

A BILL

FOR

AN ACT TO ESTABLISH THE INDEPENDENT NATIONAL ELECTORAL
INSTITUTE AND FOR RELATED MATTERS, 2020

Sponsored by Hon. Chukwuka Onyema

[] Commencement

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

- 1 ESTABLISHMENT OF THE INSTITUTE ETC.
- 2 1.-(1) There is established the Independent National Electoral Establishment
3 Institute (in this Bill referred to as "the Institute"). of the Institute
- 4 (2) The Institute shall be a body Corporate with perpetual
5 succession, a common seal, may sue and be sued in its corporate name.
- 6 (3) the Institute shall be located in the Federal Capital Territory
7 Abuja.
- 8 2.-(1) There is established for the Institute a Governing Council, Establishment
9 (in this bill referred to as "the Council"). of the Governing
Council
- 10 (2) The Council is vested with the power to make decisions and
11 formulate general policies for the guidance of the Institute.
- 12 (3) The council shall comprise of:
- 13 (a) the Chairman and Members;
- 14 (b) the Director-General of the Council; and
- 15 (c) such supporting Staff engaged for the purpose of efficient
16 performance of duties and obligations of the Council pursuant to this Bill.
- 17 (4)(a) The Governing Council shall comprise of a Chairman, who
18 shall possess a cognate experience of not less than 15 years, in Arts,
19 humanities or law;
- 20 (b) six members to represent the six geo-political zones, two of
21 whom must be women;

1 (c) a representatives of Civil Society Organization providing CIVIC
2 awareness services on election matters; and

3 (d) the Director-General:

4 (1) (a) The Chairman and Members of the Council other than ex-
5 officio members shall be appointed by the President subject to confirmation by
6 the Senate;

7 (b) the Chairman and Members other than the ex-officio members
8 shall hold office for a period of 4 years and may be eligible for re-appointment
9 for another term of 4 years and no more.

10 (2) The Chairman and members of the Council other than the ex-
11 officio members shall be entitled to such remuneration, allowance, etc as may
12 be determined and approve by the National Revenue Mobilization, Allocation
13 and Fiscal Commission.

14 (3) The Chairman and any Member of the Council may be removed
15 by the President if he:

16 (a) has been convicted of a criminal offence;

17 (b) has been declared bankrupt;

18 (c) is suffering from prolonged ill health; or

19 (d) has been found wanting in the discharge of his duties on grounds
20 of misconduct.

General functions
of the Governing
Council

21 **3.** The functions of the Governing Council shall include the
22 establishment of broad policies and strategic plans of the council in accordance
23 with the provisions of the Bill.

Powers of the
Institute

24 **4.** The Institute shall have powers to:

25 (a) provide and promote research and policies insights for the
26 implementation of the Independent National Electoral Commission;

27 (b) improve the technical capacities of Staff and Ad-hoc Staff of the
28 Independent National Electoral Commission;

29 (c) conduct periodic training on election process and procedures for
30 civil societies and members of any security agency in Nigeria;

1 (d) act as a Centre for continuing education on election monitoring
2 and other incidental matters;

3 (e) improve the capacity of the Independent National Electoral
4 Commission to sustain and consolidate democratic structures through the
5 provisions of free and fair play- level grounds;

6 (f) publish and document the history of all elections in Nigeria
7 from Colonial period to the present, which will serve as a reference guide for
8 any election in Nigeria;

9 (g) provision of interface between the Independent National
10 Electoral Commission and the civil societies including foreign bodies.

11 (h) sensitise Nigerians to imbibe, support and defend the culture of
12 democratic norms, values and ethics; and

13 (i) understand any responsibility incidental to the consolidation
14 and development of democracy in Nigeria.

15 FUNDS OF THE INSTITUTE

16 5.-(1) The Institute shall establish and maintain a fund which shall Funds
17 be applied towards the promotion of the general functions of the Institute.

