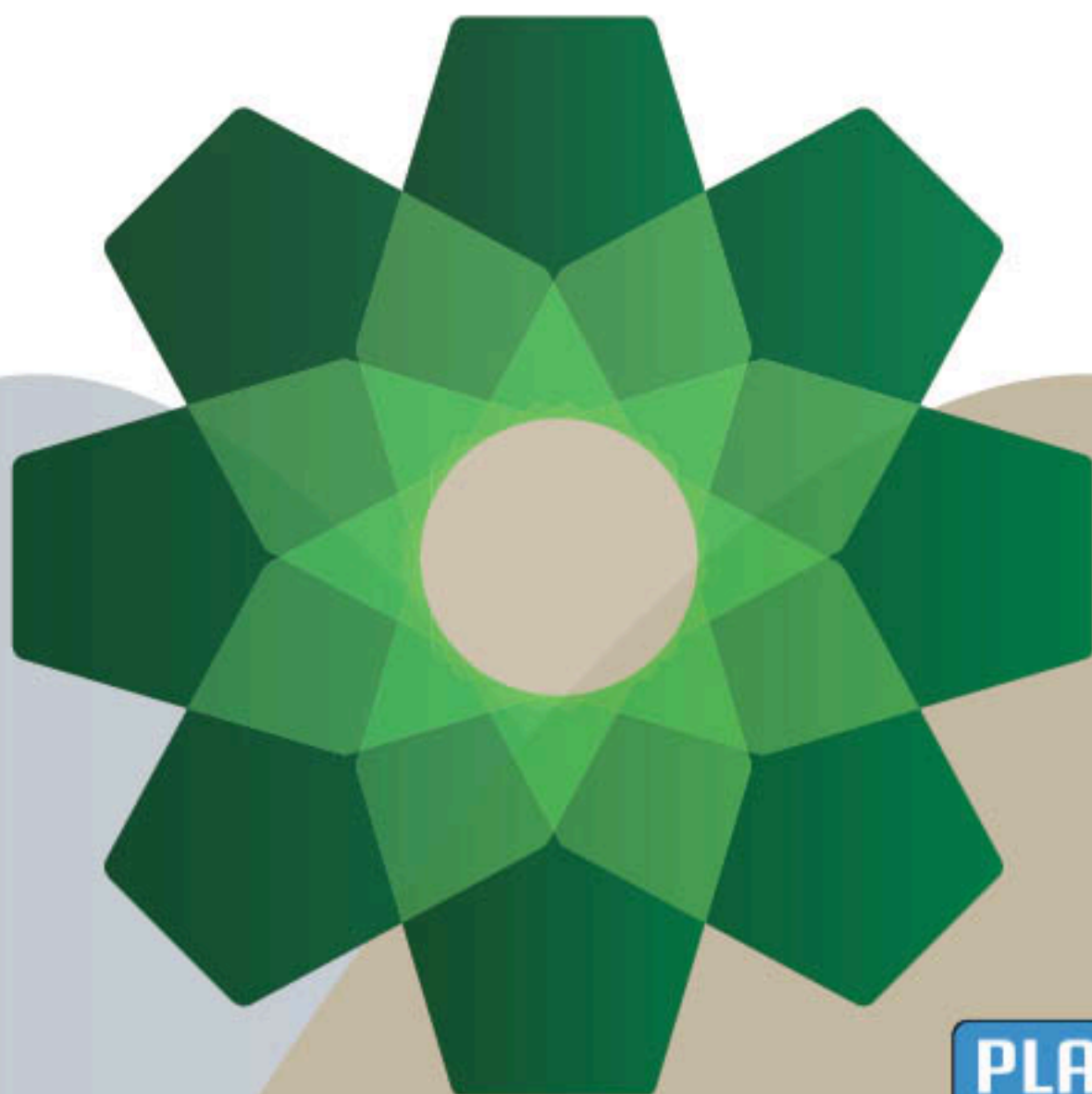


# **INEC Regulations and Guidelines for the Conduct of elections 2019**





## Published by



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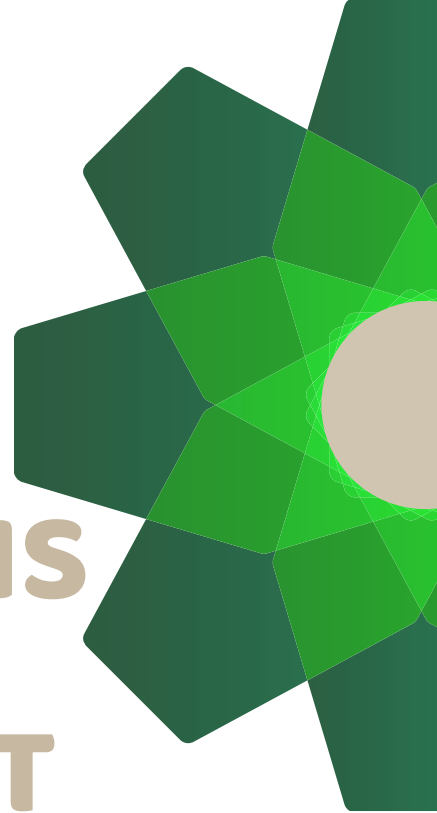
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# INEC REGULATIONS AND GUIDELINES FOR THE CONDUCT OF ELECTIONS



In exercise of the powers conferred by the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the Electoral Act 2010 (as amended), the Independent National Electoral Commission (INEC) herein referred to as "the Commission" issues the following Regulations and Guidelines for the conduct of Elections (General Elections, Bye elections, Re-run Elections and Supplementary Elections). These regulations and guidelines are issued as a Decision Extract of the Commission of the 12th day of the month of January 2019. These Regulations and Guidelines supersede all other Regulations and/or Guidelines on the Conduct of Elections issued by the Commission and shall remain in force until replaced by new regulations or amendments supported by a Decision Extract of the Commission or an official gazette.

## **Elections to which these Regulations and Guidelines apply**

1. These regulations and guidelines shall apply to the conduct of elections to the following offices:
  - (i) President and Vice President;
  - (ii) Governor and Deputy Governor;
  - (iii) National Assembly (Senate and House of Representatives);
  - (iv) State Houses of Assembly;
  - (v) Chairmen and Vice - Chairmen of the Federal Capital Territory (FCT) Area Councils; and
  - (vi) Councillors of FCT Area Councils Legislature.

### **Date of General Elections**

(a) Election to the office of President and Vice President as well as National Assembly shall hold on the 3rd Saturday in February of any General election year, while election to the office of Governor and Deputy Governor and the State Houses of Assembly shall hold two (2) weeks thereafter.

(b) Whenever the end of tenure of FCT Area Council coincides with a General election year, election into the office of Chairman and Vice Chairman and Councillors of the Area Councils shall be combined with election for Governor and Deputy Governor and the State Houses of Assembly.

(c) Where the end of tenure of FCT Area Council does not coincide with a General election year, the election to the office of Chairman and Vice Chairman and Councillors of the Area Councils shall hold on the Saturday closest to 100 days to the end of tenure of the elected officials of the Area Councils.

