

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT 2010 TO AMONG OTHER THINGS MAKE OUR ELECTORAL PROCESS FULL PROVE, BY MAKING THE CARD READER THE CREDIBLE MEANS OF VOTERS ACCREDITATION AND VOTING AND PROVIDE FOR STRICT COMPLIANCE TO ELECTION GUIDE LINES AND MANUAL SO AS TO ENHANCE TRANSPARENCY AND EFFICIENCY IN THE CONDUCT OF FREE, FAIR AND CREDIBLE ELECTIONS AND FOR RELATED MATTERS

Sponsored by Hon. Ahmed Babba Kaita

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

- 1 **1. The Electoral Act 2010 (in this bill referred to as "the Principal** Amendment of
- 2 **Act") is amended as set out in this Bill.** the Principal Act
- 3 **2. Section 119 of the Principal Act is amended by inserting after** Amendment of
- 4 **the existing subsection (b) a new sub clause "(c)" as-** the Section 119
- 5 **"(c) any person or group of persons who willfully interrupt the**
- 6 **announcement of election result by staging any kind of demonstration or**
- 7 **protest in a collation centre, with intention to incite people against the**
- 8 **returning officer or other officials present or to stop the announcement of**
- 9 **result, shall be liable to a term of five years imprisonment upon conviction or**
- 10 **a fine of N500,000 or both."**
- 11 **3. Section 138 (1) of the Principal Act is amended by substituting** Amendment of
- 12 **for the existing paragraph (b) a new paragraph "b)" for-** the Section 138
- 13 **"(b) that the election was invalid by reason of-**
- 14 **(i) Corrupt practices, or**
- 15 **(ii) Non-compliance with the use of the card reader or the**
- 16 **provisions of this Act;"**

Amendment of
the Section 139

- 1 **4. Section 139 of the Principal Act is amended by-**
2 **(a) inserting in subsection (2) the word "written" after the word "or" in**
3 **line 3; and**
4 **(b) inserting a new sub-clause "(3)"-**
5 **"(3) notwithstanding the provision of this Act or any other Law, an**
6 **election shall be liable to be invalidated for lack of strict compliance to the use**
7 **of the card reader and the electoral guidelines".**

Amendment of
the Section 150

- 8 **5. Section 150 of the Principal Act is amended by substituting the**
9 **existing subsection (2) a new subsection "(2)" for-**
10 **"(2) A prosecution under this bill shall be undertaken by Legal**
11 **Officers of the Commission, any Legal Practitioner appointed by it or any**
12 **Police Officer."**

Citation

- 13 **6. This Bill may be cited as Electoral Act (Amendment) Bill, 2016.**

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act 2010 to among other things make the electoral process full prove, by making the Card Reader the credible means of voters accreditation and voting and provide for strict compliance to election guide lines and manual so as to enhance transparency in the conduct of free, fair and credible elections in Nigeria.