

FACTSHEET

ELECTORAL BILL, 2025



Executive Summary

The Electoral Bill 2025 proposes significant amendments to the Electoral Act 2022 to improve Nigeria's election management, enhance transparency, and strengthen political accountability. The Bill responds to lessons from recent elections, operational challenges faced by the Independent National Electoral Commission (INEC), and public demands for greater credibility in the electoral process. Key highlights include stricter audit and accountability rules for INEC, recognition of prisoner voting rights, enhanced penalties for electoral offences, clearer rules for party primaries, and higher campaign spending limits. While the Bill introduces several positive reforms, some provisions raise concerns about clarity, enforcement, and the potential for big-money influence in elections.

This factsheet summarises key provisions of the Bill for a Public Hearing by the Joint National Assembly Committee on Electoral Matters

Key Highlights of the Bill

- Recognition of prisoner voting rights and obligation on INEC to register eligible inmates.
- Digital voter identification introduced through electronically generated voter cards with QR codes.
- Tougher sanctions for electoral offences, including mandatory prison terms for falsifying results or obstructing election officials.
- Expanded delegate framework for indirect primaries to standardise representation and inclusion.
- Mandatory financial audits for INEC within six months of each financial year to strengthen transparency.
- Higher spending and donation limits for campaigns, reflecting current economic realities.
- Deletion of "qualification" as a ground for election petitions

Key Provisions of the Bill

The Electoral Bill 2025 introduces reforms to improve Nigeria's electoral governance, enhance INEC's independence, and strengthen transparency and accountability across political and electoral processes. The provisions address funding, candidate qualification, voter registration, political party operations, campaign financing, and electoral offences.

1. Mandated Early Release of INEC Funds (Section 3(3))

The Bill tightens the language of **Section 3(3)** of the Electoral Act by using the word "shall" to mandate that funds for general elections must be released at least one year before polling day. This is to reduce operational uncertainty in the release of election funds and responds to past complaints by INEC about delayed appropriations that affected election logistics.

2. Audit of INEC Funds (Section 5)

It requires INEC to submit audited financial statements within six months of every financial year.

3. Strengthened Oversight of Resident Electoral Commissioners (Section 6(2)(b))

Resident Electoral Commissioners (RECs) are now made directly accountable to INEC with respect to accountability and discipline, reinforcing a unified chain of command within the Commission.

4. Stricter Identification for Voter Registration (Section 10(2)(c))

Acceptable means of identification for voter registration have been limited to the National Identification Number (NIN), a Nigerian birth certificate, or Nigerian passport.

5. Recognition of Prisoner Voting Rights (Sections 12(1)(d) & 12(2))

For the first time, the Bill explicitly recognizes the right of eligible inmates to vote. INEC is mandated to make arrangements for their registration and participation.

6. Harsher Penalties for Electoral Malpractice (Section 22)

The Bill expands the criminalization of buying and selling of votes; punishable by a fine of N5million (**up from N500,000**) and imprisonment term of **2 years**, and a **10-year** ban on contesting elections.

7. Extended Publication Period for Candidate Details (Section 29(3))

Section 29(3) changes INEC's deadline to publish a candidate's personal particulars in the constituency from **7 days to 21 days** after receiving them from the party.

8. False Information and Candidate Disqualification (Sections 29(5)–(9))

If a court finds that a candidate's affidavit contains false information regarding constitutional eligibility, the court may disqualify the candidate and the sponsoring political party. Additionally, any political party that fields an unqualified candidate faces a fine of at least N10 million.

9. Withdrawal of candidate — sworn affidavit added (Section 30)

The Bill introduces a sworn affidavit as an added requirement for candidate withdrawal. Under **Section 30**, a candidate who wishes to withdraw must now personally submit a signed written notice together with an affidavit to the political party that nominated them.

