



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 14th February, 2018

1. The Senate met at 10:55 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 13th February, 2018.
Question was put and the Votes and Proceedings were approved.
3. **Announcements:**
 - (a) **80th Birthday Celebration:**
The Senate President read a letter from Senator Olanrewaju A. Tejuosho (*Ogun Central*) as follows:



Senator Olanrewaju Tejuoso
Ogun Central Senatorial District
Deputy Chairman, Southern Senators' Forum
Chairman Senate Committee on Health

13th February, 2018

Your Excellency,
Senator Dr. Abubakar Bukola Saraki, CON
The Senate President,
Federal Republic of Nigeria,
National Assembly,
Abuja.

INVITATION TO ATTEND MY FATHER'S 80TH BIRTHDAY CELEBRATION, HIS MAJESTY, OBA DR. ADEDAPO ADEWALE TEJUOSO, CON, FWACP, KARUNWI III, ORAN MIYAN, OSILE OKO - ONA EGBA - THE NEW OCTOGENARIAN

I wish to inform Your Excellency and Distinguished Colleagues that my father, His Royal Highness, Oba Dr. Adedapo Adewale Tejuoso, CON, FWACP Karunwi III, Oranmiyan Osile Oko - Ona Egba (the New Octogenarian) would be 80 years old on Monday, 19th February, 2018.

In the light of the above, I write to most respectfully invite you and my Distinguished Colleagues to honour us by gracing this auspicious occasion with your esteemed presence on Monday, 19th February, 2018 by 10:00 a.m. at Olusegun Obasanjo Presidential Library, Oke - Mosan, Abeokuta, Ogun State.

While looking forward to your Distinguished presence at the occasion, please accept the assurances of my esteemed regards.

(Signed)

Senator Dr . Olanrewaju A. Tejuoso,
Ogun Central Senatorial District.

(b) Acknowledgment:

The Senate President acknowledged the presence of the following who were at the gallery to observe Senate Proceedings:

- (i) Staff and Students of Heritage Creativity Schools, Makurdi, Benue State;
- (ii) Staff and Students of Hasab Heritage Schools, Karu, Abuja; and
- (iii) Staff and Students of Safe Heritage Crest Academy, Lugbe, Abuja.

4. Petitions:

- (i) Rising on Rule 41, Senator Monsurat J. A. Sunmonu (*Oyo Central*) drew the attention of the Senate to a petition from her constituent, Teslim O. Adeleke, against the Department of Petroleum Resources (DPR), over his premature retirement. She urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

- (ii) Rising on Rule 41, Senator Andrew I. Uchendu (*Rivers East*) drew the attention of the Senate to two (2) petitions from:
 - (a) Enyi Sinclair Esq. on behalf of Ascot Workers, against Asset Management Corporation of Nigeria (AMCON), over non payment of emoluments; and
 - (b) Aeropole Security Services Limited, against Asset Management Corporation of Nigeria (AMCON), over refusal to pay six months outstanding bills for security services rendered.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

- (iii) Rising on Rule 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to two (2) petitions from:
 - (a) Mr. Fidelix Ighosotu, against the Nigeria Army, over his verbal dismissal; and
 - (b) Mujakperuo N. Eriomala, against the Nigerian Customs Service, over short payment of monthly pension.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

5. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Dino Melaye (*Kogi West*) drew the attention of the Senate to the clandestine bank account operated by the Nigerian National Petroleum Corporation (NNPC) which is not known to the Office of the Accountant-General of the Federation. He further informed the Senate that the said account has a balance of ₦31 billion by 2017 after different withdrawals. He sought and obtained the leave of the Senate to present the matter.

Matter to stand over to the next Legislative Day [Rule 42(2)].

6. Matter of Urgent Public Importance:

Rising on Rules 42 and 52, Senator Sabo Mohammed (*Jigawa South-West*) drew the attention of the Senate to the urgent need to halt the implementation of the new import duty tariff on imported Milk into the country. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

aware of the Federal Government's slogan for the diversification of the Nigerian economy by increasing agricultural production that currently contributes only 21% to GDP;

further aware that currently majority of dairy companies operating in Nigeria for decades are foreign owned and instead of establishing ranches and investing in milk production and dairy processing locally they are only interested in importing finished products from their parent companies overseas, thereby depriving Nigerians of employment opportunity;

notes that Nigeria import about \$1.5 billion dollar worth of dairy products into the country annually. if this amount can be channelled into the dairy industry, milk importation will be totally eliminated;

saddened that instead of Federal Government to assist local milk producers by increasing tariff on imported milk and protecting local industries, it is now killing the local dairy industries by reducing the import duty on powdered milk from 10% to 5% this makes it impossible for the local dairy industry to compete with imported milk;

aware that protecting local dairy industry by Federal Government is the only way to achieve self sufficiency in milk production as obtained in other countries, and with Nigerians young population of which about 45% are children age 15 and below, the age bracket for which milk consumption is most vital for healthy growth, the European Union and other milk products exporting countries heavily subsidize the livestock production and processing supply chains;

observes that the Minister of Agriculture at a function in Abuja sometime last year unveiled plans by Federal Government to reduce the importation of powdered milk by 2019 only for the Government to make a turn around to encourage its importation by reducing import duty from 10% to 5%; and

convinced that Nigeria should focus on avoiding the negative impact of importation of powdered milk into the country and put greater focus on involving local farmers in the value chain so that milk will be more available and processed into higher value products that everyone will benefit.

Accordingly resolves to:

- (i) urge the Federal Government to suspend the new tariff immediately;
- (ii) mandate the Committees on Agriculture and Rural Development; Finance; and Customs Excise and Tariff to invite the Ministries, MDAs and other relevant Stakeholders in the industry to investigate and provide a lasting solution to this important issue.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government to suspend the new tariff immediately —
Agreed to.

Proposed Resolution (ii):

Question: That the Senate do mandate the Committees on Agriculture and Rural Development; Finance; and Customs Excise and Tariff to invite the Ministries, MDAs and other relevant Stakeholders in the industry to investigate and provide a lasting solution to this important issue —
Agreed to.

Resolved:

That the Senate:

- (i) urge the Federal Government to suspend the new tariff immediately;
- (ii) mandate the Committees on Agriculture and Rural Development; Finance; and Customs Excise and Tariff to invite the Ministries, MDAs and other relevant Stakeholders in the industry to investigate and provide a lasting solution to this important issue (S/Res/185/03/18).

7. Personal Explanation:

Rising on Rule 43, Senator Magnus N. Abe (*Rivers South-East*) expressed his appreciation to the Leadership of the Senate and the entire Senate for graciously attending his thanksgiving ceremony which took place in Port Harcourt on Sunday, 11th February, 2018. He explained that their presence was a mark of friendship and solidarity that was highly appreciated by the people of his Senatorial District and Rivers State in general.

8. Personal Explanation:

Rising on Rule 43, Senator Ahmad I. Lawan (*Yobe North*) drew the attention of the Senate to the total disregard by the Federal Government Parastatals and Agencies to submit their 2018 Budget details to National Assembly as mandated by law and announced by Senior Special Assistant to President on National Assembly Matter (Senate) Senator Ita S. J. Enang in The Nation Newspaper of Wednesday, 7th February, 2018. He expressed dismay over this attitude and urged them to submit the details within one (1) week.

By leave of the Senate, one (1) week period was granted, thereafter necessary legislative action shall be taken for non-compliance.

9. Presentation of Bills:

- (i) Prison Overcrowding Bill, 2018 (SB. 563) — *Read the First Time.*
- (ii) National Boundary Commission Act CAP N10 LFN 2004 (Amendment) Bill, 2018 (SB. 269) — *Read the First Time.*
- (iii) Federal College of Education Nkalagu, Ebonyi State (Establishment, etc.) Bill, 2018 (SB. 498) — *Read the First Time.*
- (iv) Defence Research and Development Bureau (Establishment, etc.) Bill, 2018 (SB. 624) — *Read the First Time.*

10. Committee on Housing:

Report on the Real Estate (Regulation and Development) Bill, 2018 (SB. 216):

Motion made: That the Senate do receive the Report of the Committee on Housing on the Real Estate (Regulation and Development) Bill, 2018 (*Senator Barnabas A. I. Gemade — Benue North-East*).

Question put and Agreed to

Report Laid.

11. Committee on Water Resources:

Report on the River Basin Development Act CAP R9 LFN 2004 (Amendment) Bill, 2018 (SB. 358):

Motion made: That the Senate do receive the Report of the Committee on Water Resources on the River Basin Development Act CAP R9 LFN 2004 (Amendment) Bill, 2018 (*Senator Ubali M. Shitu — Jigawa North-East*).

Question put and Agreed to

Report Laid.

12. Ad hoc Committee on the Reappearance, Reinstatement, Promotion and Redeployment of Mr. Abdulrasheed Maina:

Report on the Reappearance, Reinstatement, Promotion and Redeployment of Mr. Abdulrasheed Maina:

Motion made: That the Senate do receive the Report of the *Ad hoc* Committee on the Reappearance, Reinstatement, Promotion and Redeployment of Mr. Abdulrasheed Maina (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Question put and Agreed to

Report Laid.

13. Committee on Communications:

Report on the National Toll-Free Emergency Number (Establishment, etc.) Bill, 2018 (SB. 107):

Motion made: That the Senate do receive the Report of the Committee on Communications on the National Toll-Free Emergency Number (Establishment, etc.) Bill, 2018 (*Senator Gilbert E. Nnaji — Enugu East*).

Question put and Agreed to

Report Laid.

14. Committee on Niger Delta:

Report on the 2017 Niger Delta Development Commission (NDDC) Budget Estimates:

Motion made: That the Senate do receive the Report of the Committee on Niger Delta on the 2017 Niger Delta Development Commission (NDDC) Budget Estimates (*Senator Peter O. Nwaoboshi — Delta North*).

Question put and Agreed to

Report Laid.