### **Who can vote**

2. A person is eligible to vote at an election conducted by the Commission if:

- (i) he/she is a Nigerian;
- (ii) he/she is registered as a voter;
- (iii) his/her name appears on the Register of Voters; and
- (iv) he/she presents a valid Permanent Voter's Card (PVC) at his/her Polling Unit.

### **Where to vote**

3. (a) Voting in any election to which these regulations and guidelines apply shall take place at Polling Units and Voting Points. In the case of the FCT, voting takes place at Polling Units, Voting Point Settlements (VPS) and Voting Points.

### **Polling Station/ Voting Point/ Settlements /Voting Points**

(b) Voting Points (VPs) are created out of Polling Units based on multiples of 500 and a maximum of 750 registered voters or as may otherwise be determined by the Commission.

(c) Where a VPS is created, it shall be treated as a Polling Unit.

(d) As much as practicable, all voting locations shall be located within enclosures in public places accessible to every voter, including Persons With Disability (PWDs). Where they are in open spaces, canopies will be provided.

(e) Public facilities include public schools, civic centres, town halls and communal open spaces. They do not include places of worship, palaces of traditional rulers and private homes.

### **Appointment of Presiding Officers/Asst. Presiding Officers**

4. Each Polling Unit (PU) will be manned by a Presiding Officer (PO) and three (3) Assistant Presiding officers (APOs) namely, APO I, APO II and APO III.

5. (a) Where Voting Points are created, there will be for each Voting Point an APO (VP) and 3 APOs appointed by the Commission under the supervision of the Presiding Officer.

(b) The Presiding Officer shall delegate the responsibility of accreditation, preparing and issuing of ballot papers to the Assistant Presiding Officer APO(VP) in-charge of a Voting Point.

### **Appointment of Polling Agents**

6. (a) A political party sponsoring a candidate may by notice appoint one person as its polling agent for each Polling Unit, one polling agent for each collation centre and a representative at each point of distribution of electoral materials in the constituency where it is sponsoring candidate(s) for an election.

(b) Where Voting Points are established, political parties may appoint polling agents for each Voting Point.

(c) The notice referred to in sub-Clause (a) of this Clause shall be in writing, signed, addressed and delivered to the:

- i. Chairman of the Commission in the case of polling agents for collation at the Presidential election;
- ii. Resident Electoral Commissioner in the case of polling agents for Collation at the Governorship election; and
- iii. Electoral Officer in all cases of polling agents for Polling Units/Voting Point Settlements/Voting Points, and polling agents for Registration Area/Ward and LGA Collation;

(d) The notice shall contain the names, addresses and recent passport photographs of the polling agents and the respective Polling Units/Voting Point Settlements/Voting Points or Collation Centers to which they have been assigned and to be submitted not later than 14 days before the election. Any notice sent in late will be rejected.

(e) Only a Polling Agent whose name had been submitted to the Commission in the prescribed manner shall receive a copy of the result sheet at a Polling Unit or Collation Centre.

### **Disqualification of certain categories of persons from being Polling Agents**

7. (a) No person shall be qualified to be appointed or serve as a polling agent of any political party if, being a person employed in the public service of the Federation or of any State or

Local Government/Area Council, he/she has not resigned or withdrawn or retired from such employment at least 90 days before the date of the election.

### **Disqualification of a Polling Agent**

(b) A Polling Agent who aids and abets election malpractices at a Polling Unit or Collation Centre shall be disqualified and on the instruction of the Poll Official/Collation Official shall be removed from the Polling Unit/Collation Center and shall be liable to prosecution.

## **ACCREDITATION AND VOTING PROCEDURE AT ELECTIONS**

### **Method of Voting**

8. (a) Voting shall be in accordance with the Continuous Accreditation and Voting System (CAVS) procedures as specified in these Regulations and Guidelines, the Election Manual and any other Guide issued by the Commission.

### **Voting at appropriate PU**

(b) No person shall be allowed to vote at any Polling Unit/Voting Point Settlement/Voting Point other than the one at which his/her name appears in the Register of Voters and he/she presents his/her permanent voter's card to be verified by the Smart Card Reader (SCR), or as otherwise determined by the Commission.

(c) Each Voter shall cast his/her vote in person at the Polling Unit/Voting Point Settlement/Voting Point where he/she registered or was assigned, in the manner prescribed by the Commission.

### **Persons allowed into the Polling Unit**

(d) The Presiding Officer shall regulate the admission of voters to the Polling Unit/Voting Point Settlement/Voting Point and shall exclude all other persons except candidates or their Polling Agents, election officials, security personnel, accredited observers and any other person who in his opinion has lawful reason to be admitted.

(e) Attendance Register in PU booklet will be signed by these categories of election personnel: POs, APOs, Polling Agents, Security Personnel, Accredited Media and Accredited Observers.

### **Opening of poll**

9. (a) At 7:30am, the Presiding Officer of a Polling Unit/Voting Point Settlement, or the Assistant Presiding Officer (VP) in the case of a Voting Point shall cross-check the adequacy of materials.

(b) At 8:00am, Presiding Officer shall:

- (i) declare the Polling Unit open for accreditation and voting;



- (ii) allow voters into the Polling Unit in an orderly queue;
- (iii) introduce the poll officials, polling agents and observers present;
- (iv) separate the queue between men and women, where the culture does not allow the mingling of men and women;
- (v) create a separate queue for PWDs; and
- (vi) explain the accreditation and voting procedures to all present.

### **Mandatory use of Smart Card Reader (SCR)**

10. (a) In accordance with Section 49 (2) of the Electoral Act, a person intending to vote shall be verified to be the same person on the Register of Voters by use of the Smart Card Reader (SCR) in the manner prescribed in these Regulations and Guidelines.

(b) Any poll official who violates the provision of Clause 10 (a) shall be deemed to be guilty of an offence and shall be liable to prosecution.

### **Accreditation and voting**

(c) Accreditation and voting shall commence at 8.00am and close at 2:00pm, provided that all voters already on the queue by 2:00pm shall be allowed for accreditation and voting.

(d) The accreditation process shall comprise reading of the Permanent Voter's Card (PVC) and authentication of the voter's fingerprint using the SCR; checking of the Register of Voters and inking of the cuticle of the specified finger of the voter.

(e) The voter shall present himself/herself to the APO (III) for the Polling Unit, Voting Point Settlement or Voting Point who shall:

- i. determine that he/she is at the correct Polling Unit or Voting Point Settlement or Voting Point;
- ii. confirm that the voter has not voted anywhere by inspection of the cuticle of the fingernails, and if satisfied direct the voter to the APO I; and
- iii. upon inspection of the PVC held by the voter, if the APO III discovers that the PVC is not for the Polling Unit, the APO III will advise the voter to proceed to the appropriate Polling Unit or Voting Point Settlement or Voting Point.

The APO I shall:

- i. request for the PVC from the voter;
- ii. read the PVC using the Smart Card Reader to ascertain that the photograph on the permanent voter's card is that of the voter and that the Polling Unit details correspond with those of the Polling Unit;

- iii. request the voter to place the appropriate finger in the place provided on the Smart Card Reader for authentication; and if the fingerprint matches, request the voter to proceed to APO II.