10. Early Verification of Party Symbols and Names (Section 42(3))

INEC must, at least 60 days before the election, write to every party that has a candidate, inviting them to check how their name, logo, and acronym appear on sample election materials. Each party then has two days to reply in writing, approving or rejecting the samples. This moves the inspection deadline from **20 days** before the election to **60 days**.

11. Introduction of Digital Voter Accreditation (Section 47)

Under **Section 47** of the EA 2022, a person who intends to vote must present themselves to the Presiding Officer for accreditation at the polling unit in the constituency where their name is registered and provide an acceptable form of identification. A new option is introduced in **Section 47 (1) (a)**: an electronically generated voter identification, including a downloadable voter card with a unique QR code.

12. Transmission of Polling Unit Results (Section 60(5))

Presiding Officers are to “transmit” polling unit results including the total number of accredited voters to the next level of collation. This replaces INEC’s discretion to decide how polling unit results are transferred with a fixed duty to “transmit” them, however, since “transmit” is defined to include both manual and electronic means in the bill, it does not guarantee electronic transmission of results.

13. Streamlined Scope of INEC’s Power to Review Results (Section 65)

Under the extant **Section 65(1)** of the Electoral Act 2022, a returning officer’s decision is final on questions about unmarked/rejected ballots and on the declaration/return of a candidate. However, the Act also empowers INEC, within seven days, to review a declaration or return if it determines the act was not voluntary (e.g., under duress) or was contrary to the law, regulations, guidelines or the election manual; and it expressly recognises that a tribunal or court may review the returning officer’s decision in an election petition.

A proposed new **Section 65(2)** keeps the seven-day review window but narrows the trigger to two grounds: where INEC receives reports from its officials and is satisfied a declaration/return was (a) under duress; or (b) knowingly and wilfully contrary to the post-election collation procedures. The bill drops the explicit line in the current Act that a tribunal/court may review the returning officer’s decision (potentially shifting emphasis toward administrative review by INEC and leaving judicial review to the general election-petition framework rather than this section’s text.).

14. Party Registration Fee and Membership Records (Sections 75 & 77)

The Bill introduces a N50 million registration fee for new political parties. The extant law says that the amount should be fixed by the commission. Furthermore, the bill provides that every registered political party must keep a digital register of members in both physical and electronic copies that records each member's name, gender, date of birth, address, State, Local Government, ward, polling unit, National Identification Number (NIN), and photograph.

It further proposes that upon joining a party, the member must be issued a membership card **(Section 77 (3))**. Only names that appear in the party's submitted register will be eligible to vote or be voted for in primaries, congresses, and conventions **(Section 77(5))**. If a party fails to submit its membership register to INEC within the required time (i.e. 30 days before primaries or congresses), it cannot field a candidate for that election **(Section 77(6))**. And for all intra-party polls (primaries, congresses, conventions), the party must use the same register it submitted to INEC – no alternate lists **(Section 77(7))**.

15. Enhanced Regulation of Party Conventions (Section 82)

In addition to the existing requirement for Political parties to provide at least 21 days' notice to INEC before holding conventions, congresses, or meetings, the notice must state the date, time, venue, agenda, delegate composition and the names of the members of the congress/convention/conference committee as provided in the party's constitution.

16. Standardisation of Delegates for Indirect Primaries (Section 87)

The Bill standardises the delegate structure for indirect primaries. It prescribes in detail who qualifies as a delegate, thereby closing the gap that previously allowed wide discretion by party leaderships.

17. Judicial Determination of Candidate Exclusion (Section 89(3))

The Bill retains the rule that a political party's candidate cannot appear on the ballot if the party fails to conduct its primaries in line with the Electoral Act but adds that such exclusion must be based on a court's finding. Unlike **Section 84(13)** of the current law, which does not require a court ruling, the new wording clarifies that INEC cannot unilaterally exclude a candidate. Aggrieved aspirants or parties must first obtain a pre-election judgment confirming non-compliance before INEC can act.