15. Committee on Ethics, Privileges and Public Petitions:

Motion made: That the Senate do receive the Reports of the Committee on Ethics, Privileges and Public Petitions in respect of:

- a. Mr. Nnochiri Anosike Igbokaike, against the National Drug Law Enforcement Agency (NDLEA), over his wrongful dismissal from Service for alleged misconduct;
- b. Agboola Olawale Matthew, against the Police Service Commission (PSC) for alleged denial of Police Training and eventual employment;
- c. Lynda Orie Ukpo, against the Federal Road Safety Corps (FRSC) for alleged unlawful termination of her appointment by the Corps;
- d. PC Onang Inamang, against the Nigeria Police for inappropriate placement in the Service;

- e. Mr. Tochukwu Dunu, against the Nigeria Police for his unlawful arrest and detention; and fraudulent sale of his tanker truck loaded with petroleum product;
- f. Eagle-Eyes Network Chambers on behalf of G. Cappa Plc, against the Nigerian National Petroleum Corporation (NNPC) for refusal of the Corporation to effect payment of the outstanding financial claim for the construction and handing, over of Blocks "B" and "C" of NNPC Towers, Abuja;
- g. Mr. Donald E. Ovie, against the Nigerian National Petroleum Corporation (NNPC) for alleged wrongful disengagement from the Corporation;
- h. PC Ohadaka Ifeanyichukwu, against the Nigeria Police for alleged wrongful dismissal from the Service;
- i. Insp. Festus O. Mrakpor, against the Police Service Commission (PSC) for wrongful dismissal from Service over alleged misconduct; and
- j. Mr. Lawrence Opiti Ogbeni, against the Nigerian National Petroleum Corporation (NNPC) for alleged wrongful dismissal from the Corporation (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Reports Laid.

16. Conference Committee:

Report on the Independent National Electoral Commission Act 2010 (Amendment) Bill, 2018 (SBs. 231 & 234)(HBs. 165, 174, 220, 429, 468, 484, 809 & 966):

Motion made: That the Senate do receive and consider the Conference Committee Report on the Independent National Electoral Commission Act 2010 (Amendment) Bill, 2018 (*Senator Suleiman M. Nazif — Bauchi North*).

Report Laid and presented.

**SENATE AND HOUSE OF REPRESENTATIVES CONFERENCE COMMITTEE REPORT FOR A BILL FOR AN
ACT TO AMEND THE PROVISIONS OF THE ELECTORAL ACT NO 6 2010 AND ELECTORAL (AMENDMENT)**

**ACT 2015 AND FOR OTHER RELATED MATTERS 2018
(SB231 & 234) (HBs 165, 174, 220, 429, 468, 484, 809 & 966)**

S/N O	PROVISIONS OF THE PRINCIPAL ACT	SENATE	HOUSE OF REPRESENTATIVES	COMMITTEE RECOMMENDATION
1	(8) There shall be a Secretary to the Commission who shall- (a) be appointed by the Commission; and (b) have such qualifications and experience to be determined by the Commission as are appropriate for a person required to perform the functions of his office under this Act. (2) Subject to the general direction of the Commission, the Secretary shall be- (a) responsible for keeping of proper records of the proceedings of the Commission; (b) the head of the Commission's secretariat and be responsible for the administration thereof; and (c) responsible for the direction and control of all other employees of the Commission with the approval of the Commission. (3) The Commission shall have power to appoint, dismiss and exercise disciplinary control over its staff as may be prescribed by this Act or any other enactment or law. (4) All employees of the Commission appointed pursuant to subsection (3) of this section excluding such as are			

	appointed on a temporary basis for an honorarium shall have the same right and obligation as provided for in the Pension Reform Act. (5) New provision			Agreed
2	9(1) The Commission shall compile, maintain, and update on a continuous basis, a National Register of Voters, in this Act referred to as the —Register of Voters— which shall include the names of all persons entitled to vote in any Federal, State or Local Government or Area Council elections. (1A) New provision	“(5) A person, who being a member of a political party, misrepresents himself by not disclosing his membership, affiliation, or connection to any political party in order to secure an appointment with the Commission in any capacity, commits an offence and shall be liable, on conviction, to imprisonment for at least five (5) years or a fine of at least N5,000,000, or both.”		Agreed
	“(1A) The Commission shall keep the Register of Voters as the National Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time: PROVIDED that the Commission shall keep the Register of Voters in – (a) electronic format in its central database; and (b) manual, printed, paper-based record or hard copy format.” (5) The registration voters, updating and revision of the register of voters under			

	under this section shall stop not later than 60 days before any election covered by this Act.	this section shall stop not later than 30 days before any election covered by this Act.		
3	15 (1) The Commission shall cause a voters' register for each State to be printed, and any person or political party may obtain from the Commission, on payment of such charges, a certified copy of any voters' register for the State or for a Local Government or Area Council or registration area within it.	(1) The commission shall cause a voters registration for each state to be printed, reproduced, copied, duplicated or saved in an electronic format and any person or political party may obtain from the commission on payment of such fees as may be determined by the commission, a certified copy of any voters register for the state or for local government or Area council or registration area within it.	Agreed	
4	18 (2) If the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the Voters' card, he shall issue to the voter another copy of the voters' original voters' card with the word "DUPLICATE" clearly marked or printed on it, showing the date of issue. (3) No person shall issue a duplicate voters' card to any voter on polling day or less than thirty (30) days before polling day.	(2) If the Electoral Officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the Voters' card, he shall issue to the voter a Replacement Permanent Voter Card. (3) No person shall issue a replacement to any Voter on polling day or less than thirty (30) days before polling day.	Agreed	
5	19 (1) Subject to the provisions of section 9(5) of this Act, the Commission shall, by notice, appoint a period of not less than 5 days and not exceeding 14 days, during which a copy of the voters' register for each	"(1) Subject to the provisions of section 9(5) of this Act, the Commission shall, not later than 30 days to a general election, appoint a period of 7 days during which a copy of the voters' register for each Local Government, Area		

	Local Government, Area Council or ward shall be displayed for public scrutiny and during which period any objection or complaint in relation to the names omitted or included in the voters' register or in relation to any necessary correction, shall be raised or filed. (1A) New provision (4) New provision	Council or Ward shall be displayed or published for public scrutiny at every Registration Area and on its official website or any website established by the Commission for that purpose.”; “(1A) Upon displaying or publishing the voters register in accordance with this section, the Commission shall accept and consider objections and complaints in relation to the names omitted or included in the voters' register or in relation to any necessary correction, within 14 days of publishing the voters register in accordance with this section.” “(4) Failure to display or publish the voters' register as provided under subsection (1) of this section shall constitute an offence for which any official or staff of the Commission responsible for such default shall be guilty and liable, on conviction, to imprisonment for a term of 6 months or a fine of N100,000 or both.”	Agreed	
6	“25 (1) Election to each of the House of the National Assembly shall hold on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.		Agreed	(1) Elections into the offices of the President and Vice President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and Houses of Assembly of each State of the Federation shall be held in

	(2) The date mentioned in subsection (1) of this section shall not be earlier than 150 days and not later than 30 days before the House stands dissolved, or where the election is to fill a vacancy occurring more than 90 days before such date, not later than 30 days. (3) Elections to the House of Assembly of a State shall be held on a date to be appointed by the Independent National Electoral Commission in accordance with the Constitution and this Act.		the following order- (a) National Assembly Elections; (b) State Houses of Assembly and Governorship Elections; (c) Presidential Election. (2) The dates for these elections shall be as appointed by the Independent National Electoral Commission. (3) Election into the offices of the Chairman and Vice Chairman and membership of the Area Councils of the FCT shall be held on the dates to be appointed by the Independent National Electoral Commission". (1) (b) the Registration Area/Ward Collation Officer at the Registration Area/Ward Collation Centre;		Agreed
7	27(1) The Results of all the elections shall be announced by- (b) the Ward Collation Officer at the Ward Collation Centre;				

	(2) The Returning Officer shall announce the result and declare the winner of the election at: (a) Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory.		(2) (a) Registration Area/Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory.	
8	30 (1) The Commission shall not later than 90 days before the day appointed for holding of an election under this Act publish a notice in each State of the Federation and the Federal Capital Territory (a) stating the date of the election; and (b) appointing the place at which nomination papers are to be delivered.		(1) The commissions shall not later than 150 days before the day appointed for holding election under the Act publish a notice in each state of the federation and the federal capital territory (a) Stating the date of the election and (b) Appointing the place at which nomination papers are to be delivered.	Agreed
9	31 (6) If the Court determines that any of the information contained in the affidavit or any document submitted by that candidate is false, the Court shall issue an order disqualifying the candidate from contesting the election.		(6) If the Court determines that any of the information contained in the Affidavit is false, the Court shall issue an order disqualifying the candidate/political party from contesting the election, if already elected, shall not be eligible to re-contest another election which shall be conducted within ninety (90) days by	Agreed

	(7) A candidate for an election shall, at the time of submitting the prescribed form, furnish the Commission with an identifiable address in the State where he intends to contest the election at which address all documents and court processes from either the Commission or any other person shall be served on him. (8) A political party which presents to the Commission the name of a candidate who does not meet the qualifications stipulated in this section, shall be guilty of an offence and on conviction shall be liable to a maximum fine of N500,000.00.		the Independent National Electoral Commission". (7) Any political party that presents to the Commission the name of a Candidate that does not meet the qualification stipulated in the Constitution commits an offence and shall, on conviction, not be allowed to participate in the contest to that particular office"; and (8) A political party which presents to the commission the name of a candidate who does not meet the qualification stipulated in this section shall be guilty of an offence and on conviction shall be liable to a maximum fine of ₦ 1,000,000	Agreed
10	33 (1)No Political Party shall be allowed to change or substitute its candidate whose name has been submitted pursuant to Section 32 of this Act, except in the case of death or withdrawal by the candidate;	(1)A political party shall not be allowed to change or substitute its candidate whose name has been submitted pursuant to section 31 of this Act, except in the case of death or withdrawal by the candidate "Provided that in the case of such		

		withdrawal or death of a candidate, the political party affected shall within 10 days of the occurrence of the event hold a fresh primary election to produce and submit a fresh candidate to the Independence National Electoral Commission for the election concerned.”		
11	34 (1) The Commission shall, at least thirty days before the day of the election publish by displaying or causing to be displayed at the relevant office(s) of the Commission and on the Commission's web site, a statement of the full names and addresses of all candidates standing nominated. (2) New provision- (3) New provision-		“(2) Any candidate who observes his name or that of his party missing on the list published in accordance with subsection (1) above, shall notify the Commission in writing, signed by himself and supported with an affidavit not later than 21 days to the election (3) Where the candidate fails to notify the Commission in accordance with subsection (2) above, the candidate shall be deemed	Agreed