(f) The verified voter shall then proceed to the APO II who shall:

- (i) request for the permanent voter's card;
- (ii) check the Register of Voters to confirm that the voter's name, details, and Voter Identification Number (VIN) are as contained in the Register of Voters;
- (iii) tick the appropriate box of the horizontal boxes on the right margin beside the voter's details on the Register, showing the category of election, if the person's name is on the Register of Voters;
- (iv) tick the appropriate box at the left margin of the Voter details in the case of SCR failure to read (FR) or failure to authenticate (FA);

#### **PWD status**

- (v) document the status of the voter; if the voter is a PWD by completing the PWD Form EC 40H as prescribed; and
- (vi) apply indelible ink to the cuticle of the specified finger on the left hand to indicate that the voter has been accredited to vote in that election.

11. (a) The accredited voter shall proceed to the PO who shall:

- (i) Check the cuticle of the appropriate finger/thumb-nail of the voter to confirm that he/she has been accredited;
- (ii) On being satisfied that the person before him/her has been duly accredited, stamp, sign and write the date on the back of the ballot paper(s) for the respective categories of elections;
- (iii) Pre-fold the endorsed ballot paper(s) using the roll and flatten method;
- (iv) Issue the pre-folded and endorsed ballot paper(s) to the voter;
- (v) Request the voter to remove his/her cell phone or any photographic device before proceeding to voting cubicle;
- (vi) Direct the voter to the voting cubicle to mark his/her choice on the ballot paper; and
- (vii) Ensure that the voter deposits the marked ballot paper in the appropriate ballot box.

**Failure to Authenticate**

(b) Where a voter's PVC is read but his/her fingerprint is not authenticated, the APO I shall refer the voter to the APO II who shall:

- (i) request the voter to thumbprint the appropriate box in the Register of Voters;
- (ii) request the voter to provide his/her phone number in the appropriate box in the Register of Voters;
- (iii) continue with the accreditation of the voter; and
- (iv) refer the voter to the PO or APO (VP) for issuance of ballot paper(s).

**Absence of name from Register of Voters**

(c) Where a voter's PVC is read but the name of the voter is not on the Register of Voters, APO II shall refer the voter to the PO or APO (VP) who shall politely request the voter to leave the Polling Unit.

**Failure to Read PVC, but details on Register match those on PVC**

(d) In the event that the PVC fails to be read by the Smart Card Reader, the APO I shall refer the voter to the PO or APO (VP) who shall politely request the voter to leave the Polling Unit.

**PVC is read, Smart Card shows wrong details, but correct details are in the Register of Voters**

(e) Where a voter's PVC is read and the SCR shows the details of another person, rather than the details of the cardholder as printed on the PVC, the APO I shall:

- (i) Refer the voter to APO II to confirm that the details of the voter in the Register of Voters correspond to those on the PVC;
- (ii) APO II if satisfied that the holder of the card is on the Register of Voters, shall record the phone number of the voter in the appropriate box on the Register of Voters; and
- (iii) Proceed with the accreditation of the voter.

**Consultation with Polling Agents before issuing ballots to voters with verification problems**

(f) In all cases from 11(b) to 11(e) the Presiding Officer shall fill the appropriate forms in the PU booklet and make a report. Affected voters in 11(b) and 11(e) qualify to be issued ballot papers after consultation with Polling Agents.

**PVC for the wrong Polling Unit**

12 (a) Where the Permanent Voters' Card (PVC) presented by the voter is not for the Polling Unit, the APO I shall politely inform the voter and advise him/her to proceed to the appropriate Polling Unit.

### **Presentation of someone else's PVC**

(b) Any person who presents the PVC of another person with an intention to use it to vote, shall not be allowed to vote and may be liable to arrest and prosecution.

### **Sustained SCR malfunction/continuation of elections**

13 (a) In the event of sustained malfunction of the Smart Card Reader (SCR), the Presiding Officer (PO) shall:

- (i) immediately inform the Supervisory Presiding Officer (SPO), the Electoral Officer (EO), and the Electoral Operations Support Centre (EOSC) for replacement;
- (ii) suspend Accreditation and Voting until a new Card Reader is made available;
- (iii) file a report of the incident; and
- (iv) inform the voters and polling agents of the situation.

(b) Where a replacement Smart Card Reader is not available by 2:00pm, the Presiding Officer or APO(VP) as the case may be shall:

- (i) inform the SPO, EO, and EOSC of the situation;
- (ii) file a report of the incident; and
- (iii) inform the voters and polling agents that accreditation and voting for the affected Polling Unit, Voting Point Settlement, and Voting Point shall continue the following day.

(c) Where a Smart Card Reader (SCR) is replaced in the middle of an election, the data of verified voters in the faulty SCR shall be merged with data in the replacement SCR for purposes of determining the number of verified voters.

### **Visually Impaired/Blind or incapacitated Voter (PWDs)**

14. The Presiding Officer shall allow a voter who is visually impaired or blind or is unable to distinguish symbols or who suffers from any other physical disability to be accompanied into the Polling Unit/Voting Point Settlement/Voting Point and be assisted to vote by a person chosen by him/her, other than an election official, a polling agent or a security personnel on election duty.

15. Visually Impaired/Blind registered voters may, where available, use the Braille Guide or magnifying glass.

16. PWDs, visibly pregnant women and the aged, shall be granted priority access to voting at the Polling Units, Voting Point Settlements and Voting Points.

**Voter not to make a mark for identification**

17. A voter shall not make any mark on the ballot paper by which he/she may be identified. If he/she does so, such ballot paper shall be rejected provided that any print resulting from the staining of the finger-print of the voter in the voting compartment shall not be deemed to be a mark of identification.

**Accidental destruction of ballot paper**

18. A voter who by accident spoils his/her ballot paper such that it cannot be used for voting may present it to the Presiding Officer and if satisfied that the ballot paper is spoilt, the Presiding Officer shall issue another ballot paper to the voter in place of the spoilt ballot paper and the spoilt ballot paper shall be marked "cancelled" by the Presiding Officer, and recorded in appropriate form in the PU booklet.

**Tendered ballot Section 60 of Electoral Act**

19. If a person claiming to be entitled to vote applies for a ballot paper after another person has voted in the name given by the claimant, he/she shall, upon satisfactory answers given to any questions put to him/her by the APO II, shall be entitled to receive a ballot paper in the same manner as any other voter; but the ballot paper shall be a tendered ballot paper and deposited in the Tendered Ballot envelope in accordance with the procedure in the Electoral Act.

**Use of telephones and other electronic/photographic devices**

20. (a) Telephones and other electronic devices capable of taking pictures are not allowed in voting cubicles. Voters may come to the Polling Unit with telephones and other electronic devices provided that they do not take them to the voting cubicles or take pictures of other voters while they are voting.

(b) After thumbprinting the ballot, while still in the voting cubicle, the voter shall carefully fold the marked ballot paper in the same manner that the Presiding Officer had pre-folded the ballot before issuing it to the voter and proceed to drop it in the appropriate ballot box. Additional ballot boxes will be provided where necessary.

**Proper placement of ballot boxes**

(c) Presiding Officers shall place the ballot boxes not more than two meters away from the voting cubicle, in the direction of the Presiding Officers and away from the Polling Agents.

**Leave to remain in the vicinity of the Polling Unit after voting**

(d) After casting his/her ballot, the voter is free to remain within the vicinity of the Polling Unit to witness the sorting and counting of votes and the announcement of results, provided he/she is orderly.

