

## FROM ACCREDITATION TO DECLARATION: ELECTION DAY PROCESSES AND RESULTS MANAGEMENT UNDER THE 2026 ELECTORAL ACT



**This Factsheet:** explains the key stages of election day processes under the Electoral Act 2026 – from voter accreditation to the declaration of results – and examines how the law structures the management and verification of election outcomes.

### I. Introduction

Elections are determined not only by voting, but by the processes that follow. From accreditation to final declaration, each stage in the election day chain plays a critical role in ensuring that results are credible, verifiable, and legally sustainable.

Under the Electoral Act 2026, this process operates as a sequence of interlinked stages – accreditation, voting, result recording, transmission, collation, and declaration – supported by the use of technology such as the Bimodal Voter Accreditation System (BVAS) and electronic result transmission. While these measures are designed to strengthen transparency and traceability, their effectiveness ultimately depends on consistent implementation. Understanding how these stages function and how they connect is central to assessing the integrity of election outcomes.

## 2. Key Stages of Election Day Processes and Results Management

Election day processes under the Electoral Act 2026 follow a structured sequence from the polling unit to final declaration. Each stage generates records that are used to verify the next, forming a continuous chain of results management.

They are as follows:

### 2.1. Accreditation of Voters

- Voters are accredited at the polling unit using BVAS. (Section 47)
  - Accreditation confirms voter identity and eligibility.
  - Total number of accredited voters is recorded.
- **This figure becomes the baseline for validating votes cast.**

### 2.2. Voting

- Accredited voters cast their ballots.
  - Voting is conducted by open secret ballot. (Section 50(2))
  - Total votes cast are counted at the close of poll.
- **Votes cast must not exceed accredited voters**

### 2.3. Counting and Recording of Results

- Votes are counted at the polling unit. (Section 60)
  - Results are entered into **Form EC8A**.
  - Form EC8A is signed by the Presiding Officer and polling agents.
  - Results are announced at the polling unit.
- **Form EC8A is the primary record of polling unit results.**

### 2.4. Transmission of Results

- Results are electronically transmitted to the INEC results viewing portal (IREV). (Section 60(3))
  - Accreditation data is also transmitted.
- **If results transmission fails, Form EC8A remains the legal basis for collation.**

### 2.5. Movement of Results and Materials

- Results and election materials are transported under security. (Section 62(1))
  - Polling agents or candidates may accompany materials to collation centres.
- **Maintains chain of custody between polling unit and collation.**

### 2.6. Collation of Results

- Results are aggregated at successive collation levels:
    - Ward
    - Local Government / Area Council
    - State
    - National (for Presidential elections)
- **Each level builds on polling unit results.**

## 2.7. Verification During Collation

Collation officers must confirm that:

- accredited voters match BVAS records;
  - votes align with polling unit results;
  - transmitted data is consistent with recorded results. (Section 62(4))
- ***This is the core safeguard stage.***

## 2.8. Where There is No Dispute

- Results are accepted as correct.
  - Collated results are announced. (Section 62 (5))
- ***Process moves directly to declaration.***

## 2.9. Where There is a Dispute

Collation officers must verify results using:

- original result forms (EC8A);
  - BVAS device accreditation data;
  - transmitted accreditation data;
  - transmitted results. (Section 62(6))
- ***Multiple data sources are used to resolve discrepancies.***

## 2.10. Correction and Re-Collation

If results are found to be incorrect:

- results are re-collated;
  - a corrected result is produced and announced. (Section 62(7) & (8))
- ***Ensures only verified results progress.***

## 2.11. Declaration of Results

- Returning officer declares the winner at the appropriate level. (Sections 25 & 66)
- ***This gives legal effect to the election outcome.***

## 2.12. Post-Declaration Oversight (new provision)

- After declaration, the process may still be subject to review.
  - The Commission may review results under defined conditions. (Section 65)
- ***Introduces an additional layer beyond collation.***

### 3. Key Observations and Issues

The Electoral Act 2026 contains a structured and multi-layered results management process designed to detect and correct errors at different stages. The Act combines accreditation data, polling unit results, transmitted results, and collation-level verification. However, the integrity of election outcomes depends on how effectively each stage in the chain is implemented. The following issues highlight key pressure points where the process may be undermined.

#### 3.1. Dependence on Accurate Accreditation Data

- Accreditation figures form the baseline for validating votes cast.
  - Any error, manipulation, or device failure at this stage affects all subsequent stages.
- ***If accreditation data is compromised, the entire results chain is weakened.***

#### 3.2. Technology and Transmission Gaps

- The new Act provides for electronic transmission of results.
  - However, transmission is subject to network and technical constraints.
  - In practice, reliance may shift back to physical result forms.
- ***This creates a dual system that may produce inconsistencies between electronic and manual records.***

#### 3.3. Chain of Custody Risks

- Results and materials are physically transported from polling units to collation centres.
  - This stage remains vulnerable to interference, delay, or loss of materials.
- ***Weak custody controls can undermine otherwise credible polling unit results.***

#### 3.4. Collation as the Critical Control Point

- Collation is not merely administrative – it is a verification stage.
  - The law requires comparison across multiple data sources.
- ***However, this process depends heavily on the competence and integrity of collation officers.***

#### 3.5. Dispute Resolution at Collation

- The Act provides a structured method for resolving discrepancies.
  - Multiple data sources are available to determine correctness.
- ***In practice, the effectiveness of this safeguard depends on whether all relevant data is available, accessible, and properly used.***