	(4) New provision-		to have waived his right". (4) The Commission shall produce ballot papers for the relevant elections in accordance with the list published after corrections in conformity with subsection (2) above.	
12	35 (1) A candidate may withdraw his candidature by notice in writing signed by him and delivered by himself to the Political party that nominated him for the election and the political party shall convey such withdrawal to the Commission and which shall only be allowed not later than 45 days to the election.		(1) A candidate may withdraw his candidature by notice in writing signed by him and delivered by himself to the Political party that nominated him for the election and the political party shall convey such withdrawal to the Commission and which shall only be allowed not later than 30 days to the election."	Agreed
13	36 (1) If after the time for the delivery of nomination paper and before the commencement of the poll, a nominated candidate dies, the Chief National Electoral Commissioner or the Resident Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days.	"(3) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies: (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days; (b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit a new candidate to the Commission to replace	"(3) Where a nominated candidate dies in the circumstances stated under subsection (1) of this section, the next person, from the same political party where the deceased emerged, with the highest votes in the primary election shall be submitted to the Commission to replace the	Senate Version Adopted

	(2) The list of voters to be used at a postponed election shall be the official voters register, which was to be used if the election had not been postponed. 36 (A) New Provision	the dead candidate; and (c) subject to paragraphs (a) and (b) of this subsection, the Commission shall continue with the election, announce the final result and declare a winner.”	deceased, and the Commission shall accept such replacement as if the deceased is alive”. (A) Where a candidate withdraws his candidature or dies before the commencement of polls in accordance with the provisions of sections 35 and 36 of this Act, the political party that nominated the candidate shall conduct a new primary to nominate another candidate in accordance with section 87 of the Electoral Act within seven (7) days of such withdrawal or death”.	
14	38 (1) Where at the close of nomination there is no candidate validly nominated, the Commission shall extend the time for nomination and fix a new date for the election. (2) New provision-		“(2) Where there is a valid nomination by at least one political party, failure of a Agreed	

		political party to validly nominate a candidate shall not constitute ground for extension of time for nomination or of postponement of election"; and (b) Renumbering the section appropriately.		
15	The Commission shall provide suitable boxes for the conduct of elections. (1) The forms to be used for the conduct of elections to the offices mentioned in this Act and election petitions arising there from shall be determined by the Commission. (2) The Polling Agents shall be entitled to be present at the distribution of the election materials from the office to the polling booth. (3) A polling agent shall be entitled to be present at the distribution of election materials, at voting, counting and the collation of election results. (4) The Commission shall, before the commencement of voting in each election, provide all election materials for the conduct of such election at the polling unit. (4A) New provision		"(4A) Polling Agents who are in attendance at a polling unit, shall be entitled, before the commencement of the election, to have originals of electoral materials, including ballot papers, result sheets, ballot papers' account and verification documents and other electoral forms to be used by the	Agreed

		Commission for the election inspected; and this process may be recorded in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission.		
	(4B) New provision-	(4B) An election conducted at any polling unit in violation of subsections (3), (4), (4A) or (5) of this section this of this section shall be invalid.		
	(4C) New provision-	(4C) A Presiding Officer who contravenes subsections (3), (4), (4A) or (5) of this section commits an offence and shall be liable, on conviction, to at least one (1) year imprisonment or a fine of N1,000,000, or both."		
16	44 (1) The Commission shall prescribe the format of the ballot papers which shall include the symbol adopted by the Political Party of the candidate and such other information as it may require. (2) The ballot papers shall be bound in booklets and numbered serially with differentiating colours for each office being contested. (3) New provision	"(3) The Commission shall, not later than 20 days to an election, invite in writing, a political party that nominated a candidate in the election to inspect its identity appearing on samples of relevant electoral materials proposed for the election; and the political party shall state in writing within 2 days of being so invited by the Commission that it approves or disapproves of its identity as it appears on the samples. (4) Unless the political party disapproves		Agreed
	(4) New provision			

18	49 (1) Any person intending to vote with his voter's card, shall present himself to a Presiding Officer at the polling unit in the constituency in which his name is registered with his voter's card. (2) The Presiding Officer shall, on being satisfied that the name of the person is on the Register of Voters, issue him a ballot paper and indicate on the Register that the person has voted.	(1) A person intending to vote in an election shall present himself with his voter's card to a Presiding Officer for accreditation at the polling unit in the constituency in which his name is registered. (2) The Presiding Officer shall use a Smart Card Reader or any other technological device that may be prescribed by the Commission from time to time for the accreditation of voters, to verify, confirm or authenticate the particulars of the voter in the manner prescribed by the commission.	(2) The presiding officer shall verify the voter card and authenticate the particulars of the voter in the manner prescribed by the Commission.	Senate Version Adopted
19	52 (1) (a) Voting at an election under this Bill shall be by open secret ballot. (b) The use of electronic voting machine for the time being is prohibited. (2) A voter on receiving a ballot paper shall mark it in the manner prescribed by the Commission. (3) All ballots at an election under this Bill at any polling station shall be deposited in the ballot box in the open view of the public.	"(2) The Commission shall adopt electronic voting in all elections or any other method of voting as may be determined by the Commission from time to time."		Agreed

20	53 (1) No voter shall vote for more than one candidate or record more than one vote in favour of any candidate at any one election. (2) Where the votes cast at an election in any polling unit exceed the number of registered voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit may affect the overall result in the Constituency. (3) Where an election is nullified in accordance with subsection (2) of this section, there shall be no return for the election until another poll has taken place in the affected area. (4) Notwithstanding the provisions of subsections (2) and (3) of this section the Commission may, if satisfied that the result of the election will not substantially be affected by voting in the area where the election is cancelled, direct that a return of the election be made.	(2) Where the vote cast at an election in any polling unit exceed either the number of accredited voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the commission and another election may be conducted at a date to be fixed by the commission	(2) Where the votes cast at an election in any polling unit exceed the number of accredited voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit affect the overall result in the Constituency.”	House Version Adopted
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21	63 (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate in a form to be prescribed by the Commission as the case may be. (2) The Form shall be signed and stamped by the Presiding Officer and counter signed by the candidates or their polling agents where available at the Polling unit. (3) The Presiding Officer shall give to the Polling Agents and the police officer where available a copy each of the completed Forms after it has been duly signed as provided in subsection (2) of this section. (4) The Presiding Officer shall count and announce the result at the Polling unit (4) New provision	63 (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate in a form prescribed by the Commission and electronically transmit same”. “(4) Except electronic voting is adopted by the Commission and does not permit manual counting of votes, the Presiding Officer shall count the votes and announce the result at the polling unit and, instantly thereafter, transmit the votes and result of the election in the polling unit by secured mobile electronic communication to the; (a) collation center at each level of collation of results to which the polling unit belongs in the constituency where the election is held; and (b) central database of the Commission kept at the National Headquarters of the	(4)The presiding Officer shall announce the result at the polling unit.	House Version Adopted
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22	65 (1) After the recording of the result of the election, the Presiding Officer shall announce the result and deliver same and election materials under security to such persons as may be prescribed by the Commission. (65A) New provision	Commission: PROVIDED that the Presiding Officer shall first record the votes and result in forms or electoral documents as shall be prescribed by the Commission for this purpose from time to time and such copies given to party agents." (b) by inserting after subsection (4), a new subsection "(5)", as follows: "(5) The process and procedure in subsections (1) to (4) may be recorded by any member of the public, party agent, accredited observer or official of the Commission." (c) by inserting after subsection (5), a new subsection "(6)", as follows: "(6) A Presiding Officer who intentionally contravenes any provision of this section shall be guilty of an offence and shall be liable, on conviction, to imprisonment for at least 5 years, without an option of fine		
		65A. (1) The Commission shall compile, maintain and update on a continuous basis, a Register of Election Results to be known as the National Electronic		Agreed

		Register of Election Results which shall be a distinct database or repository of polling unit by polling results, including collated election results, of each election conducted by the Commission in the Federation, and the Register of Election Results shall be kept in electronic format by the Commission at its National Headquarters. (2) Any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified true copy of any election result kept in the National Electronic Register of Election Results for a State, Local Government, Area Council, Ward or Polling Unit, as the case may be and the certified true copy may be in printed or electronic format.		
23	67 (1) The Presiding Officer shall endorse the word "rejected" on the ballot paper rejected under section 54(1) of this Act and for any other reason, and the ballot papers shall not be counted except otherwise allowed by the Returning Officer who may overrule the Presiding Officer. (2) If an objection to the decision of a Presiding Officer to reject a ballot	(1) A Collation Officer or Returning Officer at an election shall collate and announce the result of an election, subject to his verification and confirmation that the: (a) number of accredited voters stated on the collated result are correct and consistent with the number of accredited voters recorded and transmitted directly from polling units under section 49(8) of this Act; and (b) the votes stated on the collated result are correct and consistent with the votes or results recorded and transmitted directly from polling units under section 63(4) of this Act. (2) Subject to subsection (1) of this section, a Collation Officer or Returning		Agreed

paper is raised by a candidate or a polling agent at the time the decision is made, the Presiding Officer shall add to the word "rejected", the phrase "but objected to". (67A) New provision	Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 49(8) of this Act and the votes or results recorded and transmitted directly from polling units under section 63(4) of this Act to collate and announce the result of an election if a collated result at his or a lower level of collation is not correct. (3) Where during collation of results, there is a dispute regarding a collated result or the result of an election from any polling unit, the Collation Officer or Returning Officer shall use the following to determine the correctness of the disputed result: (a) the original of the disputed collated result or result for each polling unit where the election is disputed; (b) the Smart Card Reader or other technological device used for accreditation of voters in each polling unit where the election is disputed for the purpose of obtaining accreditation data directly from the Smart Card Reader or technological device; (c) data of accreditation recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 49 (8) of this Act; and (d) the votes and result of the election recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 63(4) of this Act.	
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		(4) If the disputed result under subsection (3) were otherwise found not to be correct, the Collation Officer or Returning Officer shall re-collate and announce a new result using the information in subsection (3) (a), (b), (c) and (d) of this section. (5) Where the dispute under subsection (3) of this section arose at the final level of collation and the Returning Officer has satisfied the provision of subsection (3) of this section, the Returning Officer shall accordingly declare the winner of the election. (6) A Returning Officer or Collation Officer, as the case may be, who intentionally contravenes a provision of this section that applies to him shall be guilty of an offence if the results he collated or announced are false and he shall be liable, on conviction, to at least 5 years' imprisonment, without an option of a fine.		
24	The forms to be used for the conduct of elections under this Act shall be determined by the Commission. (76A) New provision	(1) An election conducted at a polling unit without the prior recording in the forms prescribed by the Commission of the quantity, serial numbers and other particulars of results sheets, ballot papers and other sensitive electoral materials made available by the Commission for		Agreed

