

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT 2010 AND FOR RELATED MATTERS

Sponsored by Hon. Frederick Yietiemone Agbedi

[] Commencement

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

- 1 1. The Electoral Act, Cap. E10 Laws of the Federation of Nigeria, Amendment of
2 2010 (herein referred to as "the Principal Act") is amended as set out in this Cap. E10 LFN,
3 Bill. 2010
- 4 2. Section 138 of the Principal Act is amended: Amendment of
5 (e) by deleting the word "or" appearing after the symbol ";," at the Section 138
6 end of subsection 138(1)(c);
- 7 (b) by adding the word "or" after the symbol ";," at the end of
8 subsection 138(1)(b);
- 9 (c) by deleting the existing subsection. 138(1)(d);
- 10 (d) Section 138 of the Principal Act is further amended by creating
11 a new subsection 138(2) as follows
- 12 “(2)Where a Candidate was validly nominated but unlawfully
13 excluded from the election by the commission; the Commission shall be
14 liable to the Candidate to half the amount of the expenses for that election as
15 the case may be, set out in section 91 of this Act.
- 16 (e) consequently renumbering the preceding sections accordingly.
- 17 3. This Bill may be cited as the Electoral Act (Amendment) Bill, Citation
18 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act, Cap E10 Laws of the Federation of Nigeria, 2010 to make the Commission liable to a Candidate for an election who contested an election but whose name was unlawfully excluded by the Commission rather than invalidating an election because of the negligence, omission, action and inaction of the commission.