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C O N T E N T

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N.S. Legal Notice No. 4 of 2018, - A Law to Provide For Nasarawa State Local Government Election Law 2018

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**A LAW TO PROVIDE FOR NASARAWA STATE LOCAL
GOVERNMENT ELECTION LAW 2018**



LEGAL NOTICE NO. 4 OF 2018

ENACTED BY the Nasarawa State House of Assembly and by
Authority of same as follows;

Enactment

SECTIONS:

PART 1 – PRELIMINARY

1. This Law may be cited as the Nasarawa State Local Government Election Law 2018 and shall be deemed to have come into operation on the 2nd day of May, 2018

Commencement and Citation.

PART II – ELECTIONS ETC

2. The conduct of elections into offices provided under this Law shall be conducted by the Nasarawa State Independent Electoral Commission as established in column B under Part II of the 3rd Schedule to the Constitution of the Federal Republic of Nigeria 1999 as amended.
3. The State Electoral Commission shall have power to:
- (a) Conduct, organize, undertake, and supervise all elections into Local Government Councils within the State as provided in Schedule 1 and in accordance with the provisions of this Law, guidelines, rules, or manuals used or made by the Electoral Commission;
 - (b) Render such advice, as it may consider necessary to the Independent National Electoral Commission on the compilation of register of voters, in so far as that register is applicable to Local Government Elections in the State;
 - (c) Carry out such other functions as may be conferred on it by this Law.

Conduct of Election into offices.

Conduct of Election S. 197 of the 1999 Constitution

4. The State Electoral Commission may designate such buildings as it deem appropriate to be used as polling stations or units in addition to polling booths which may be created by the Electoral Commission provided that churches, mosques, and the residences/places of Traditional Rulers shall not be designated as public buildings, polling stations or units. Polling Stations or Units.
5. (1) Under this law, a person is eligible to vote if the person; Persons Eligible to vote
- (a) is a citizen of Nigeria;
 - (b) is ordinarily resident in the Ward or Local Government Area where he intends to vote, or he is an indigene of the Ward or Local Government Area;
 - (c) Has attained the age of eighteen years;
 - (d) Is registered as a voter in the Ward where he intends to vote, and subject to subsection (3) of this section, has obtained a registration card which shall be presented at the polling station or unit on the day of election.
- (2) A person shall be deemed to be ordinarily resident in a place where he normally lives or has his usual abode.
- (3) Where a person claims that his name is on the register of voters for the polling station or unit, but that his registration card is missing or has been destroyed, the Presiding Officer shall, if the name of the person is found in the Register of Voters for the polling station or unit, allow the person to vote if;
- (a) he verifies that the person has not voted earlier in that particular election; and
 - (b) he is satisfied that the person is not impersonating any other person.
- 6.(1) Voting shall be by secret ballot and in accordance with the procedure set out in Schedule 4 of this Law. Procedure for voting
Schedule 4.
- (2) Subject to the provisions of this Law, voting for a particular election shall take place on the same day and the same time throughout the State.

7. (1) No interim, interlocutory or any other order, decision or judgment by any court or tribunal before or after the commencement of interparty dispute or any other proceedings or matter pertaining to an election under this law, shall affect the timing of election under this Law.

Court or Tribunal Order not to affect timing of election

(2) No person or authority shall be liable to prosecution, contempt charge, sanction or penalty by reason only that he conducted an election on the day and time appointed by the Electoral Commission for an election.

8. A person shall be qualified for election under this Law if:

- (a) He is ordinarily resident in the Ward or Local Government Area in which he intends to contest the Election;
- (b) He produces evidence of tax payment as and when due for a period of three (3) consecutive years immediately preceding the year of the Election, or certificate of exemption from payment of such tax;
- (c) In the case of councillorship election, he is nominated in writing by 20 persons, coming from at least two-thirds of all the Wards in the Local Government Area where he intends to contest the election, whose names appear in the Register for their respective wards;
- (d) In the case of chairmanship election, he is nominated in writing by 20 persons, coming from at least two-thirds of all the Wards in the Local Government Area where he intends to contest the Election, whose names appear in the Register for their respective wards;
- (e) He makes to the State Electoral Commission a payment of non-refundable sum prescribed by the Electoral Commission;
- (f) He has not been dismissed from the Public or Civil Service of the Federation, State or Local Government.