		the conduct of the election shall be invalid.		
25	78(4) Any political association that meets the conditions stipulated in the Constitution and this Act shall be registered by the Commission as a political party within 30 days from the date of receipt of the application and if after the 30 days such Association is not registered by the Commission unless the Commission informs the Association to the contrary it shall be deemed to have been registered. (5) Any Association which through the submission of false or misleading information pursuant to the provisions of this section procures a certificate of registration shall have such certificate cancelled.	(2) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (1) of this section is guilty of an offence and shall be liable, on conviction, to imprisonment for at least one (1) year without an option of fine." (4) A political association that meets the conditions stipulated in the Constitution and this Act shall be registered by the Commission as a political party within 60 days from the date of receipt of the application, and if after the 60 days such Association is not registered by the Commission unless the Commission informs the association to the contrary it shall be deemed to have been registered". (5) Association and each of its executives or principal officers shall, on account of such false or misleading information, be guilty of an offence and be liable on conviction, (a) in the case of association to a fine of N5,000,000; and (b) in the case of each executive or principal officer of the association to imprisonment for at least 6 months or a fine of 1,000,000 or both." To a fine of N1,000,000	Senate Version Adopted	
26	82. -(1) The Commission shall keep a register of symbols for use at		(1) The commission shall keep a register of symbols	

	elections. (2) The Commission shall register the symbol of a political party if it is satisfied that— (a) no other symbol of the same design is registered; (b) the symbol is distinctive from any other symbol already registered; and (c) its use will not be offensive or otherwise objectionable. (3) The Commission shall remove a symbol from the register of symbols if— (a) the political party in whose name it is registered requests the removal; or (b) the Commission is of the opinion that the political party or independent candidate in whose name the symbol is registered has ceased to exist or to use the symbol. (4) Nothing in this section shall authorize the allotment or registration	and name for use at election (2) The commission shall register the symbol and name of a political party if it is satisfied that (a) No other symbol and name of the same design is registered (b) The symbol and name is distractive from any other symbol already registered (3) The Commission shall remove a symbol or name from the register symbols and names if- (a) the political party in whose name it is registered request the removal; or (b) the commission is of the opinion that the political party in whose name the symbol is registered has ceased to exist or to use the symbol (4) Amend the Marginal Note of section 82 as	Agreed
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	for use at any election of a symbol or material as symbol of a party, if it portrays— (a) the Coat of Arms of the Federation; (b) the Coat of Arms of any other country; (c) any device or emblem which in the opinion of the Commission is normally associated with— (i) the official acts of Government; (ii) any of the Armed Forces of the Federation or the Nigeria Police Force or other uniformed service; (iii) the regalia of a Chief; (iv) any tribe or ethnic group; (v) any religion or cult; (vi) any portrait of a person living or dead; (d) any symbol or part of a symbol which under the provision of this section continues to be registered by another political party. (5) Subject to the provisions of this section, the symbol allotted to a political party and in use immediately before the coming into force of this Act shall continue to be available to, and be used by, that political party without payment of the fee.		follows: "Symbols and names of political parties"	
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27	85-(1) Every registered political party shall give the Commission at least 21 days notice of any convention, congress, conference or meeting convened for the purpose of electing members of its executive committees, other governing bodies or nominating candidates for any of the elective offices specified under this Act. (2) The Commission may with or without prior notice to the political party monitor and attend any convention, congress, conference or meeting which is convened by a political party for the purpose of:- (a) electing members of its executive committees or other governing bodies; (b) nominating candidates for an election at any level; (c) approving a merger with any other registered political party. (3) The election of members of the executive committee or other governing body of a political party, including the election to fill a vacant position in any of the aforesaid bodies, shall be conducted in a democratic manner and allowing for all members of the party or duly elected delegates to vote in support of a candidate of their choice. (4) Notice of any congress, conference or meeting for the purpose of		(1) Every registered political party shall give the commission at least 21 days' notice of convention, congresses, conference or meeting convened for the purpose of merger and fusion and electing members of its executive committees , other governing bodies or nominating candidate for any of the elective offices specified under this Act.	Agreed
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	nominating candidates for Area Council elections shall be given to the Commission at least 21 days before such congress, conference or meeting			
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28 87 (1) A political party seeking to nominate candidates for elections under this Act shall hold primaries for aspirants to all elective positions. (2) The procedure for the nomination of candidates by political parties for the various elective positions shall be by direct or indirect primaries. (3) A political party that adopts the direct primaries procedure shall ensure that all aspirants are given equal opportunity of being voted for by members of the party. (4) A political party that adopts the system of indirect primaries for the choice of its candidate shall adopt the procedure outlined below: (a) In the case of nominations to the position of Presidential candidate, a political party shall,	(1) A political party seeking to nominate candidates for elections under this Act shall hold direct or indirect primaries for aspirants to all elective positions, which shall be monitored by the Commission and the result of every primary to elect candidates for an election to be conducted by the Commission shall be endorsed or certified by the Commission. (2) A political party shall not impose nomination qualification or disqualification criteria, measures, or conditions on any aspirant or candidate for any election in its constitution, guidelines, or rules for nomination of candidates for elections, except as prescribed under sections 65, 66, 106, 107, 131, 137, 177 and 187 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).	(3) For the purpose of nomination of candidates for election, the total fees, charges, dues and any payment howsoever named imposed by a political party on an aspirant or candidate shall not exceed: (i) One Hundred and Fifty Thousand Naira (N150,000) for a Ward Councillorship aspirant in the FCT; (ii) Two Hundred and Fifty Thousand Naira (N250,000) for an Area Council Chairmanship aspirant in the FCT; (iii) Five Hundred Thousand Naira (N500,000) for a House of Assembly aspirant;	Agreed
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(i) hold special conventions in each of the 36 States of the Federation and FCT, where delegates shall vote for each of the aspirants at designated centres in each State Capital on specified dates. (ii) a National Convention shall be held for the ratification of the candidate with the highest number of votes. (iii) the aspirant with the highest number of votes at the end of voting in the 36 States of the Federation and FCT, shall be declared the winner of the Presidential primaries of the political party and the aspirants name shall be forwarded to the Independent National Electoral Commission as the candidate of the party after ratification by the national convention. (b) In the case of nominations to the position of Governorship candidate, a political party shall, where they intend to sponsor candidates: (i) hold special congress in each of the local government areas of the States with delegates voting for each of the aspirants at the congress to be held in designated centres on specified dates. (ii) The aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and aspirant's	(iv) One Million Naira (N1,000,000) for a House of Representatives aspirant; (v) Two Million Naira (N2,000,000) for a Senatorial aspirant; (vi) Five Million naira (N5,000,000) for a Governorship aspirant; and (vii) Ten Million Naira (N10,000,000) for a Presidential aspirant. (4) Any requirement, criteria, measures, or conditions for the nomination of candidates for elections outside the provisions of subsections (2) or (3) of this section shall be invalid, null, void and of no effect whatsoever. (5) Every political party shall publish the venues, dates, times, guidelines, procedures and other relevant information of its primaries, conventions or any event conveyed for the purpose of nominating candidates for the party in, at least, two (2) national newspapers and, at least, ten (10) days before the date of the event to nominate candidates for the party. Direct Primaries (6) A political party that adopts the system of direct primaries for the nomination of it candidate(s) for an election shall ensure that all aspirants are given equal opportunity of being voted for by registered members of the party and comply with the procedure outline below – (a) in the case of nominations to the	
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name shall be forwarded to the Independent National Electoral Commission as the candidate of the party, for the particular State. (c) In the case of nominations to the position of a Senatorial candidate, House of Representatives and State House of Assembly a political party shall, where they intend to sponsor candidates: (i) hold special congresses in the Senatorial District, Federal Constituency and the State assembly constituency respectively, with delegates voting for each of the aspirants in designated centres on specified dates. (ii) The aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Independent National Electoral Commission as the candidate of the party. (d) In the case of the position of a Chairmanship candidate of an Area council a political party shall, where they intend to sponsor candidates: (i) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at designated centres on a specified date.	position of Presidential candidate in a Presidential election, a political party shall, where it intends to sponsor a candidate: (i) conduct direct primaries in the registration areas in the 36 States of the Federation and the FCT where all registered members of the party shall be eligible to vote and may freely vote for any Presidential aspirant of their choice; (ii) declare the Presidential Aspirant with the highest number of valid votes cast during the primaries across the 36 States of the Federation and the FCT as the winner of the Presidential primaries; (iii) hold a National Convention where it shall present the winner of the primaries to the public as the Presidential candidate of the party; and (iv) forward the name of the winner of the Presidential primaries to the Commission as the Presidential candidate of the party in the Presidential election. (b) in the case of nomination to the position of Governorship candidate in a Governorship election in a State, a political party shall, where it intends to sponsor a candidate: (i) conduct direct primaries in the registration areas in each Local Government Area in the particular State where all registered members of the party in the State shall be eligible to vote and may freely vote for any Governorship aspirant of their choice;	
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(ii) The aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Independent National Electoral Commission as the candidate of the party. (5) In the case of a councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the Independent National electoral commission as the candidate of the party. (6) Where there is only one aspirant in a political party for any of the elective positions mentioned in sub section (4)(a), (b), (c) and (d), the party shall convene a special convention or congress at a designated centre on a specified date for the confirmation of such aspirant and the name of the aspirant shall be forwarded to the Independent National Electoral commission as the candidate of the party. (7) A political party that adopts the system of indirect primaries for the choice of its candidate shall clearly outline in its constitution and rules the	(ii) declare the Governorship aspirant with the highest number of valid votes cast in all Local Government Areas in the particular State as the winner of the Governorship primaries in the State; (iii) hold a State Congress where it shall present the winner of the Governorship primaries to the public as the Governorship Candidate of the party in the Governorship election; and (iv) forward the name of the winner of the primaries to the Commission as the Governorship candidate of the party in the election for the State. (c) in the case of nominations to the position of Senatorial candidate, House of Representatives candidate and State House of Assembly candidate for a Senatorial District, a Federal Constituency and a State House Constituency respectively, a political party shall, where it intends to sponsor candidates in elections for these elective positions,; (i) conduct direct primaries in the registration areas in each Local Government Area in the Senatorial District where all registered members of the party in the Senatorial District shall be eligible to vote and may freely vote for any Senatorial aspirant of their choice; (ii) conduct direct primaries in the registration areas in each Local Government Area in the Federal Constituency where all registered members of the party in the Federal	
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procedure for the democratic election of delegates to vote at the convention, congress or meeting. (8) No political appointee at any level shall be a voting delegate at the Convention or Congress of any political party for the purpose of nomination of candidates for any election. (9) Where a political party fails to comply with the provisions of this Act in the conduct of its primaries, its candidate for election shall not be included in the election for the particular position in issue. (10) Notwithstanding the provisions of the Act or rules of a political party, an aspirant who complains that any of the provisions of this Act and the guidelines of a political party has not been complied with in the selection or nomination of a candidate of a political party for election, may apply to the Federal High Court or the High Court of a State, for redress. (11) Nothing in this section shall empower the Courts to stop the holding of primaries or general election under this Act pending the determination of the suit.	Constituency shall be eligible to vote and may freely vote for any House of Representatives aspirant of their choice; (iii) conduct direct primaries in the registration areas in each Local Government Area in the State Assembly Constituency where all registered members of the party in the State Assembly Constituency shall be eligible to vote and may freely vote for any State House of Assembly aspirant of their choice; (iv) subject to sub-paragraph (i) of this paragraph, declare the Senatorial aspirant with the highest number of valid votes cast in all Local Government Areas in the particular Senatorial District as the winner of the primaries in the Senatorial District and forward the name of the winner to the Commission as the Senatorial candidate of the party in the election for the Senatorial District; (v) subject to sub-paragraph (ii) of this paragraph, declare the House of Representatives aspirant with the highest number of votes in all Local Government Areas in the Federal Constituency as the winner of the primaries in the Federal Constituency and forward the name of the winner to the Commission as the House of Representatives candidate of the party in the election for the Federal Constituency; and (vi) subject to sub-paragraph (iii) of this paragraph, declare the State House of Assembly Aspirant with the highest number of votes in all Local Government Areas in the House of Assembly	“(9A) Where a primary election is conducted, and duly attended and certified by the Commission in compliance with this Act, and the result is subsequently altered by a political party, the Commission shall have the power to overrule the alteration made by the political party and uphold such primaries”. (a) the Primaries of Political Parties shall follow the following sequence (i) National Assembly, (ii) State Houses of Assembly, (iii) Governorship, (iv) Presidential. (b) the dates for the above stated primaries shall not
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	be earlier than ninety (90) days and not later than sixty (60) days before the date of elections to the offices.	
Constituency as the winner of the primaries in the House of Assembly Constituency and forward the name of the winner to the Commission as the State House of Assembly Candidate of the party in the election for the State Assembly Constituency. (d) in the case of the position of a Chairmanship candidate of an Area Council in the Federal Capital Territory, a political party shall, where it intends to sponsor a candidate: (i) conduct direct primaries in the registration areas in the Area Council, where all registered members of the party in the Area Council shall be eligible to vote and may vote for any Chairmanship aspirant of their choice; (ii) declare the Chairmanship aspirant with the highest number of votes in all registration areas in the Area Council as the winner of the Chairmanship primaries in the Area Council and forward the name of the winner of the Chairmanship primaries to the Commission as the Chairmanship candidate of the party in the election for the Area Council.		Election of Delegates for Indirect Primaries (7) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall conduct a delegates election in all registration areas in the constituency where the election is to be held and all registered members of the party in that registration area shall be eligible to vote for any contestant who