18. Higher Campaign Spending and Donation Limits (Section 93)

The Bill raises campaign expenditure ceilings across all elective offices. Spending limits for Presidential campaigns have been significantly increased from **N5billion to N10billion**, Governorship campaigns from **N1billion to N3billion**, Senate campaigns from **N100 million to N500 million**, campaigns for membership of the House of Representatives from **N70million to N250million**, campaigns for membership of State Houses of Assembly from **N30million to N100million**, campaigns for Chairmanship of Area Councils, campaigns for Councillorship from **N30million to N60million**, and from **N5million to N10 Million**.

19. Tougher Sanctions for Electoral Offences (Sections 62(9), 71(2) and 74(2))

The Bill prescribes mandatory jail terms and higher fines for election-related offences such as vote buying, result falsification, and obstruction of election officials. Under **Section 62(9)**, any returning or collation officer who deliberately collates or declares a false election result commits an offence and must, upon conviction, serve a minimum of two years in prison. Similarly, **Section 74(2)** prescribes a mandatory two-year jail term for any Resident Electoral Commissioner who wilfully refuses to grant lawful access to election documents, while **Section 71(2)** imposes a three-year imprisonment on presiding or collation officers who fail to stamp and sign ballot paper result sheets without lawful reason. The Bill also creates a new offence targeting internal party corruption. Under proposed **Section 89(4)**, anyone who offers money or any material inducement to influence delegates during party primaries, congresses, or conventions faces a mandatory two-year jail sentence without the option of fine.

20. Deletion of “qualification” as a ground for election petition

The Bill in a proposed **s.139(1)** deletes the qualification ground in **Section 134(1)(a)** of the Act, leaving only two post-election grounds: corrupt practices/non-compliance and not duly elected by majority of lawful votes cast.

Comparative Analysis: Electoral Act 2022 vs Electoral Bill 2025

The table below summarises some key differences between the existing Electoral Act 2022 and the proposed Electoral Bill 2025:

Thematic Area	Provisions in Electoral Act 2022	Amendments Introduced in Electoral Act (Repeal & Re-enactment) Bill 2025	Analysis / Implications
Institutional and Funding Reforms (Sections 3–6)	- Section 3 says that election funds are to be released to INEC not later than one year to the election - No explicit INEC authority over discipline of RECs. - INEC required to maintain financial records but not publish audited accounts within a specified period.	- The Bill makes it compulsory - INEC “shall” receive election funds at least one year before polling day - Empowers INEC to discipline Resident Electoral Commissioners (RECs). - Requires INEC to prepare and publish audited accounts within six months after the fiscal year.	Strengthens INEC’s financial independence and credibility. The audited accounts clause improves transparency and public trust.

Thematic Area	Provisions in Electoral Act 2022	Amendments Introduced in Electoral Act (Repeal & Re-enactment) Bill 2025	Analysis / Implications
Voter Registration, Identification and Vote Buying (Sections 10–22)	- Act somewhat liberal on documents required for voters' registration. - No express recognition of inmate voting. - No express provision criminalizing vote buying.	- Applicants must present either NIN, Nigerian passport, or Nigerian birth certificate for registration. - Prison inmates explicitly enfranchised and treated as residents in correctional facilities. - Adds vote buying and selling as an offence in addition to the offence of buying and selling voters' cards and fixes a penalty of ₦5 million or 2 years imprisonment, and 10-year disqualification from contesting elections.	- Using NIN can improve the cleanup of the voters' register. However, it reduces flexibility for applicants who rely on other IDs (e.g. Drivers' license, Declaration of Age/ Affidavit, Local Government IDs). - Expands inclusivity by enfranchising inmates. - A 10-year disqualification for vote buying and selling will prevent those who undermine elections from immediately seeking office, thereby improving accountability.
Candidate Nomination & Party Regulation (Sections 29, 31, 77)	- INEC to publish a candidate's personal particulars in the constituency within 7 days of receipt from the party - A candidate can withdraw his candidature by notice in writing. - Parties maintained only manual membership registers; no sanctions for non-compliance.	- INEC publication of candidate's particulars extended to within 21 days of receipt from the party. - Sworn affidavit required in addition to candidate's written notice of withdrawal. - Parties mandated to maintain digital membership registers with names, gender, addresses, dates of birth, photos, NIN etc; non-	- This gives INEC more processing time to check errors. - Strengthens authenticity by reducing forced or coerced withdrawals. - Prevents last-minute "imported" members or parallel registers from determining primaries. Provides stronger compliance incentive for parties as non-compliance carries the

