

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT NO.6 2010 TO MAKE FURTHER PROVISIONS RELATING TO INCLUSION OF SYMBOLS OF POLITICAL PARTIES ON BALLOT PAPERS AND MAKE THE INDEPENDENT NATIONAL ELECTORAL COMMISSION LIABLE FOR OMISSION OF SYMBOL OF A POLITICAL PARTY FROM BALLOT PAPERS AT ANY ELECTION, AND FOR RELATED MATTERS

Sponsored by Hon. Olajide Olatubosun

[] Commencement

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

1 **1.** The Electoral Act No.6 2010 (in this Bill referred to as "the
2 Principal Act") is amended as set out under this Bill.

Amendment of
Electoral Act
No. 6, 2010

3 **2.** Section 44 of the Principal Act is amended by inserting
4 immediately after the existing subsection (2) new subsections "(3)-(6)":

Amendment of
Section 44 of the
Principal Act

5 "(3) the Commission shall, not later than 60 days before any
6 scheduled election, in writing, invite duly registered political parties to its
7 headquarters and display specimens of ballot papers for the relevant election
8 to enable each party to inspect and confirm inclusion and correctness of its
9 symbol on the ballot papers.

10 (4) where upon such display of specimens of ballot papers in
11 subsection (3) of this section, it is discovered that the symbol of any political
12 party is omitted from the ballot papers or any other error relating to the
13 symbol of a duly registered political party is identified, the party in question
14 shall within five (5) days from the date of such display, notify the
15 Commission in writing of the omission or error.

16 (5) upon notification in writing to the Commission in compliance
17 with subsection (4) of this section, the Commission shall ensure that the
18 omitted symbol is included on the ballot paper or any other error relating to

1 the symbol of the political party is corrected.

2 (6) upon inclusion of the omitted symbol of any political party or
3 correction of any other error under this section, the Commission shall in
4 writing, invite all duly registered political parties for inspection of the updated
5 ballot paper not later than 30 days to the relevant election.

Amendment of
Section 138 of the
Principal Act

6 **3.** Section 138 of the Principal Act is amended by inserting
7 immediately after the existing subsection (2) a new subsection "(3)":

8 "(3) Where the Commission omits the symbol of any political party
9 from the ballot paper for any election; such omission shall not invalidate the
10 election but shall only render the Commission liable in accordance with section
11 44 of this Act."

Citation

4. This Bill may be cited as the Electoral Act (Amendment) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act No.6 2010 to make further provisions relating to inclusion of symbols of political parties on ballot papers and make the Independent National Electoral Commission liable for omission of symbol of a political party on ballot papers at any election.