		presents himself to be a delegate of the party, PROVIDED that the delegates election shall be monitored by the Commission and the result of every delegates election shall be endorsed or certified by the Commission. (8) A political party leader or official who is not elected in his or her registration area as a delegate of his or her party under subsection (7) of this section shall not be a voting delegate of the party and shall not vote in his or her party's indirect primaries but may perform his or her functions in a neutral as may be prescribed in his or her party's constitution in relation to indirect primaries, PROVIDED that in performing his or her functions as a party leader or official in relation to indirect primaries, the party leader or official shall not conduct himself in any manner whatsoever to impact the election in favour of any aspirant in the indirect primaries. (9) A party leader or official who contravenes the provisions of subsection (8) of this section commits an offence and shall be liable on conviction to imprisonment for one (1) year or a fine of One Million Naira (N1,000,000). Automatic Delegates (8) All National, State, Local Government Area/Area Council and Ward executives of a party and elected officials of government mentioned below	
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		who are members of the party shall be automatic or super delegates who shall be eligible to vote in their party's indirect primaries – (a) President and former Presidents; (b) Vice President and former Vice Presidents, (c) Governors and former Governors; (d) Deputy Governors and former Deputy Governors; (e) Senators and former Senators; (f) Members of the House of Representatives and former Members of the House of Representatives; (g) Members of State Houses of Assembly; (h) Chairmen of Local Government Areas/Area Councils; and (i) Councillors of Wards, PROVIDED that: (i) the number of automatic or super delegates shall not exceed Ten percent (10%) of the total number of elected delegates, and (ii) the party shall have the power to determine in its constitution or nomination guidelines and manuals, the particular indirect primaries or election to particular elective offices(s) that automatic or super delegates shall vote. (9) A political party that adopts the system of indirect primaries for the choice of its candidate may outline further guidelines, rules and procedures to guarantee free, fair, and credible election of delegates to vote at a convention or congress of the party, but such further guidelines, rules and procedures shall not be inconsistent with the provisions of this Act.	
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	(10) Any official of the Commission who issues, endorses or certifies a false report or result in respect of a delegates election or primaries of a political party commits an offence and shall be liable on conviction to imprisonment for one (1) year or a fine of One Million Naira (N1,000,000), or both. Indirect Primaries (11) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall ensure that all aspirants are given equal opportunity of being voted for by delegates of the party who shall be registered members of the party. (12) Where a political party adopts the system of indirect primaries for the nomination of its candidate(s) for elections, the party shall adopt the procedure outlined below – (a) in the case of nominations to the position of Presidential candidate, a political party shall, where it intends to sponsor a candidate, – (i) hold a special presidential convention at a designated centre in the Federal Capital Territory or any other place within the Federation and on a date agreed by the National Executive Committee of the party where delegates of the party shall vote for each of the presidential aspirants of the party; and (ii) the presidential aspirant with the highest number of votes at the end of voting shall be declared the winner of the	

		Presidential primaries of the political party and the aspirant's name shall be forwarded to the Commission as the presidential candidate of the party; (b) in the case of nomination to the position of Governorship candidate, a political party shall, where it intends to sponsor candidates, - (i) hold a special congress at a designated centre in the State Capital or any other place within the State and on a date agreed by the party where delegates of the party shall vote for each of the governorship aspirant of the party; and (ii) the governorship aspirant with the highest number of votes at the end of voting shall be declared the winner of the governorship primaries of the party and the party shall forward the aspirant's name to the Commission as the candidate of the party, for the particular State; (c) in the case of nomination to the position of a candidate to the Senate, House of Representatives and State House of Assembly, a political party shall, where it intends to sponsor candidates, - (i) hold special congresses in the Senatorial District, Federal Constituency and the State assembly constituency respectively in designated centres and on a date or dates agreed by the party where delegates of the party shall vote for each of the Senatorial, House of Representatives and House of Assembly aspirants of the party; and	

	(ii) the Senatorial, House of Representatives and House of Assembly aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party for Senatorial District, Federal Constituency and the State assembly constituency respectively and the aspirant's name shall be forwarded to the Commission as the Senatorial, House of Representatives and House of Assembly candidate of the party, as the case may be; and (d) in the case of the position of a Chairmanship candidate of an Area Council, a political party shall, where it intends to sponsor candidates: (i) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at designated centres on a specified date, and (ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party. (13) In the case of a Councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the Commission as the candidate of the party. (14) Where there is only one aspirant for an elective position in a party that has adopted the direct system of primaries,	

	such an aspirant shall be deemed to be unchallenged and the party shall forward the name of the aspirant to the Commission as the candidate of the party. (15) Where there is only one aspirant for any of the elective positions mentioned in subsection (12)(a), (b), (c) and (d) of this section, the party shall convene a special convention or congress, as the case may be, at a designated centre in the particular constituency on a specified date to confirm that aspirant as the candidate of the party and the party shall forward the name of the aspirant to the Commission as the candidate of the party. (16) A political appointee at any level of government shall not be an automatic or super delegate at the convention or congress of any political party for the purpose of nomination of candidates for any election under the indirect primaries system, except where such a political appointee is also an officer of a political party or otherwise elected as a delegate under subsection (7) of this section. (17) Where a political party conducts its primaries or delegates election with the Commission in attendance and the result of the primaries or delegates election is endorsed or certified by the Commission, this shall be prima facie proof of the result of the election or delegates election. (18) Nothing in this section shall prevent a political party from organising staggered primaries.	
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		(19) Notwithstanding the provisions of this Act or rules of a political party, an aspirant who complains that any of the provisions of this Act or rules of a political party has not been complied with in the nomination of a candidate of a political party for election, may apply to the Federal High Court or the High Court of a State or the FCT for redress. (20) Nothing in this section shall empower the Courts to stop the holding of primaries or general election or the processes thereof under this Act pending the determination of the suit.”	