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		compliance disqualifies the party from fielding candidates.	heavy consequence of losing the right to field candidates.
Verification of Party Identity, Digital Voter IDs & Review of Results (Sections 42, 47, 65)	- INEC must write to parties at least 20 days before an election to inspect how their name, logo, acronym appear on sample materials. - Only physical PVCs recognized for accreditation. - Empowers INEC to, within seven days, review a declaration or return if it determines the act was made under duress) or was contrary to the law, regulations, guidelines or the election manual; and it expressly recognises that a tribunal or court may review the returning officer's decision in an election petition. Doesn't expressly state who can trigger a review.	- INEC to write to parties at least 60 days before an election to inspect their name/logos/symbols. - INEC empowered to issue digital voter IDs with QR codes, complementing PVCs. - Narrows trigger for review to two grounds: where INEC receives reports from its officials and is satisfied a declaration/return was (a) under duress; or (b) knowingly and wilfully contrary to the post-election collation procedures; drops the explicit line that a Tribunal/Court may review INEC's decision. Clearly states that only INEC officials can trigger review.	- Gives INEC more time to correct wrong names and logos. - Supports quick verification and modernizes the process. - Review will focus on duress and wilful breaches or post-election collation procedure. Other kinds of illegality outside these two grounds may be harder to address administratively. Deleting the provision on judicial review makes the provision vague even though election petitions remain available as a course of action.

Thematic Area	Provisions in Electoral Act 2022	Amendments Introduced in Electoral Act (Repeal & Re-enactment) Bill 2025	Analysis / Implications
Campaign Finance (Section 93)	- Spending limits: ₦5 billion (Presidential), ₦1 billion (Governorship), ₦100 million (Senate), ₦70 million (HoR), ₦30 million (State Assembly). - Donor limit: ₦50 million. - Weak enforcement and limited sanctions for breaches.	- Spending limits increased significantly: ₦10 billion (Presidential), ₦3 billion (Governorship), ₦500 million (Senate), ₦250 million (HoR), ₦100 million (State Assembly). - Donor limit raised to ₦500 million. - Breaches attract ₦5 million fine and forfeiture of excess funds to INEC.	Updates spending ceilings for inflation but risks worsening exclusion and elite capture. The forfeiture clause adds a deterrent effect, yet INEC's lack of investigative capacity limits enforcement. Transparency in campaign reporting will depend on digital finance tracking and independent audits.
Electoral Offences and Penalties (Sections 119–133)	- The Act provides for election offences and penalties but the fines are no longer in line with current realities, inflation trends.	- Imposes tougher sanctions and raises fines and prison terms across multiple election offences.	Strengthens deterrence but enforcement remains weak without an Electoral Offences Commission. Raising penalties signals political will to curb malpractice but could remain symbolic without institutional follow-through.

Conclusion

The Electoral Bill 2025 offers a timely opportunity to strengthen public confidence in Nigeria's democracy by clarifying rules, modernising processes, and signalling zero tolerance for malpractice. The Bill makes meaningful strides: firmer sanctions for officials who falsify results, clearer party-register rules, earlier ballot-design checks, expanded prisoner registration, improved use of technology and tougher penalties overall. But precision and clarity matters.

To fully realise the promise of an improved legal framework, provisions should be clear, fair, and inclusive, with safeguards that protect both the integrity of outcomes and the rights of all participants. With thoughtful calibration and consistent enforcement, the Bill can help deliver elections that are more transparent, more accessible, and more credible.



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 process.

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.

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