**Close of voting**

21. After every voter on the queue has voted, the Presiding Officer shall declare voting closed.

22 (a) At the close of voting, the Presiding Officer shall:

- (i) cancel all the unused ballot papers by crossing them out;

### **Sorting and counting of ballot, and recording of votes**

- (ii) sort out the ballot papers by party and thereafter loudly count the votes scored by each political party in the presence of the Polling Agents and observers;

### **Recount of votes**

- (iii) allow recount of votes on demand by a Polling Agent, provided that such a recount shall only be allowed once;
- (iv) cross-check the scores;
- (v) enter the scores of the candidates in both figures and words in the appropriate forms EC8A/EC8A(VP) series; and

### **Pasting of Form EC60E**

- (vi) fill the Form EC 60E and paste it conspicuously. Pasting of Form EC 60E is mandatory and failure to do so may amount to dereliction of duty.

(b) Where Voting Points have been created the APOI shall:

- (i) enter the result on form EC8A (VP); and
- (ii) submit to the presiding officer who shall consolidate the result using form EC8A and attach the EC8A(VP) to form EC8A.

(c) The Presiding officer shall then:

- (i) sign, date and stamp the appropriate EC8A forms;
- (ii) announce loudly the votes scored by each political party;
- (iii) request the candidates or their polling agents where available at the Polling Unit to countersign;
- (iv) refusal of any candidate or polling agent to countersign the appropriate form EC 8(A) series shall not invalidate the result of the Polling Unit;
- (v) keep the originals of EC8 series and the first pink copies for the Commission;
- (vi) give to the polling agents and the Police, a duplicate copy each of the completed forms;
- (vii) post the completed Publication of Result Poster EC60(E) at the Polling Unit;
- (viii) complete the EC 40H(I) for PWD Information and Statistics;

- (ix) Complete the PWD information boxes in the PU booklet;

### **Transmission of Results**

- (x) transmit the result as prescribed in the Electoral Act;
- (xi) take the card reader and the original copy of each of the forms in tamper-evident envelope to the Registration Area/Ward Collation Officer, in the company of security agents; and
- (xii) The polling agents may accompany the Presiding Officer to RA/Ward Collation Centre.

### **Over voting**

23 (a) Where the total number of votes cast at a Polling Unit exceeds the number of registered voters in the Polling Unit, the result of the election for that Polling Unit shall be declared null and void, and a report in that regard shall be made to the Collation officer.

(b) Similarly, where the total number of votes cast at a Polling Unit exceeds the total number of accredited voters, the outcome of the election shall be declared null and void, and a report in that regard shall be made to the Collation officer.

24. Where after a crosscheck and recount, the sum of spoiled ballot papers, rejected ballots and valid votes is not equal to the total number of used ballots, an anomaly exists, and the Presiding Officer shall submit a written report to the RA/Ward Collation Officer.

25. The RA/Ward Collation Officer shall examine the report and reconcile the figures. Where the figures cannot be reconciled, the RA/Ward Collation Officer shall locate the source of the discrepancy, rectify it and make a report to the LGA Collation officer.

### **Where election is cancelled or not held.**

26. For a Polling Unit where election is not held or is cancelled, or poll is declared null and void in accordance with these regulations, the Presiding Officer shall report same in writing to the RA/Ward Collation Officer explaining the nature of the problem and the Collation Officer shall fill form EC 40G as applicable.

## **COLLATION OF ELECTION RESULTS**

### **Collation of election results**

27. The collation and declaration of election results shall be done at the following levels depending on the type of election:

- (i) Registration Area - RA/Ward (Collation for all elections) including that of Councillor in the case of the FCT;

- (ii) Local Government Area- LGA (Collation for all elections) including that of Chairman in the case of the FCT;
- (iii) State Constituency (Collation and Declaration of State House of Assembly elections);
- (iv) Federal Constituency (Collation and Declaration of House of Representatives elections);
- (v) Senatorial District (Collation and declaration of Senatorial District elections);
- (vi) Governorship (Collation and Declaration of Governorship elections); and
- (vii) Presidential (Collation and Declaration of Presidential election).

### **Phone calls during collation of results**

28. (a) In order to remain focused on their assignment, Collation Officers are not allowed to make or receive telephone calls during collation.

### **Collation at RA/ Ward Level**

(b) The Registration Area/Ward Collation Officer shall:

- (i) take delivery of the original copies of Forms EC 8A, EC8A(I), and EC8A(II) for the Presidential, Senatorial and the House of Representatives elections, respectively, including the EC 40H(I) and 40G;
- (ii) take delivery of the original copies of Forms EC 8A and EC8A(I) for Governorship and the State Houses of Assembly elections, respectively;
- (iii) receive the Smart Card Readers from the respective Presiding officers;
- (iv) compare the number of voters verified by the Card Reader with the number of accredited voters and total votes cast for consistency;
- (v) receive and consider if any, the reports of anomalies, adverse incidents, and equipment failure from the presiding officers including reports of where polls are either cancelled or not held;
- (vi) submit the Card Readers to the respective supervisory presiding officers (SPOs), in tamper-proof envelopes;
- (vii) collate the votes entered in Forms EC 8A, EC 8A(I), and EC 8A(II) for Presidential, Senatorial and the House of Representatives elections, respectively;
- (viii) collate the votes entered in Forms EC 8A and EC 8A(I) for Governorship and State Houses of Assembly elections, respectively;
- (ix) collate the votes entered in form EC8A and EC8A (1) for Area Council Chairman and Councillor;
- (x) add up the Polling Unit results to get the RA/Ward summary;



- (xi) enter the votes in both figures and words in the appropriate spaces in Forms EC 8B, EC 8B(I) and EC 8B(II) as the case may be; complete the forms as required, date and sign same and get the polling agents to countersign;
- (xii) complete Form EC 40G for Polling Units where election is cancelled or not held;
- (xiii) distribute copies of each of the Form EC 8B or EC 8B (1) and EC 8B(II) to each polling agent and the Police;
- (xiv) take custody of the original copies of Forms EC 8B, EC 8B(I) and EC 8B (II) together with other materials, equipment and reports (if any) received from Presiding Officers at the election to the LGA Collation Centre; and
- (xv) Implement any result management procedure with the assistance of the RA Technical support (RATECH), where applicable.

(c) Where there is a discrepancy between the verified figure and the total votes cast, the RA/ Ward Collation officer shall:

- (i) review the figures against reports from the Polling Units;
- (ii) request explanation(s) from the Presiding Officer(s) concerned, the circumstances of the inconsistency;
- (iii) accept the result form if satisfied with the explanation(s); and
- (iv) if not satisfied locate the point of discrepancy, resolve the discrepancy and request the Presiding Officer to endorse.

#### **Collation at RA/Ward Level where Election extends to the following day in some PUs**

29. Where at a Polling Unit, accreditation and voting are to continue the following day on account of the non-availability of a required replacement Smart Card reader, the RA/ Ward Collation Officer shall:

- (i) inform the polling agents and stakeholders at the collation center of the situation;
- (ii) collate the available results from the unaffected Polling Units;
- (iii) on conclusion of (ii) above, proceed immediately to the LGA Collation Center where the results from (ii) above shall be saved until the following day, when the RA collation shall resume, including the results of the affected Polling Units; and
- (iv) inform the LGA Collation Officer of the situation, who shall then proceed with the collation of the results of the unaffected RAs/Wards.