29	91 (1) Election expenses shall not exceed the sum stipulated in subsection (2) – (7) of this section. (2) The maximum election expenses to be incurred by a candidate at a Presidential election shall be one billion naira (N1,000,000,000). (3) The maximum election expenses to be incurred by a candidate at a Governorship election shall be two hundred million naira (N200,000,000). (4) The maximum amount of election expenses to be incurred in respect of Senatorial seat by a candidate at an election to the National Assembly shall be forty million naira (N40,000,000) while the seat for House of Representatives shall be twenty million naira (N20,000,000)		(1) Election expenses shall not exceed the sum stipulated in subsection (2)–(7) of this section. (2) the maximum election expenses to be incurred by a candidate at a presidential election shall be five billion naira “(N5,000,000,000.00) (3) the maximum amount of election expenses to be incurred by a candidate in respect of Governorship election shall be one billion naira “(N1,000,000,000.00) (4) the maximum amount of election expenses to be incurred by a candidate in respect of Senatorial and House of Representatives seat shall be one hundred	Agreed
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			million “(N100,000,000.00) and seventy million (N70,000,000.00) respectively (5) in the case of State Assembly election, the maximum amount of election expenses to be incurred shall be Thirty Million naira “(N30,000,000.00) (6) in the case of a chairmanship election to an area Council, the maximum amount of election expenses to be incurred shall be Thirty Million naira “(N30,000,000.00) (7) in the case of Councilorship election to an area Council, the maximum amount of election expenses to be incurred shall be five Million naira “(N5,000,000.00)	
(5) In the case of State Assembly election, the maximum amount of election expenses to be incurred shall be ten million naira (N10,000,000). (6) In the case of a chairmanship election to an Area Council, the maximum amount of election expresses to be incurred shall be ten million naira (N10,000,000). (7) In the case of councillorship election to an Area Council, the maximum amount of election expenses to be incurred shall be one million naira (N1,000, 000). (8) In determining the total expenditure incurred in relation to the candidature of any person at any				

	election no account shall be taken of:- (a) any deposit made by the candidate on his/her nomination in compliance with the law ; (b) any expenditure incurred before the notification of the date fixed for the election with respect to services rendered or material supplied before such notification. (c) Political party expenses in respect of the candidate standing for a particular election. (9) No individual or other entity shall donate more than one million naira (N1, 000,000) to any candidate. (10) A candidate who knowingly acts in contravention of this section commits an offence and on conviction shall be liable – (a) in case of presidential election to a maximum fine of N1,000,000.00 or imprisonment of 12 months or both; (b) in the case of a governorship election to a fine of N800,000.00 or imprisonment for 9 months or both; (c) in case of senatorial seat election in the National Assembly election to a fine of N600,000.00 or imprisonment for 6 months or both; (d) in the case of House of Representatives seat election in the National Assembly election to a		(9). No individual or other entity shall donate more than one Ten million naira“(N10, 000, 000.00). (10). A candidate who knowingly acts in contravention of this section, commits an offence and is liable on conviction to a maximum fine of 1% of the amount permitted as the limit of campaign expenditure under this Act or imprisonment for a term not exceeding 12 months, or both.”	
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	fine of N500,000.00 or imprisonment for 5 months or both; (e) in the case of a State House of Assembly election to a fine of N300,000.00 or 3 months imprisonment or both; (f) in the case of Chairmanship election to a fine of N300,000.00 or 3 months imprisonment or both; and (g) in the case of Councillorship election to a fine of N100,000.00 or 1 month imprisonment or both. (11) Any individual who knowingly acts in contravention of subsection (9) shall on conviction be liable to a maximum fine of N500,000.00 or 9 months imprisonment or both. (12) Any Accountant who falsifies or conspires or aids a candidate to forge or falsify a document relating to his expenditure at an election or receipt or donation for the election or in any way aids and abets the breach of the provision of this section of this Act commits an offence and on conviction is liable to 10 years imprisonment. (10) New provision			
30	99 (1) For the purpose of this Act, the period of campaigning in public by every political party shall commence		(1) For the purpose of this Act, the period of	

	90 days before polling day and end 24 hours prior to that day.			campaigning in public by every political party shall commence 150 days before polling day and end 24 hours prior to that day."	Agreed
32	100 (1) A candidate and his party shall campaign for the elections in accordance with such rules and regulations as may be determined by the Commission. (2) State apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election. (3) Media time shall be allocated equally among the political parties or candidates at similar hours of the day. (4) At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees. (5) At any public print media, equal				

	coverage and conspicuity shall be allotted to all political parties. (6) Any public media that contravenes subsections 3 and 4 of this section shall be guilty of offence and on conviction be liable to a maximum fine of N500,000 in the first instance and to a maximum fine of N1,000,000 for subsequent conviction. (6) New provision-		(6) Any person who contravenes subsections (3) and (4) of this section commits an offence and upon conviction is liable. “A public media that contravenes subsections (3) and (4) of this section commits an offence and is liable on conviction to: (a) in the case of a public media to a maximum fine of N2,000,000.00 in the first instance and to a maximum fine of N5,000,000.00 for subsequent conviction; and (b) in the case of principal officer(s) and other officer(s) of the media house to a maximum fine of N2,000,000.00 or to imprisonment for a term of 12 months.”	Agreed	
33	112. -(1) If a person duly elected as Chairman dies before taking and subscribing to the Oath of Allegiance				

	and Oath of Office, the person elected with him as Vice- chairman shall be sworn in as Chairman who shall then nominate and with the approval of a majority of the members of the Area Legislative Council appoint a new vice-chairman. (2) Where the Vice-Chairman is appointed from among the Councillors as the new Vice-Chairman, the Commission shall conduct a bye-election to fill the vacant seat created in the Ward from which the new Vice-Chairman has been appointed. (3) Where the persons duly elected as Chairman and Vice-Chairman of an Area Council die before taking and subscribing the Oath of Allegiance and Oath of Office during which period the Area Council has not been inaugurated the Commission shall within 21 days conduct an election to fill the vacancies. (4) New provision-	“(4) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies: (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;		Agreed
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		(b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit a new candidate to the Commission to replace the dead candidate; and (c) subject to paragraphs (a) and (b) of this subsection, the Commission shall continue with the election, announce the final result and declare a winner.”		
34	138 (1) An election may be questioned on any of the following grounds, that is to say: (a) that a person whose election is questioned was, at the time of the election, not qualified to contest the election; (b) that the election was invalid by reason of corrupt practices or non-compliance with the provisions of this Act; (c) that the respondent was not duly elected by majority of lawful votes cast at the election; or (d) that the petitioner or its candidate was validly nominated but was unlawfully excluded from the election. (2) An act or omission which may be contrary to an instruction or directive of the Commission or of an officer appointed for the purpose of the	(1) An election may be questioned on any of the following grounds, that is to say: (a) That a person whose election is questioned was, at the time of the election, not qualified to contest the election; (b) That the election was invalid by reason of corrupt practices or non-compliance with the provisions of Act; and published manuals, guidelines, regulations and or procedures issued by the Commission for the election”. (2) An Act or omission which may be contrary to an instruction or directive of the commission or of an office appointed for the purpose of the election but which		Agreed

	election but which is not contrary to the provisions of this Act shall not of itself be a ground for questioning the election. (3) New provision	is not contrary to the provisions of this Act and published manuals, guidelines, regulations and/or procedures issued by the Commission for the conduct of the election shall not of itself be a ground for questioning the election. (3) With respect to subsection (1) (a) of this Section, a person shall be deemed to be qualified for an elective office and his election shall not be questioned on grounds of qualification if, with respect to the particular election in question, he meets the applicable requirements of sections 65, 106, 131 or 177 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and he is not, as may be applicable, in breach of sections 66, 107, 137 or 182 of the Constitution of the Federal Republic of Nigeria, 1999."		
35	139 (1) An Election shall not be liable to be invalidated by reason of non compliance with the provisions of this Act if it appears to the Election Tribunal or Court that the election was conducted substantially in accordance with the principles of this Act and that	(1) An Election shall not be liable to be invalidated by reason of non compliance with the provisions of this Act "and published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the		Agreed

	the non compliance did not affect substantially the result of the election.	if it appears to the Election Tribunal or Court that the election was conducted substantially in accordance with the principles of this Act and that the non compliance did not affect substantially the result of the Election.		
36	140 (1) Subject to subsection (2) of this section, if the Tribunal or the Court as the case may be, determines that a candidate who was returned as elected was not validly elected on any ground, the Tribunal or the Court shall nullify the election. (2) Where an election tribunal or court nullifies an election on the ground that the person who obtained the highest votes at the election was not qualified to contest the election, the election tribunal or court shall not declare the person with the second highest votes as elected, but shall order a fresh election. (3) If the Tribunal or the Court determines that a candidate who was returned as elected was not validly elected on the ground that he did not			

	score the majority of valid votes cast at the election, the Election Tribunal or the Court, as the case may be, shall declare as elected the candidate who scored the highest number of valid votes cast at the election and satisfied the requirements of the Constitution and this Act. (4) New provision		“(4) If, at the point of display or distribution of ballot papers by the Commission, a candidate or his agent discovers that his name or the name or logo of his party is omitted, a candidate or his agent shall notify the Commission and the Commission shall- (a) postpone the election to rectify the omission; and (b) appoint another date to conduct the election not later than ninety (90) days.”	Agreed
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37	142 (1) Without prejudice to the provisions of section 294 subsection (1) of the Constitution of the Federal Republic of Nigeria an election petition and an appeal arising therefrom under this Act shall be given accelerated hearing and shall have precedence over all other cases or matters before the Tribunal or Court. (142A) New provision	(142A.) It shall not be necessary for a petitioner who alleges non-compliance with the provisions of this Act and the published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of elections to call oral evidence if originals or certified true copies of electoral documents or materials used by the Commission to conduct the election in the polling unit where the noncompliance is alleged are listed in the petition and tendered at the trial of the petition by the petitioner in proof of the non-compliance complained of.”		Agreed	
38	143 (1) If the Election Tribunal or the Court, as the case may be, determines that a candidate returned as elected was not validly elected, then if notice of appeal against that decision is given within 21 days from the date of the decision, the candidate returned as elected shall, notwithstanding the contrary decision of the Election				

	Tribunal or the Court, remain in office pending the determination of the appeal. (2) If the Election Tribunal or the Court, as the case may be, determines that a candidate returned as elected was not validly elected, the candidate returned as elected shall, notwithstanding the contrary decision of the Election Tribunal or the Court, remain in office pending the expiration of the period of 21 days within which an appeal may be brought. (3) New provision			(3) Where the election is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate shall, notwithstanding the contrary decision of the Court remain in office and enjoy all the benefits that accrued to the office pending the determination of the appeal and shall not be sanctioned for the benefits derived while in office”.	Agreed	
39	151(1) An order for an inspection of a polling document or an inspection of a document or any other packet in the					

	custody of the Chief National Electoral Commissioner or any other officer of the Commission may be made by the election tribunal or the court if it is satisfied that the inspection is required for the purpose of instituting, maintaining or defending an election petition. (2) A document other than a document referred to in subsection (1) of this section relating to an election and which is retained by the Chief National Electoral Commissioner or any other officer of the Commission in accordance with this section shall be open for inspection on an order made by the Election Tribunal or a Court in exercise of its powers to compel the production of documents in legal proceedings, but shall not otherwise be open for inspection. (3) New provision	“(3) Where there is a breach of an order of a court or tribunal directed at the Commission particularly, order to produce, inspect or take copies of electoral materials, such disobedience shall attract court sanctions, which shall include the committal by the Tribunal or Court of the Commission’s official to whom the order is directed to summary conviction to imprisonment for at least two (2) years, without an option of fine.”		Agreed	
40	152 (1) Without prejudice to the other provisions of this Act, the Commission may delegate any of its				

powers and functions to any National Electoral commissioner, Resident Electoral Commissioner, Electoral Officer, any other officer of the Commission or any other officer appointed under the provision of this Act subject to any conditions or limitations which it may consider necessary or expedient to impose and no such delegation shall be construed to limit the right of the Commission to exercise such power, itself.			
(152A) New provision	“(152A). Subject to the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the provisions of this Act guaranteeing the conduct of free, fair and credible elections by the Independent National Electoral Commission shall apply with equal force to elections conducted by State Independent Electoral Commissions in the Federation.		Agreed
(152B) New provision	(152B) All elections conducted by a State Independent Electoral Commission to a Local Government Council in the Federation shall be in compliance with the relevant provisions this Act.		
(152C) New provision	(152C) Any election conducted by a State Independent Electoral Commission to a Local Government Council in the Federation in violation of section 152B		