18 (2) There shall be paid and credited to the fund established for the
19 Institute:

20 (a) such sums appropriated from the federal budget for the fiscal
21 year;

22 (b) fees charged for services rendered by the Institute; and

23 (c) gifts and donations from nation and international institutions
24 and organisations.

25 6. The Institute shall apply its fund to the cost of administration of Application of
26 the Institute, including but not limited to, payment of salaries, allowances, the funds
27 fees, payment of contract, consultancies and purchases made for the benefit
28 of the Institute.

29 STAFF OF THE INSTITUTE

30 7.-(1) There shall be for the Institute a Director-General who shall Director-General
for the Institute

	1	possess appropriate qualification and cognate experience.
	2	(2) The Director-General shall be appointed by the President for a
	3	period of 4 years and may be re-appointed for another term of 4 years.
	4	(3) The Director-General shall be the Chief Executive and Academic
	5	Officer of the Institute and shall be charged with the general responsibility for
	6	matters relating to the day- to-day management and operations of the Institute.
Establishment of the Departments	7	8. -(1) The Institute shall establish such departments as may be
	8	approved by the Governing Council.
	9	(2) Each department shall be headed by a Director or such other
	10	Officer on the recommendation of the management and approval of the
	11	governing council.
Academic Board	12	9. -(1) There shall be established for the Institute an Academic Board.
	13	(2) The Board shall have the Director-General as the Chairman,
	14	Heads of Department and other Senior Academic Staff as members.
	15	(3) Subject to the provisions of this Bill, the Academic Board shall
	16	advise the Director-General on research and training programmes as they
	17	relate to the objectives of the Institute.
Appointment of Staff	18	10. -(1) Staff of the Institute shall be employed according to procedure
	19	of employment as may be stipulated by the Council.
	20	(2) Staff of the Institute shall be entitled to benefits under the Pension
	21	Reform Act, 2010.
	22	(3) Nothing in sub-section (1) and (2) of this section shall prevent the
	23	employment of a person to any office on temporary or permanent basis which
	24	preclude the grant of pension.
Staff Regulations	25	11. The Council may subject to the provision of this Bill, make staff
	26	regulations relating generally to the conditions of service of the employment of
	27	the Institute and without prejudice to the generality of the forgoing may
	28	provide for:
	29	(a) The appointment, promotion and disciplinary measures
	30	(including dismissal) of employees of the Institute; and

1 (b) Appeals by such employees against dismissal or other
2 disciplinary measures and until such regulations are made; any instrument
3 relating to the conditions of service of public officers shall be applicable
4 with such modification as may be necessary to the employees of the
5 institute.

6 **12.**-(1) The Institute may accept gifts and bequests upon such Power to accept
7 gifts etc.
7 terms that do not compromise its capability to fulfill its objectives and
8 sustain its non-partisan policy.

9 **13.** The Director-General shall, not later than 31st August each Estimate of the
10 Institute
10 year present to the Council for approval an estimate of the expenditures and
11 incomes of the Institute for the next fiscal year.

12 **14.** The Chairman of the Council shall not later than 30th Annual Budget
13 September each year or other date stipulated by law or administrative policy,
14 submit to the National Assembly an estimate of the expenditure and income
15 of the Institute approved by the Council for the next fiscal year for
16 incorporation in the budget of the federation.

17 **15.**-(1) The council shall submit to the National Assembly Reports
18 quarterly reports of finances of the Institute.

19 (2) The Chairman of the council shall present yearly report of the
20 activities of the Institute to the National Assembly.

21 **16.** Subject to the provisions of this Bill the council shall have Miscellaneous
22 powers to issue subsidiary rules relating to liabilities and indemnities of
23 officials and Staff of the Institute.

24 **17.** In this Bill- Interpretation
25 "Chairman" means the Chairman of the governing council;
26 "Member" means members of the governing council;
27 "Institute" means the Independent National Electoral Institute.

28 **18.** This Bill may be cited as the Independent National Electoral Short title
29 Institute (Establishment) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Independent National Electoral Institute and provide and promote research and policies insights for the implementation of the Independent National Electoral Commission.