#### **Collation of Presidential Results at the LGA level**

30. The Local Government/Area Council Collation Officer in-charge of the Presidential Election shall:

- (i) take delivery of all the original copies of Forms EC 8B from the Registration Area/ Ward Collation officers together with other materials and reports relating to the election including Form EC40(G) if any;
- (ii) collate the results for the Presidential election by entering the votes in the original copy of Forms EC 8B into form EC 8C in figures and words.
- (iii) add up the RA/Ward results to get the LGA summary;
- (iv) cross-check the totals and entries in the EC 8C with the Collation Support and Result Verification System (CSRVS) secretariat where available;
- (v) announce loudly the votes scored by each party;
- (vi) sign, date and stamp the forms and request the polling agents to countersign;
- (vii) distribute copies of the forms to the polling agents and the Police.
- (viii) transfer the total number of registered voters of affected Polling Units where election was not held or were cancelled, from forms EC 40G into form EC 40G(I);
- (ix) complete form EC 40H(3) using form EC 40H (2); and
- (x) take the original copies of Forms EC 8C to the Presidential Collation Officer at the State Collation Centre together with other materials and reports relating to the election, including Form EC 40G(I).

### **Collation of Presidential Result at State Level**

31.The State Collation Officer for the Presidential election shall:

- (i) take delivery of the original copies of Forms EC 8C from the Local Government Area Collation Officers together with other materials and reports relating to the election including Form EC 40G (1);
- (ii) transfer the votes scored by each party from Forms EC 8C into Form EC 8D and enter the votes scored in both figures and words in the spaces provided;
- (iii) add up the LGA collated results to obtain the State summary;
- (iv) cross-check the totals and entries in the EC 8D with the CSRVS secretariat for computational accuracy;
- (v) transfer the total number of registered voters of affected Polling Units from Forms EC 40G(1) into form EC 40G(2), where elections were cancelled or not held in respect of all the LGAs.
- (vi) announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form and request the polling agents to countersign;
- (viii) distribute copies of forms EC 8D to polling agents and the Police;

- (ix) complete EC 40H(4) using EC 40H(3);
- (x) take the original copy of form EC 8D together with other materials and reports relating to the election which were returned by the Local Government Area Collation Officers to the National Collation Centre, in a tamper-proof envelope.

### **Collation of Presidential Result at National Level**

32. (a) The Chief Electoral Commissioner, who is the Returning Officer for the Presidential election, shall:

- (i) take delivery of the original copies of forms EC 8D from the state Collation Officers together with other materials and reports relating to the election including forms EC 40G(2), and EC40H(4) where applicable;
- (ii) collate the votes scored by each party from forms EC8D received from state collation officers into form EC8D (A) and enter the votes scored by each party in both figures and words in the spaces provided;
- (iii) add up the collated state results to obtain the national summary;
- (iv) cross-check the totals and entries in the EC 8D(A) with the CSRVS secretariat for computational accuracy;
- (v) transfer the number of registered voters of Polling Units where election was not held/cancelled for the respective states from EC 40G(2) into form EC 40G(3);
- (vi) announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form, and request the polling agents present to countersign;
- (viii) proceed to distribute copies of forms EC 8D(A) to polling agents and the Police;
- (ix) compare the total number of voters affected in Form EC 40G(3) with the Margin of Win between the two leading candidates;
- (x) if the margin of win is in excess of the figure recorded in form EC 40G(3), proceed to enter the scores of the candidates in form EC 8E for the declaration of the Presidential election result.

### **Supplementary elections**

33. (a) Where an election is declared null and void for over voting in line with Clause 23 of these Regulations and Guidelines and it is ascertained that the total registered voters in the affected Polling Units may affect the overall result of the election, another date shall be fixed for supplementary election in the affected Polling Units.

### **Announcement of result in spite of Supplementary Election**

(b) Where the total number of registered voters in the affected Polling Units is less than the

margin by which the leading candidate is ahead of the second candidate, indicating that the outcome of the election will not be affected by the supplementary election, the returning officer shall announce the result.

(c) Where an election is postponed as a result of serious breach of the peace or natural disasters or other emergencies in line with Section 26 of the Electoral Act, returns for the affected constituencies shall not be made until polls are taken in the affected Polling Units.

### **Making a return where elections are postponed**

(d) Where an election is postponed in line with Section 26 of the Electoral Act and it is ascertained that the total number of registered voters in the Polling Units affected by the postponement is less than the margin by which the leading candidate is ahead of the second candidate in the election, indicating that the result of the election will not be affected by the outcome of polls in the Polling Units affected by the postponement, the returning officer shall make a return for the election.

### **Margin of Lead Principle**

(e) Where the margin of lead between the two leading candidates in an election is NOT in excess of the total number of voters registered in Polling Units where elections are not held or voided in line with sections 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Units and the results collated into the relevant forms for Declaration and Return. This is the Margin of Lead Principle and shall apply wherever necessary in making returns of all elections to which these Regulations and Guidelines apply.

34. (a) The Chief Electoral Commissioner and Returning Officer for the Presidential election shall complete Form EC 8E and return the candidate who:

- (i) has the majority of votes cast at the election; and
- (ii) has not less than one-quarter of the votes cast at the election in at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja.

### **Making a Return/ Declaration of Result for Presidential elections**

(b) The Chief Electoral Commissioner and Returning Officer for the Presidential election shall then proceed to:

- (i) distribute copies of Form EC8E to polling agents or candidates of each party in the election and the Police; and
- (ii) complete the EC 40H (5) using the EC 40H (4)

**Run – Off election for presidential Election.**

(d) Where no candidate meets the requirements of the majority of votes cast and the electoral two thirds, as provided in 34(a) (i) and (ii) above, a run-off election shall be organized by the Commission within 21 days in line with the provisions of Section 134 (2) to (5) of the 1999 Constitution as amended.

**Margin of Lead Principle and Supplementary election indicated for Presidential election**

(e) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Units where elections were not held or were cancelled in line with sections 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Units and the results collated into a new Form EC 8D(A) and subsequently recorded into form EC 8E for Declaration and Return.

**Uncontested Presidential Election**

35. Where a Presidential election is uncontested, the Commission shall follow the procedure outlined in Section 133 of the 1999 Constitution (as Amended).

**Collation of Senatorial District election result at LGA/Area Council level.**

36. The Local Government/Area Council Collation Officer in-charge of Senatorial District Election shall:

- (i) take delivery of all the original copies of forms EC8B(I) from the Registration Area/Ward Collation Officers together with other materials and reports relating to the election including forms EC40(G) and the EC 40 H(2) if applicable;
- (ii) collate the results for the Senatorial District election by entering the votes from forms EC 8B (I) into form EC 8C(I) in figures and words in the space provided;
- (iii) add up the RA/Ward results to obtain the LGA summary;
- (iv) cross-check the totals and entries in EC8C(I) with the CSRVS secretariat where available, for computational accuracy;
- (v) announce loudly the votes scored by each party;
- (vi) sign, date and stamp the forms and request the polling agents or candidates to countersign;
- (vii) distribute copies of the forms to the polling agents or candidates and the Police;
- (viii) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective RAs from Forms EC 40G into form EC 40G (1);
- (ix) complete the EC 40H(3) if applicable; and
- (x) take the original copies of forms EC 8C(I) to the Senatorial District Collation/Returning Officer at the Senatorial District Collation Centre together with other materials and reports relating to the election, including form EC 40G(1).