	(152D) New provision	of this Act shall be null, void and of no effect whatsoever. (152D). Any official of a State Independent Electoral Commission who acts in contravention of section 152B or any provision of this Act shall be subject to prosecution as if he were an official of the Independent National Electoral Commission."			
41	156 "Appointment" includes appointment to an office, confirmation of appointment, promotion or transfer; —Area Council means Area Councils recognized and existing by virtue of section 3 (6) of the Constitution and as set out in Part II of the First Schedule thereof and any additional Area Council provided by an Act of the National Assembly in accordance with section 8 (5) of the Constitution. "Association" means a body of persons (corporate or otherwise) who agree to act together for any common purpose and includes an association formed for any ethnic, social, cultural, occupational or religious purpose; "Attorney-General of the Federation" means the Chief Law Officer of the Federation;				Agreed

	"Authority" includes government or government agency and corporate bodies; "Chief Electoral Commissioner" means the Chairman of Independent National Electoral Commission; —Civil Servant a person employed in the civil service of the Federation or of a State or Local government; "Clerk" means the Clerk of the National Assembly, Clerk of the State House of Assembly, and Clerk of the Legislative House of the Local Government/Area Council or any person acting in that capacity; "Commission" means the Independent National Electoral Commission established by the Constitution; "Constitution" means the Constitution of the Federal Republic of Nigeria; —Conviction means a pronouncement by a Court or Tribunal that a person is guilty of an offence		(A) "Candidate" means a person who has secured the nomination of a political party or independent candidate to contest an election for any elective office".	Agreed
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under this Bill or under the provisions of the Constitution whether or not any punishment is imposed on the person as a result of the conviction. Conviction further includes admission by a person in writing, verbally, or by conduct that he is guilty, or have committed or aided and abetted the commission of the offence or crime concerned; The —Conduct referred to in this subsection is, for instance, where a person reimburses the sums of money or any parts thereof obtained through corrupt practice in order to avoid prosecution; "Decision", means in relation to court or tribunal, any determination of that court or tribunal and includes a judgment, decree, conviction, sentence, order or recommendation; —Election means any election held under this Bill and includes a referendum;	(A) "electronic format" refers to the electronic version of the Register of Voters or National Electronic Register of Election Results, as the case may be, created, recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic or optical means or by any other means that has
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	"Electoral Officer" means a staff of the Commission who is the head of the Commission's office at a Local Government Area or Area Council level; "Federation" means the Federal Republic of Nigeria; "Function" includes power and duty; "General Election" means an election held in the Federation at large which may be at all levels, and at regular intervals to select officers to serve after the expiration of the full terms of their predecessors; "Government" includes the Government of the Federation, of a State or of a Local Government Area or Area Council, or any person or organ exercising power or authority on its behalf;	(B) "fusion" means a process by which a political party fuses with another political party by dropping its name and symbol and become subsumed in another	
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"House" or —Legislative House" means the Senate, House of Representatives, House of Assembly of a State and includes the Legislative House of a Local Government Area or Area Council;	"Leader of an association" means every person holding an executive position in that association, including in particular, the Chairman, Secretary or Treasurer of the association and every member of its committee of management, however described;	"Leader of a political party" means every person holding an executive position in that political party, including in particular, the Chairman, Secretary or Treasurer of the political party and every member of its committee of management, however described;	"Legal incapacity" means a person disqualified under the Constitution or the present Act or any other Law, Rules and Regulations from registering as a voter or from contesting elections;
			(B) "number of unaccredited voters" as used in section 49(4) of this Act means number of intending voters not accredited to vote in a polling unit under section 49(3) of this Act."
			political party, thereby cease to exist.

	"Local Government" means Local Government recognized and existing by virtue of section 3(6) of the Constitution and set out in Parts I and II of the First Schedule thereof and any additional Local Government provided for by an Act of the National Assembly in accordance with section 8 (5) of the Constitution; "National Assembly" means the Senate and the House of Representatives; "offensive weapon or missile" includes any cannon, gun, rifle, carbine, revolver, pistol or any other firearm, bow and arrow, spear, cutlass, knife, dagger, axe, cudgel, or any other thing capable of being used as an offensive weapon or missile, including teargas, acid, and any inflammable substance capable of injuring a person;	(C) "Presiding Officer" means a person appointed by the Commission to be in charge of the conduct of election in a polling unit or polling station, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities at a polling unit or polling station as a Presiding Officer."; and (D) "published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election", which is made public by the Commission at least seven (7) days		
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	before the date of general elections." "Office or "Public Office" means any of the offices the occupation to which is by election or appointment under this Bill; "Petition" means an election petition under this Bill; —Polling Agent means a person representing a political party or independent candidate at the polling unit, ward, Local Government, Federal constituency, Senatorial district, State or Federal collation centres. "Polling unit" means the place, enclosure, booth, shade or house at which voting takes place under this Act ; —Political party includes any association of persons whose activities includes canvassing for votes in support of a candidate for election under this Bill and registered by the Commission; "Power" includes function and duty; "President" means the President of the Federal Republic of Nigeria; "Registrar" includes Chief Registrar, Deputy Chief Registrar and Registrar of other grades of the Supreme Court, Court of Appeal, Federal High Court and the High Court of a State;
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	"Registration Officer" includes supervisory assistant registration officer and assistant registration officer; "Resident Electoral Commissioner" means the Commissioner deployed for the time being to a State; "Return" means the declaration by a Returning Officer of a candidate in an election under this Act as being the winner of that election; —School Certificatel has the meaning as defined in the Constitution; —Secret Society has the meaning as defined in the Constitution. "State" when used otherwise than in reference to one of the component parts of the Federal Republic of Nigeria shall include government of a State; "State Commission" means State Independent Electoral Commission established by section 197 of the Constitution;	(E) "Returning Officer" means a person appointed by the Commission to be in charge of the conduct of election in a constituency, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer."		
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	—Campaigning in public referred to in section 99 means the campaign that commences after the publication of the notice of election by the commission pursuant to section 30 of this Bill;			
42	46 (3) When a petition comes up for hearing, if the respondent appears and the petitioner does not appear, the respondent shall be entitled to final judgment dismissing the petition. (4) Documentary evidence shall be put in and may be read or taken as read by consent.	(4). Documentary evidence shall be put in and may be read or taken as read by consent; such documentary evidence shall be deemed demonstrated in open court; the parties in the petition shall be entitled to address and urge argument on the content of the document; and the tribunal or court shall scrutinize or investigate the content of the documents as part of the process of ascribing probative value to the documents or otherwise.”		Agreed
43	51 (1) Where an election petition complains of the conduct of an Electoral Officer, a Presiding Officer, Returning Officer or any other official of the Commission he shall for all purposes be deemed to be a respondent and joined in the election petition as a necessary party, but an Electoral Officer, a Presiding Officer, Returning Officer or any other official		(1) Where the nomination of an elected candidate is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate shall notwithstanding the contrary decision of the	Agreed

	of the Commission shall not be at liberty to decline from opposing the petition except with the written consent of the Attorney-General of the Federation. (2) If consent is withheld by the Attorney-General under subparagraph (1) of this paragraph the Government of the Federation shall indemnify the Electoral Officer, Presiding Officer, Returning Officer or such other official of the Commission against any costs which may be awarded against him by the Tribunal or Court in respect of the election petition. (3) Where the Commission, an Electoral Officer, a Presiding Officer, Returning Officer or any other official		court remain in office pending the determination of the appeal. If the court determines that a candidate was not validly nominated, the elected candidate shall not withstanding the contrary decision of the Court remain in office within the period for which an appeal may be filed and shall not be sanctioned for the benefits he derived while in office pursuant to this section” (2) The Presiding/Collation Officer shall, after counting/collation the votes at the polling unit/collation centre, enter the votes scored by each candidate in the form prescribed by the Commission and transmit same in a manner prescribed by the Commission”	
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44	of the Commission has been joined as a respondent in an election petition, a Legal Officer of the Commission or a Legal Practitioner engaged by the Commission or the Attorney-General of the State concerned (acting in person or through any of his Legal Officers), or the Attorney-General of the Federation (acting in person or through any of his Legal Officers) shall represent the Commission Electoral Officer, Presiding Officer, Returning Officer or other official of the Commission at the Tribunal or Court. (4) A private Legal Practitioner engaged by the Commission under subparagraph (3) of this paragraph shall be entitled to be paid his professional fees and a Legal Officer so engaged shall be paid such honorarium as may be approved by the Commission.	This Bill may be cited as the Electoral Act No. 6, 2010 (Amendment) Bill, 2017. EXPLANATORY MEMORANDUM The Bill seeks to amend the Electoral Act No. 6 of 2010 and Electoral (amendment) Act 2015 to make provisions for the	This Bill may be cited as the Electoral Act (Amendment) Bill 2018 EXPLANATORY MEMORANDUM This Bill seeks to amend the Electoral Act No. 6 of	House Version Adopted EXPLANATORY MEMORANDUM The Bill seeks to amend the Electoral Act No. 6 of
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		restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended); use of Card Readers and other technological devices in elections; and other matters. THIS BILL WAS PASSED BY THE SENATE ON THURSDAY, 30TH MARCH, 2017	2010 and Electoral (amendment) Act 2015 to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses and address the omission of names of candidates or logo of political parties	2010 and Electoral (amendment) Act 2015 to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended); use of Card Readers and other technological devices in elections, sequence of elections, and Political Party Primaries, to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses and address the omission of names of candidates or logo of political parties.
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Question put and agreed to.

Report accordingly adopted.