#### 3.6. Risk of Human Discretion and Inconsistency

- Despite technological inputs, key decisions remain human-driven.
  - Different collation officers may apply verification standards unevenly.
- ***This introduces the risk of inconsistent outcomes across locations.***

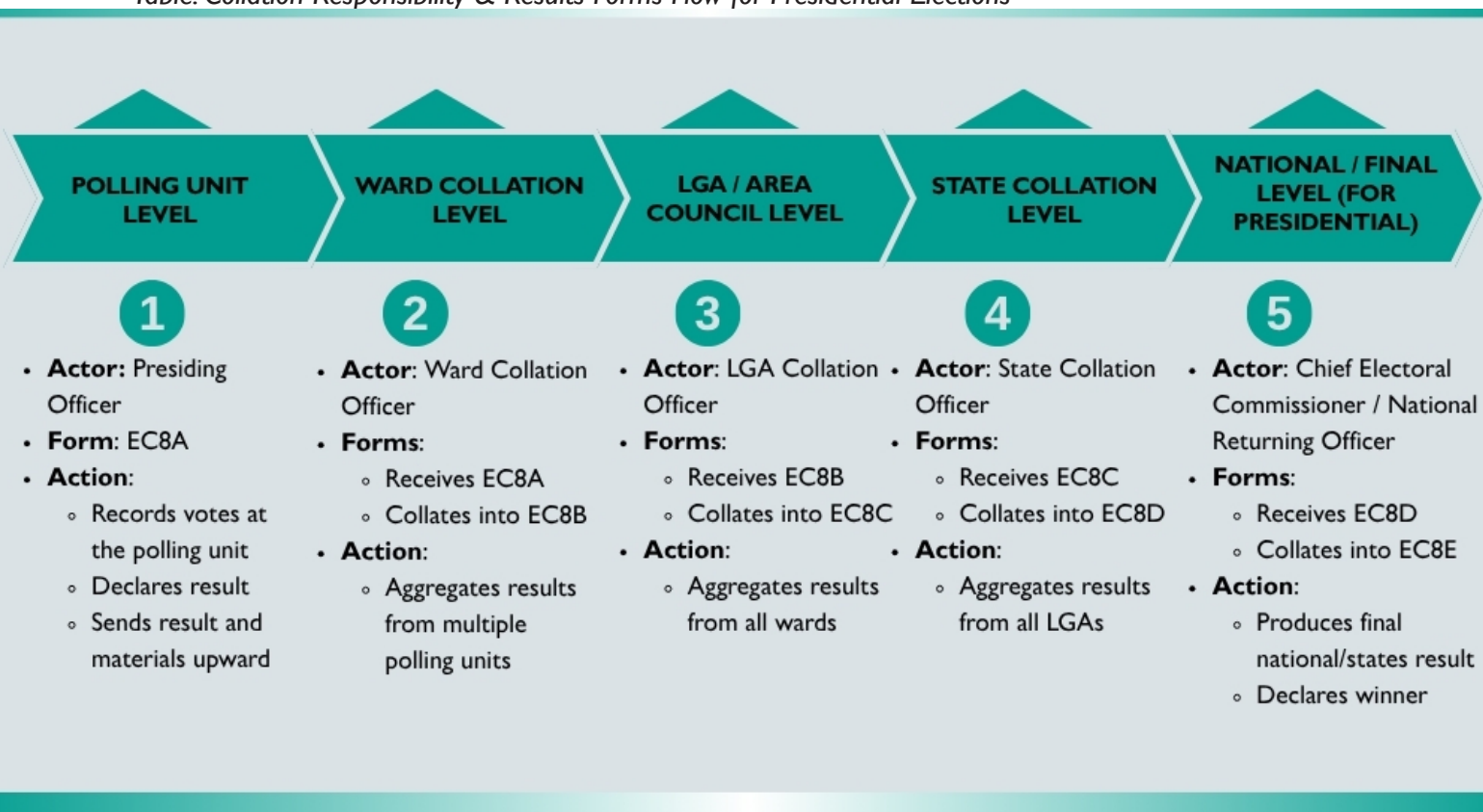
### 3.7. Declaration of Results and Residual Risk of Error

- Declaration gives legal effect to election results at the point it is made.
  - However, errors or irregularities may persist beyond this stage.
  - The Electoral Act 2026 recognises this possibility by introducing a limited post-declaration review mechanism (**section 65**).
- *This introduces an additional oversight layer beyond the traditional results process.*

### 3.8. Implications for Post-Declaration Review (Section 65)

- Where the results chain breaks down, through duress or improper collation i.e., contrary to the outlined collation and verification procedure – the law allows for intervention after declaration.
- *Declaration is no longer absolute; it is subject to review where the results process is shown to be compromised.*

Table: Collation Responsibility & Results Forms Flow for Presidential Elections



## 4. Conclusion

The Electoral Act 2026 establishes a structured results management chain from accreditation to declaration, supported by multiple layers of verification at each stage. By combining accreditation data, polling unit results, transmitted data, and collation checks, the Act seeks to enhance the accuracy and credibility of election outcomes.

However, the effectiveness of this framework depends on consistent implementation, particularly at points of human discretion such as collation. The introduction of a limited post-declaration review mechanism further signals a shift toward a more responsive system, where errors in the results process may be corrected under defined conditions.



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