### **Collation and Declaration of Senatorial District Election Result at State Level.**

37 (a) The Senatorial District Collation/Returning Officer for the Senatorial District election shall:

- (i) take delivery of the original copies of forms EC 8C(I) from the Local Government Area/Area Council Collation Officers together with other materials and reports relating to the election including form EC 40G (1);
- (ii) collate the results of the Senatorial District election by entering the votes in the original copies of forms EC 8C(I) into form EC 8D(I) and enter the votes scored in both figures and words in the spaces provided;
- (iii) add up the LGA results to obtain the Senatorial District summary;
- (iv) cross-check the totals and entries in the EC 8D(I) with the CSRVS Secretariat where available;
- (v) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective LGAs from form EC 40G(I) into form EC 40G (2);
- (vi) announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form and request the polling agents or candidates to countersign;
- (viii) distribute copies of forms EC 8D(I) to polling agents or candidates and the Police;
- (ix) enter the score of each candidate into the declaration of result Form EC 8E(I) for the Senate and return as elected the candidate who scores the highest number of valid votes cast at the election;
- (x) distribute copies of form EC 8E(I) to polling agents and the Police;
- (xi) complete the EC 40H (4) if applicable; and
- (xii) submit to the Resident Electoral Commissioner, the original copies of forms EC 8D(I) and EC 8E(I) together with other materials relating to the election.

### **Supplementary election indicated for Senatorial District election**

(b) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with section 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Unit(s) and the results incorporated into a new form EC 8D(I) and subsequently recorded into form EC 8E(I) for Declaration and Return.

### **Collation of Federal Constituency Election result at LGA/Area Council Level.**

38. The Local Government/Area Council Collation Officer in-charge of Federal Constituency (House of Representatives) election shall:

- (i) take delivery of all the original copies of forms EC 8B(II) from the Registration Area/ Ward Collation officers together with other materials and reports relating to the election including forms EC 40(G) and EC 40H (I) if any;
- (ii) collate the results for the Federal Constituency (House of Representatives) election by entering the votes in the original copies of forms EC 8C(II) in figures and words in the space provided;
- (iii) add up the RA/Ward results to obtain the LGA summary;
- (iv) cross-check the totals and entries with the CSRVS secretariat where available;
- (v) announce loudly the votes scored by each party;
- (vi) sign, date and stamp the forms and request the polling agents to countersign;
- (vii) distribute copies of the forms to the polling agents and the Police;
- (viii) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective RAs from Forms EC 40G into form EC 40G (1);
- (ix) complete the EC 40H (3) if applicable; and
- (x) submit the original copies of forms EC 8C(II) to the Federal Constituency (House of Representatives) Collation/Returning Officer at the Federal Constituency Collation Centre together with other materials and reports relating to the election, including form EC 40G (1).

### **Collation and Declaration of Federal Constituency Election at Constituency level.**

39. The Federal Constituency (House of Representatives) Collation/Returning Officer for the Federal Constituency election shall:

- (i) take delivery of the original copies of forms EC 8C(II) from the Local Government Area Collation Officers together with other materials and reports relating to the election including form EC 40G (1);
- (ii) collate the results of the Federal Constituency (House of Representatives) election by entering the votes in the original copies of forms EC 8C(II) into form EC 8D(II) and enter the votes scored in both figures and words in the spaces provided;
- (iii) add up the LGA results to obtain the Federal Constituency (House of Representatives) summary;
- (iv) cross-check the totals and entries in EC 8D(II) with the CSRVS secretariat where available;
- (v) transfer the total number of registered voters of Polling Units where election was not held/cancelled from the respective LGAs from forms EC 40G(1) into form EC 40G(2);
- (vi) announce loudly the votes scored by each party;

- (vii) sign, date and stamp the form and request the polling agents to countersign;
- (viii) distribute copies of forms EC 8D(II) to polling agents or candidates and the Police;
- (ix) enter the score of each candidate into the declaration of result from EC 8E(II) for the Federal Constituency (House of Representatives) and return as elected the candidate who scores the highest number of valid votes cast at the Federal Constituency (House of Representatives) election;
- (x) distribute copies of form EC 8E(II) to polling agents or candidates and the Police;
- (xi) complete the EC 40H (4) if applicable; and
- (xii) Submit to the Resident Electoral Commissioner the original copies of forms EC 8D(II) and EC 8E(II) together with other election materials.

### **Supplementary election indicated for Federal Constituency election.**

(b) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with section 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Units and the results incorporated into a new form EC 8D(II) and subsequently recorded into form EC 8E(II) for Declaration and Return.

### **Collation of Governorship result at LGA Level**

40. The Local Government Area Collation Officer in-charge of Governorship Election shall:

- (i) take delivery of all the originals copies of forms EC 8B from the Registration Area/ Ward Collation Officers together with other materials and reports relating to the election including the forms EC 40(G) and EC 40H(2) (if any);
- (ii) collate the results for the Governorship election by entering the votes in the original form EC 8B into form EC 8C in figures and words;
- (iii) add up the RA/Ward results to get the LGA summary;
- (iv) crosscheck the totals and entries in EC 8C with the CSRVS System Secretariat where available;
- (v) announce loudly the votes scored by each party;
- (vi) sign, date and stamp the forms and request the polling agents to countersign;
- (vii) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective RAs/Wards from Forms EC 40G into Form EC 40G(I);
- (viii) distribute copies of the Form to the polling agents or candidates and the Police;
- (ix) complete Form EC 40H (3) using EC 40H (2); and



- (x) submit the original copy of form EC 8C to the Governorship Collation Officer at the State Collation Centre together with other materials and reports relating to the election, including forms EC 40G (1) and EC 40 H (3), where applicable.

### **Collation and Declaration of Governorship Result**

41(a) The State Collation/Returning Officer for the Governorship election shall:

- (i) take delivery of the original copies of form EC 8C from the Local Government Area/Area Council Collation Officers together with other materials and reports relating to the election including form EC 40G (1) and EC 40H (3) where available;
- (ii) transfer the votes scored by each party from forms EC 8C into form EC 8D and enter the votes scored in both words and figures in the spaces provided;
- (iii) add up the LGA results to obtain the State summary;
- (iv) crosscheck the totals of entries in form EC 8C with the CSRVS secretariat where available;
- (v) transfer the total number of registered voters of Polling Units where election was not held/cancelled from forms EC 40G (1) into form EC 40G (2) in respect of all LGAs;
- (vi) announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form and request the polling agents or candidates to countersign;
- (viii) distribute copies of form EC 8D to polling agents and the Police;
- (ix) compare the total number of voters on form EC40G (2) with the margin of win between the two leading candidates;
- (x) if the margin of win is in excess of the figure recorded in form EC 40G (3), proceed to enter the scores of the candidates in form EC 8E for the declaration of the Governorship election result;

### **Making a Return/ Declaration for Governorship election**

(b) The state collation/Returning officers for the Governorship election shall then complete Form EC 8E, sign, date, stamp and declare the result of the Governorship election and return the candidate who:

- (i) has the majority of votes cast at the election;
- (ii) has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the LGAs in the State;

(c) The state collation/Returning officer shall proceed to:

- (i) distribute copies of Form EC 8E to polling agents or candidates of each party in the election and the Police;
- (ii) complete the EC 40(H) using the EC 40 H (3);
- (iii) submit to the State Resident Electoral Commissioner the original copy of Form EC 8D and the declaration of result Form (EC 8E) together with other election materials.

