

ELECTORAL ACT (AMENDMENT) BILL, 2015

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of Act No. 64, 2010
2. Amendment of section 8
3. Deletion of section 27 (1)
4. Insertion of section 36A
5. Amendment of section 138
6. Amendment of section 151
7. Substitution for section 151A
8. Amendment of First Schedule
9. Citation

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT NO. 64, 2010 TO INCLUDE THE USE OF CARD READER AS PART OF THE ACT AND CLEARLY SPECIFY THE TENURE OF OFFICE OF THE SECRETARY; AND FOR RELATED MATTERS.

Sponsored by Hon. Uzoma Nkem Abonta

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

- 1 1. The Electoral Act No. 64, 2010 (in this Bill referred to as "the
2 Principal Act") is amended as set out in this Bill. Amendment of
Act No. 10, 2010
- 3 2. Section 8 of the Principal Act is amended by inserting after
4 paragraph (b), a new paragraph "(c)": Amendment of
Section 8
- 5 "(c) hold office for a period of 4 years subject to renewal for
6 another period of 4 years and no more."
- 7 3. Section 27 (1) of the Principal Act is deleted. Deletion of
Section 27 (1)
- 8 4. Insert a new section "36A": Insertion of new
section 36A
- 9 "Where a candidate withdraws his candidature or dies before the
10 commencement of polls in accordance with the provisions of sections 35
11 and 36 of this Act, the political party that nominated the candidate shall
12 forward the person who was second at the run off at the party primary
13 election to replace the candidate." Second run-off
to replace
candidate
- 14 5. Section 138 (1) of the Principal Act is amended by inserting a
15 new paragraph "(e)": Amendment of
Section 138
- 16 "(e) that a person whose election is questioned has given a false
17 information in the list or information submitted in accordance with the
18 provision of section 31 (2) of this Act."
- 18 6. Section 151 of the Principal Act is amended by: Amendment of
Section 151
- 19 (a) Inserting after subsection (1), a new subsection "(1A)":

	1	"(1A) A Chief National Electoral Commissioner or any other officer
	2	of the Commission who wilfully fails to comply with the provision of
	3	subsection (1) of this section commits an offence and is liable on conviction to
	4	a maximum fine of N2,000,000 or imprisonment for a term not exceeding 12
	5	months or both"; and
	6	(b) renumbering the section appropriately.
Insertion of section 155A	7	7. Insert a new section "155A":
Schedule	8	155A The procedure for the use of Card Reader shall be as specified in
	9	the Fourth Schedule to the Bill."
Amendment of First Schedule	10	8.-(1) Paragraph 14 (2) of the First Schedule to the Principal Act is
	11	amended:
	12	(a) in subparagraph (2) (a), by inserting the words, "the petitioner
	13	shall have another 7 days to amend his petition, after that", after the word,
	14	"petition" in line 1"; and
	15	(b) in subparagraph (2) (b), by inserting the words, "the respondent
	16	shall have another 7 days to amend his reply, after that", after the word, "reply"
	17	in line 1.
	18	(2) Paragraph 18 of the First Schedule to the Principal Act is amended
	19	by:
	20	(a) inserting a new subparagraph "(3A)":
	21	"(3A) Where the petitioner or the respondent fails to bring an
	22	application under subparagraph (1) of this paragraph, the petitioner or
	23	respondent shall have another 5 days within which to bring the application.";
	24	and
	25	(b) renumbering the subparagraph appropriately.
Citation	26	9. This Bill may be cited as the Electoral Act (Amendment) Bill,
	27	2015.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act No. 64, 2010 to include the use of Card Reader as part of the Act and clearly specify the tenure of office of the Secretary.