17. Motion:

Demise of Senator John Nanzip Shagaya OFR (2nd September, 1942 -11th February, 2018):

Motion made: That the Senate notes with heavy heart and a deep sense of loss, the demise of Senator John Nanzip Shagaya, former senior military officer who was involved in a ghastly motor accident on the Sunday, 11th February, 2018 while returning to Jos from Langtang;

notes also that Senator John Shagaya was born on September, 2nd 1942 to Mallam Sikji Miri Wazhi (alias SHAGAYA) and Mrs. Maryamu Zwancit. He attended Junior Primary School at Nyer, and Sudan United Mission Primary School, Langtang and later the Nigeria Military School (N.M.S) Zaria between 1960-1964;

notes further that Senator John Shagaya after graduation, was posted to 3 Marine Commando when he gained his commission as Second Lieutenant. He participated with the Marine Commando in the Nigeria Civil War (1967-1970). His later appointments included Grade Three staff officer-Nigeria Army School of Infantry, Jaji, Director of Cadets-Nigerian Defence Academy, Director-Armed Forces Command and Staff College, Jaji, Brigade Commander-9 Mechanized Infantry Brigade, Military Secretary-Army Headquarters, and General Officer Commanding-1st Mechanized Infantry Division;

aware that under the Military Government of General Ibrahim Babangida, Shagaya was Federal Minister of Internal Affairs, a member of the Armed Forces Ruling Council and a member of the Police Council. He also served as Chairman of the Committee set up in 1987 to decide on Nigeria's membership of the Organisation of the Islamic Conference (OIC);

aware also that through dint of hard work, dedication and commitment to professionalism, Senator John Nanzip Shagaya was appointed Field Commander in the ECOMOG Peacekeeping Force in Liberia in September 1993, relieving Brigadier-General Tunji Olurin;

notes that he was elected Senator on the platform of the People's Democratic Party (PDP) in April 2007 to represent Plateau South Senatorial District and served as the Vice Chairman, Committee on Solid Minerals. He sponsored the National Climate Change Commission Bill;

observes that Senator John Shagaya was a proud Awardee of National and several prestigious military awards such as:

- Officer of the Federal Republic (OFR);
- ECOWAS Distinguished Service Medal;
- Republic of Liberia's Distinguished Service Star Nigerian Armed Forces Medal;
- Distinguished Service Star;

aware that his demise is a great loss to the people of Plateau South Senatorial District in particular, Plateau State and Nigeria, and the West African sub-region at large; and

convinced that late Senator John Shagaya was indeed a great man who served Nigeria with everything he had. He gave his all both in his youth and old age to the service of Nigeria and thus deserves to be accorded the utmost national respect even in death.

Accordingly resolves to:

- (i) observe one minute silence in honour of the late Senator John Shagaya;
- (ii) send a delegation of this hallowed Chamber to condole with the family, the people and Government of Plateau State; and

- (iii) urge the Federal Government of Nigeria to immortalize Senator John Shagaya, by naming a National monument in his honour (*Senator Jeremiah T. Useni — Plateau South*).

Debate:

Proposed Resolution(i):

Question: That the Senate do observe one minute silence in honour of the late Senator John Shagaya — *Agreed to.*

Proposed Resolution(ii):

Question: That the Senate do send a delegation of this hallowed Chamber to condole with the family, the people and Government of Plateau State — *Agreed to.*

Proposed Resolution(iii):

Question: That the Senate do urge the Federal Government of Nigeria to immortalize Senator John Shagaya, by naming a National monument in his honour — *Agreed to.*

Resolved:

That the Senate:

- (i) observe one minute silence in honour of the late Senator John Shagaya;
- (ii) send a delegation of this hallowed Chamber to condole with the family, the people and Government of Plateau State; and
- (iii) urge the Federal Government of Nigeria to immortalize Senator John Shagaya, by naming a National monument in his honour (*S/Res/186/03/18*).

One minute silence accordingly observed in honour of the deceased.

18. Committee on Independent National Electoral Commission (INEC):

Report on the Screening of Nominees for Confirmation of Appointment as Resident Electoral Commissioners:

Motion made: That the Senate do consider the Report of the Committee on Independent National Electoral Commission (INEC) on the Screening of the following Nominees for Confirmation of Appointment as Resident Electoral Commissioners of Independent National Electoral Commission (INEC).

S/No	Names	State	Remarks
(i)	Baba Abba Yusuf	Borno	Reappointment
(ii)	Mr. Segun Agbaje	Ekiti	Reappointment
(iii)	Elder Monday Udoh Tom	Akwa-Ibom	New Appointment
(iv)	Eric Olawale	Osun	New Appointment
(v)	Dr. Uthman Abdulrahman Ajidagba	Kwara	New Appointment
(vi)	Dr. Cyril Omorogbe	Edo	New Appointment
(vii)	Yahaya Bello	Nasarawa	New Appointment
(viii)	Dr. Emmanuel Alex Hart	Rivers	New Appointment
(ix)	Mohammed Magaji Ibrahim	Gombe	New Appointment

(*Senator Suleiman M. Nazif — Bauchi North*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Independent National Electoral Commission (INEC) on the screening of the nominees for confirmation of appointment as Resident Electoral Commissioners of Independent National Electoral Commission (INEC).

Nominees recommended for confirmation:

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|-------|--|---|-------------------|
| (i) | Baba Abba Yusuf (<i>Borno</i>)(<i>Reappointment</i>) | — | <i>Agreed to.</i> |
| (ii) | Mr. Segun Agbaje (<i>Ekiti</i>)(<i>Reappointment</i>) | — | <i>Agreed to.</i> |
| (iii) | Dr. Uthman Abdulrahman Ajidagba (<i>Kwara</i>)(<i>New Appointment</i>) | — | <i>Agreed to.</i> |
| (iv) | Dr. Cyril Omorogbe (<i>Edo</i>)(<i>New Appointment</i>) | — | <i>Agreed to.</i> |
| (v) | Yahaya Bello (<i>Nasarawa</i>)(<i>New Appointment</i>) | — | <i>Agreed to.</i> |
| (vi) | Dr. Emmanuel Alex Hart (<i>Rivers</i>)(<i>New Appointment</i>) | — | <i>Agreed to.</i> |
| (vii) | Mohammed Magaji Ibrahim (<i>Gombe</i>)(<i>New Appointment</i>) | — | <i>Agreed to.</i> |

Nominees not recommended for confirmation:

- (i) Eric Olawale (*Osun*)(*New Appointment*)
- (i) Elder Monday Udoh Tom (*Akwa-Ibom*) (*New Appointment*)

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Independent National Electoral Commission (INEC) on the screening of the nominees for confirmation of appointment as Resident Electoral Commissioners of Independent National Electoral Commission (INEC) and approved the nominations of:

- (i) Baba Abba Yusuf (*Borno*)(*Reappointment*)
- (ii) Mr. Segun Agbaje (*Ekiti*)(*Reappointment*)
- (iii) Dr. Uthman Abdulrahman Ajidagba (*Kwara*)(*New Appointment*)
- (iv) Dr. Cyril Omorogbe (*Edo*)(*New Appointment*)
- (v) Yahaya Bello (*Nasarawa*)(*New Appointment*)
- (vi) Dr. Emmanuel Alex Hart (*Rivers*)(*New Appointment*)
- (vii) Mohammed Magaji Ibrahim (*Gombe*)(*New Appointment*)

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation of nominations:*Question:*

“Will the Senate confirm the nomination of Baba Abba Yusuf (*Borno*)(*Reappointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Baba Abba Yusuf (Borno)(Reappointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Mr. Segun Agbaje (*Ekiti*)(*Reappointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Mr. Segun Agbaje (Ekiti)(Reappointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Dr. Uthman Abdulrahman Ajidagba (*Kwara*)(*New Appointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Dr. Uthman Abdulrahman Ajidagba (Kwara)(New Appointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Dr. Cyril Omorogbe (*Edo*)(*New Appointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Dr. Cyril Omorogbe (Edo)(New Appointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Yahaya Bello (*Nasarawa*)(*New Appointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Yahaya Bello (Nasarawa)(New Appointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Dr. Emmanuel Alex Hart (*Rivers*)(*New Appointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Dr. Emmanuel Alex Hart (Rivers)(New Appointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Mohammed Magaji Ibrahim (*Gombe*)(*New Appointment*) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC)?” — *Resolved in the Affirmative.*

Nomination of Mohammed Magaji Ibrahim (Gombe)(New Appointment) for appointment as Resident Electoral Commissioner of Independent National Electoral Commission (INEC) accordingly confirmed.

19. **Institute of Environmental Practitioners of Nigeria (Establishment, etc.) Bill, 2018 (SB.558):**
Motion made: That a Bill for an Act to provide for the establishment of the Institute of Environmental Practitioners of Nigeria and for Other Related Matters, 2018 (*Senator Oluremi S. Tinubu — Lagos Central*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Establishment and Public Service to report within Four (4) weeks.

20. Federal Polytechnic Kwale, Delta State (Establishment, etc.) Bill, 2018 (SB.603):

Motion made: That a Bill for an Act to establish the Federal Polytechnic Kwale, Delta State to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of such polytechnics, 2018 (*Senator Peter O. Nwaoboshi — Delta North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Four (4) weeks.

21. Federal College of Education Monguno, Borno State (Establishment, etc.) Bill, 2018 (SB.609):

Motion made: That a Bill for an Act to provide for the establishment of the Federal College of Education Monguno, Borno State and for Other Matters Connected Therewith, 2018 (*Senator Abubakar Kyari — Borno North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Four (4) weeks.

22. Trademarks Act CAP T13 Laws of the Federation of Nigeria 2004 (Repeal and Re-enactment) Bill, 2018 (SB.357):

Consideration of Bill deferred to another Legislative Day.

23. National War College Act CAP N82 LFN 2004 (Amendment) Bill, 2018 (SB.551):

Consideration of Bill deferred to another Legislative Day.

24. Educational Policy Bill, 2018 (SB.332):

Consideration of Bill deferred to another Legislative Day.

25. Federal Polytechnic Item (Establishment, etc.) Bill, 2018 (SB. 520):

Consideration of Bill deferred to another Legislative Day.

26. Central Bank of Nigeria (CBN) Act CAP C4 LFN 2004 (Amendment) Bill, 2018 (SB.448):

Consideration of Bill deferred to another Legislative Day.

27. National Youth Development Commission (Establishment, etc.) Bill, 2018 (SB. 385):

Consideration of Bill deferred to another Legislative Day.

28. **Adjournment:**

Motion made: That the Senate do now adjourn till Thursday, 15th February, 2018 at 10:00 a.m.
(Senate Leader).

Adjourned accordingly at 1:43 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.