### **Run – Off election for governorship election**

(d) Where no candidate meets the requirements of the majority of votes cast and the electoral two thirds, as provided in 41b (i) and (ii) above, a run-off election will be organized by the Commission within 21 days in line with the provisions of Section 179 (2) to (5) of the 1999 Constitution as amended.

### **Supplementary election indicated for governorship election.**

(e) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with Sections 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Unit(s) and the results incorporated into new form EC 8D and subsequently recorded into form EC 8E for Declaration and Return.

### **Uncontested Governorship Election**

42. Where a Governorship election is uncontested, the Commission shall follow the procedure outlined in Section 179(1) of the 1999 Constitution (as Amended).

### **Collation and Declaration of State Constituency Election Result with one LGA**

43(a) The LGA Collation Officer/Returning officer in-charge of State Constituency (House of Assembly) Election shall:

- (i) take delivery of the original copies of forms EC 8B(I) from RA/Ward Collation Officers together with other materials and reports relating to the election including form EC 40G(I) and EC 40H(2), where applicable;
- (ii) collate the results for the State Constituency (State House of Assembly) election by entering the votes in the original copies of forms EC 8B(I) into form EC 8C(I) in words and figures in the space provided;
- (iii) add up the RA/Ward results to obtain the LGA summary;
- (iv) cross-check the totals of entries in EC 8C(I) with the CSRVS Secretariat, where available;

- (v) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective RAs from forms EC 40G into form EC 40G (1) where applicable;
- (vi) announce loudly the votes scored by each party;
- (vii) date, sign and stamp the forms and request the polling agents to countersign;
- (viii) distribute duplicate copies of the form to the polling agents or candidates and the Police;
- (ix) enter the score of each candidate into form EC 8E(I) for the State Constituency (State House of Assembly) and return as elected the candidate who scores the highest number of valid votes cast at the State Constituency (State House of Assembly) election;
- (x) distribute copies of form EC 8E(I) to polling agents or candidates and the Police;
- (xi) complete where applicable, the EC40H (3) using the EC 40H (2);
- (xii) submit the original copies of form EC 8C(I) to the State Constituency (State House of Assembly) Collation/Returning Officer at the State Constituency Collation Centre together with other materials and reports relating to the election, including form EC 40G (1) and EC 40H (3) where applicable.

#### **Supplementary election indicated for state constituency election.**

(b) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with section 26 and 53 of the Electoral Act, the returning officer shall decline to make a return until polls have taken place in the affected Polling Unit(s) and the results incorporated into the new Form EC 8C(I) and subsequently recorded into form EC8E(I) for Declaration and Return;

#### **Collation of state constituency election results with more than one LGA.**

44(a) The State Constituency Collation/Returning Officer for the State House of Assembly election comprising of more than one LGA shall:

- (i) take delivery of the original copies of forms EC 8C(I) from the LGA Collation Officers together with other materials and reports relating to the election including, where applicable forms EC 40G(1) and EC 40H(3) where applicable;
- (ii) collate the results of the State House of Assembly election by entering the votes in the original copies of forms EC 8C(I) into form EC 8D(I) and enter the votes scored in both figures and words in the spaces provided;
- (iii) add up the LGA results to obtain the State Constituency summary;
- (iv) cross-check the totals with the CSRVS Secretariat where available;
- (v) transfer the total number of registered voters of Polling Units where election was not held/cancelled for the respective LGA from forms EC 40G (1) into form EC 40G(2);

- (vi) cross-check the entries in form EC 8D(I) and announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form and request the polling agents to countersign;
- (viii) distribute copies of forms EC 8D(I) to polling agents or candidates and the Police;
- (ix) enter the score of each candidate into form EC 8E(I) for the State House of Assembly and return as elected the candidate who scores the highest number of valid votes cast at the State Constituency election;
- (x) distribute copies of form EC 8E(I) to polling agents or candidates and the Police;
- (xi) complete where applicable, the EC 40H(4) using the EC 40H(2);
- (xii) submit to the Electoral Officer the original copies of forms EC 8D(I) and form EC 8E(I) together with other election materials.

### **Supplementary election indicated for State Constituency with more than one LGA**

(b) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with Sections 26 and 53 of the Electoral Act, the Returning Officer shall decline to make a return until polls have taken place in the affected Polling Unit(s) and the results incorporated into the new form EC 8D(I) and subsequently recorded into form EC 8E(I) for Declaration and Return;

### **Collation of State Constituency Election Result with less than one LGA.**

45(a) The State constituency collation/Returning Officer for the State Constituency election comprising less than one LGA shall:

- (i) take delivery of the original copies of forms EC 8B(I) from the RA/Ward Collation Officers together with other materials and reports relating to the election including Form EC 40G (1);
- (ii) collate the results of the State House of Assembly election by entering the votes in the original copies of forms EC 8B(I) into form EC 8C(I) and enter the votes scored in both figures and words in the spaces provided;
- (iii) add up the RA/Ward results to obtain the State Constituency summary;
- (iv) cross-check the totals of entries with the CSRVS Secretariat where available;
- (v) transfer the total number of registered voters of Polling Units where election was cancelled/not held from Forms EC 40G into Form EC 40G (1);
- (vi) cross-check the entries in Form EC 8C(I) and announce loudly the votes scored by each party;
- (vii) sign, date and stamp the form and request the polling agents to countersign;
- (viii) distribute copies of Forms EC 8C(I) to polling agents or candidates and the Police;

- (ix) enter the score of each candidate into form EC 8E(I) for the State House of Assembly and return as elected the candidate who scores the highest number of valid votes cast at the State Constituency election;
- (x) distribute copies of form EC 8E (I) to polling agents or candidates and the Police;
- (xi) complete where applicable, the EC 40H (3) using the EC 40H (2);
- (xii) submit to the Electoral Officer the original copies of Forms EC 8C(I) and Form EC 8E(I) together with other Election materials.

### **Supplementary election indicated for State Constituency with less than one LGA**

(b) Where the margin of lead between the two leading candidates is not in excess of the total number of registered voters of the Polling Unit(s) where election was cancelled or not held in line with Sections 26 and 53 of the Electoral Act, the Returning Officer shall decline to make a return until polls have taken place in the affected Polling Unit(s) and the results incorporated into the new Form EC 8C(I) and subsequently recorded into Form EC 8E(I) for Declaration and Return;

### **Collation of FCT Area Council Elections**

46 (a) Collation of Results and the Return of a winner to the office of the Chairman and Vice Chairman of an Area council of the FCT shall follow, with necessary modifications, the same procedure for the final collation of the governorship or presidential election.

