

**A BILL FOR AN ACT TO FURTHER AMEND THE ELECTORAL ACT  
NO. 6, 2010, 2015 AND FOR OTHER MATTERS CONNECTED  
THEREWITH 2017**

**FURTHER PROPOSED AMENDMENTS:**

1. Section 25 of the Principal Act, is substituted with a new Section 25 as follows:

25 (1) "Elections into the offices of the President and Vice President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and Houses of Assembly of each State of the Federation shall be held in the following order-

(a) National Assembly Elections;

(b) State Houses of Assembly and Governorship Elections;

(c) Presidential Election.

(2) The dates for these elections shall be as appointed by the Independent National Electoral Commission.

(3) Election into the offices of the Chairman and Vice Chairman and membership of the Area Councils of the FCT shall be held on the dates to be appointed by the Independent National Electoral Commission".

2. The proposed Amendment to Section 31 (1) to be deleted to retain the Principal provision.

3. Section 31 (6) of the proposed Amendment, in line 4, immediately after the word "election" delete the sign "coma" and replace with the word "and"

In line 6, after the word "and" delete from the word "the" in line 6 to the word "elected" in line 9 and replace with "shall not be eligible to recontest another election which shall be conducted within 90 days by the Independent National Electoral Commission"

4. Section 34, in line 2 after the word "adding" replace the words "a new subsection" with "new subsections"

5. Section 36A, in line 5 after the word “shall” delete from the word “forward” in line 5 to the word “candidate” in line 7 and replace with “conduct a new primaries to nominate another candidate in accordance with Section 87 of the Electoral Act within seven (7) days of such withdrawal or death”.

Provision of the Principal Act	Committee’s Recommendations
<p><b>Symbols of political parties.</b> 82. (1) The Commission shall keep a register of symbols for use at elections.</p>	<p>6. Section 82 (1) of the Electoral Act is amended by inserting the words “and name” between the word “symbol” and “for use ...”.</p>
<p>(2) The Commission shall register the symbol of a political party if it is satisfied that –</p> <p>(a) an other symbol of the same design is not registered;</p> <p>(b) the symbol is distinctive from any other symbol already registered; and</p> <p>(c) its use will not be offensive or otherwise objectionable.</p>	<p>Section 82 (2) of the Electoral Act is amended by inserting the word “name” between the words “symbol” and “of a political party”.</p> <p>(a) inserting the words “or name” between the word “symbol” and “of the same design...”</p> <p>(b) inserting the words “or name” between the words “symbol” and “is distinct from ...”</p>
<p>(3) The Commission shall remove a symbol from the register of symbols if-</p> <p>(a) the political party in whose name it is registered requests the removal; or</p> <p>(b) the Commission is of the opinion that the political party or independent candidate in whose name the symbol is registered has ceased to exist or to use the symbol.</p>	<p>Section 82 (3) of the Electoral Act is amended by inserting the words “or name” between the word “symbol” and “from the register” and “and names” between “symbol” and “if ...”</p>
	<p>7. The Marginal Note for Section 82 of</p>

	the Electoral Act is amended by inserting the words “and names” between the word “symbols” and “political parties”
<p><b>Notice of Convention, Congress, etc.</b></p> <p><b>85. (1)</b> A registered political party shall give the Commission at least 21 days notice of any convention, congress, conference or meeting convened for the purpose of electing members of its executive committees, other governing bodies or nominating candidates for any of the elective offices specified under this Act.</p> <p>(2) The Commission may, with or without prior notice to the political party monitor and attend any convention, congress, conference or meeting which is convened by a political party for the purpose of –</p> <p>(c) Approving a merger with any other registered political party.</p>	<p>8. Section 85 (1) of the Electoral Act is amended by inserting the words “merger, fusion” between the words “for the purpose of and “electing members of its ...”.</p> <p>9. Section 85 (2) (c) of the Electoral Act is amended by inserting the words “or fusion” between the words “approving a merger” and “with any other registered political party”.</p>

10. Section 87 is amended by adding a new Section 87(11) as follows, with a marginal note “Time for Primaries of Political Parties”

a. The Primaries of political parties shall follow the following sequence (i) State House of Assembly (ii) National Assembly (iii) Governorship (iv) President.

b. The dates for the above stated primaries shall not be earlier than one hundred and twenty days and not later than 90 days before the date of elections to the offices.

11. Section 90, in line 3 after the word "individual" insert the words or group of persons"

12. Section 140 (2) of the proposed amendment should be deleted and the Principal provision retained.

13. Section 143, a new subsection 143 (3) should read as follows: "Where the nomination of an elected candidate is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate, shall not withstanding the contrary decision of the Court remain in office pending the determination of the appeal. If the Court, determines that the candidate was not validly nominated, the elected candidate shall, not withstanding the contrary decision of the Court remain in office within the period an appeal may be filed; and shall not be sanctioned for the benefits he derived while in office pursuant to this section"

14. Section 156 (2) is amended by adding the word "fusion" under the Interpretation clause to read, "fusion" means - a process by which a political party fuses with another political party by dropping its name and symbol and become subsumed in another political party, thereby seizing to exist".