(b) Collation of Results and Return of winner to the office of the Councillor of a Council Ward of an Area Council of the FCT shall follow, with necessary modifications, the same procedure for the final collation of the State Constituency seat of the House of Assembly of a state.

### **Managing the Margin of Lead Principle**

47. The following responses and procedures shall be used in managing the issues identified in this Clause during elections and collation of results, particularly in determining where supplementary elections may hold in line with the "Margin of Lead Principle" as in Schedule 1:

(a) Where the Commission is unable to deploy to Polling Units as a result of logistical challenges, a date for supplementary election shall be announced.

(b) Where there is willful obstruction or resistance to deployment/distribution of election materials, enter zero votes for the affected polling units and proceed.

(c) Where there is voter resistance to the use of the SCR, enter zero votes for the affected Polling Units and proceed.

(d) Where the use of the SCR is discontinued midway into the elections due to sustained malfunction and no replacement is available before 2 pm, a date for supplementary election shall be announced.

(e) Where the Commission determines that violent disruptions occurred at a substantial number of Polling Units before announcement of result, a fresh date for election in the affected Polling Units shall be announced by the Commission.

(f) Where a violent disruption occurs after announcement of results and ballot papers and result sheets are destroyed, regenerate the affected results from duplicate copies, fill new replacement result sheets with the approval of the Resident Electoral Commissioner and proceed with collation of result.

(g) Where result sheets are snatched or destroyed before they arrive at collation centres, regenerate the affected results from duplicate copies, fill new replacement result sheets with the approval of the Resident Electoral Commissioner and proceed with collation of result.

(h) Where balloting materials are still available or remaining after disruption at any stage of the election, proceed with available materials and conclude that stage of the election. However, where materials are inadequate, a new date will be announced by the Commission to conclude the stage.

- (i) Where there are issues with results of a Voting Point (VP) such as over voting, treat the votes from the affected VP as rejected votes and proceed with the valid votes from other VPs of the Polling Unit.

### **Access to Polling Units and Collation Centers**

48. The following shall be allowed access to the electoral material distribution centers, Polling Units, Polling Stations and Collation Centers:

- (i) voters (at Polling Units only)
- (ii) INEC officials on election duty
- (iii) Security agents
- (iv) candidates or their accredited polling agents.
- (v) accredited journalists/media
- (vi) accredited domestic and foreign observers

### **Role of Polling Agents**

49. Polling agents may:

- (i) observe the distribution of election materials, conduct of accreditation, voting, counting of ballots and the collation and declaration of results;

- (ii) call the attention of an election official to any irregularities, but not interfere;
- (iii) counter sign the appropriate result forms at Polling Units and the appropriate results collation forms at Collation Centers.
- (iv) comply with lawful directives issued by or under the authority of INEC, and generally conduct themselves in an orderly manner.

### **Role of Election Observers**

50. Duly accredited election observers who are wearing the observer badges issued by the Commission for the election are entitled to:

- (i) observe the process including the distribution of election materials, conduct of the voting, sorting and counting of ballots, collation of results and announcement and declaration of results;
- (ii) call the attention of an election official to any irregularities, but shall not interfere; and
- (iii) ask questions for clarification where necessary.

### **Role of Security Agents.**

51. Security agents on election duty shall:

- (i) provide security at the Polling Units'/polling stations and collation centers to ensure that the Polling Units, counting of ballots, collation and declaration of results are conducted without any disturbance;
- (ii) take necessary measures to prevent violence or any activity that can threaten to disrupt the elections;
- (iii) comply with any lawful directive(s) issued by or under the authority of INEC;
- (iv) ensure the safety and security of all election personnel and materials by escorting and guarding the materials at all levels as appropriate;
- (v) arrest on the instruction of the Presiding Officer or other INEC officials, any person(s) causing any disturbance or preventing the smooth conduct of proceedings at Polling Units/Stations and Collation Centers;
- (vi) on the instruction of the Presiding Officer, stand at the end of the queue of voters at the Polling Unit at the official close of poll to prevent any person joining in;
- (vii) escort the Presiding Officer and other election officials to deliver the election results, ballot boxes and other election materials safely to the RA/Ward Collation Centre; and
- (viii) escort Collation Officers to deliver election results to the Returning Officer and subsequently to the Resident Electoral Commissioner or Electoral Officer, as the case may be, for the submission of election materials and results.

### **Reverse Logistics**

52. It shall be the responsibility of election officials at all levels to ensure the safe return of all election materials placed in their custody to designated locations after every election. Reverse logistics should be carefully monitored, and materials returned should be audited by the relevant units of the Commission.

These Regulations and Guidelines complement the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the Electoral Act, 2010 (as amended).

DATED at Abuja this 12th day of January 2019

**Prof. Mahmood Yakubu**

Chairman

INDEPENDENT NATIONAL ELECTORAL COMMISSION



## Schedule 1

### MANAGEMENT OF THE MARGIN OF LEAD PRINCIPLE

(Response Scenarios)

In managing the Margin of Lead principle, a number of practical and effective field responses and result management techniques have been found effective in minimizing the impact of the adverse implication of "number of registered voter outstanding".

	<b>Adverse Factor</b>	<b>Required Response</b>	<b>Expected Outcome</b>
1.	Non-deployment at PU by the Commission due to logistics challenges	Announce a fresh date for the affected PU if necessary.	Supplementary election is indicated
2.	Obstruction and Resistance to deployment/distribution	Enter zero votes and proceed.	Conclusion of the process
3.	Voter Resistance to use of IVAS (SCR)	Enter zero votes and proceed.	Conclusion of the process
4.	Mid-way discontinuation of the use of the SCR due to sustained malfunction	Request for replacement before 2pm. If no replacement arrives, a new date to continue the election is announced.	Supplementary election is indicated
5.	Violent disruption at substantial number of PUs before announcement of result.	Commission shall announce a fresh date for the affected PU if necessary.	Supplementary election is indicated
6.	Violent disruption after announcement of result including destruction of ballot papers and result forms.	Regenerate the affected results from duplicate copies, fill new replacement result sheets with the approval of the Resident Electoral Commissioner and proceed with collation of result.	Conclusion of the process

7.	Snatching/Destruction of result forms en-route or at collation centres.	Regenerate the affected results from duplicate copies, fill new replacement result sheets with the approval of the Resident Electoral Commissioner and  proceed with collation of result.	Conclusion of the process
8.	Where ballot materials are still available or remaining after disruption.	Proceed with available materials and conclude.	Conclusion of the process
9.	Where ballot materials are not available or remaining after disruption.	Commission shall announce a fresh date to conclude.	Supplementary election is indicated
10.	Where there is a disruption at the Voting Point.	Treat as rejected votes and proceed with the valid balance from other VPs of the PU.	Conclusion of the process

## About PLAC

Policy and Legal Advocacy Centre (PLAC) is a non-governmental organization committed to strengthening democratic governance and citizens' participation in Nigeria. PLAC works to enhance citizens' engagement with state institutions, and to promote transparency and accountability in policy and decision-making processes.

The main focus of PLAC's intervention in the democratic governance process is on building the capacity of the legislature and reforming the electoral process. Since its establishment, PLAC has grown into a leading institution with capacity to deliver cutting-edge research, policy analysis and advocacy. PLAC receives funding support from donors and other philanthropic sources.