- (g) He has not been found guilty of any offence, including narcotic drugs or any other psychotropic substance by any Court or Tribunal;
- (h) He is registered as a voter in the Ward or Local Government Area in which he intends to contest the Election;
- (i) He has not been adjudged guilty of treason or treasonable felony by any Court or Tribunal;
- (j) He is a registered member for a registered political party;
- (k) In the case of candidate contesting as Chairman, he has nominated from a ward other than his own, another candidate who shall run as his associate candidate for the office of Vice-Chairman.

9. (1) Candidates, their supporters and political parties shall campaign for election in conformity with the guidelines which may be issued by the Electoral Commission, or in accordance with the provisions of any enactment relating thereto.

Campaign for Election

(2) A candidate who contravenes any guidelines issued by the Electoral Commission or the provisions of any enactment relating to campaigns shall be disqualified from contesting the Election by the Electoral Commission.

10. (1) If after the latest time for the delivery of nomination papers and the withdrawal of candidates for election of Councilors under this Law only one candidate remains duly nominated, that candidate shall be declared returned unopposed.

Nominations, e.t.c.

(2) If after the latest time for the delivery of nomination papers and for withdrawal of candidates for election of Councilors under this Law more than one candidate remains duly nominated, a poll shall be taken in accordance with the provisions of this Law.

(3) Where in an election to the office of Chairman:

- (a) at the close of nomination one of the candidates nominated for the Election is the only candidate by reason of the disqualification, incapacitation, disappearance, or death of the other candidate, the Electoral Commission shall extend the time for nomination by 7 days.
- (b) if after the extension of 7 days only one candidate remains validly nominated, there shall be a further extension.

11. (1) A candidate for an election to the office of the Chairman shall be deemed to have been elected where, there being only two candidates for the election:

Election of Chairman.

- (a) he has a majority of the votes cast at the Election, and
 - (b) he has not less than one – quarter of the votes cast at the Election in each of at least two – thirds of all the Wards in the Local Government Area.
- (2) If no candidate is duly elected under subsection (1) of this section, the Electoral Commission shall within 7 days conduct a second election between the two candidates, and the candidate who scores the majority of votes cast at the Election shall be deemed duly elected at the Election.
- (3) If no candidate is duly elected in accordance with subsection (1) of this section, there shall be a second election in accordance with sub-section of this section at which the only candidate shall be:
- (a) the candidate who scored the highest number of votes at the Election held under subsection (2) of this section; and
 - (b) one among the remaining candidate, who has majority of votes in the highest number of wards if there are more than one candidate, the one among them with the highest total number of

votes cast at the election shall be the second candidate for the election.

- (4) In default of a candidate duly elected under the foregoing subsection, the Electoral Commission shall, within 7 days of the result of the Election held under the said subsections arrange for another election between the two candidates and a candidate at such an election shall be deemed to have been duly elected to the office of a Chairman of a Local Government if:
- (a) he has a majority of the votes cast at the Election, and
 - (b) he has not less than one-quarter of the votes cast at the Election in at least two-thirds of all the Wards in the Local Government Area.
- (5) If no candidate is duly elected under subsection (4) of this section, the Electoral Commission shall within 7 days of the result of the last election, arrange for another election between the two candidates specified by subsection (4) of this section, and a candidate at this last election shall be deemed duly elected to the office of a Chairman of a Local Government if he scores the majority of votes at the Election.
12. The appointment and supervision of officers in respect of an election under this Law shall be in accordance with the provisions set out in Schedule 3 to this Law. Appointment and Supervision of officers scheduled 3.
13. The rules of procedures to be followed in the conduct of elections under this Law shall be in accordance with the provisions set out in Schedule 4 to this Law or as may be determined by the State Electoral Commission from time to time. Procedure at Election Scheduled 4.
14. The Forms to be used for the conduct of any election under this Law and for election petition arising there from shall be as set out in Scheduled 6 to this Law. Forms Schedule 6.

PART III – ELECTORAL OFFENCES

Breach of official duty.

15. (1) Any person who holds any of the following offices namely:
- (a) Any electoral officer or his assistant;
 - (b) A presiding officer or his assistant;
 - (c) A returning officer or his assistant;
 - (d) A poll clerk or his assistant
 - (e) An orderly; and
 - (f) Any other officer appointed under paragraph 4 of Schedule 3 to this Law shall be guilty of an electoral offence where he is in breach of any official duty.
- (2) Any person who is for the time being under a duty to discharge any of the functions of any of the officers in subsection (1) of this section, and commits an act or omission in breach of his official duty, is guilty of an offence and liable to a fine not exceeding the sum of N10, 000 or to imprisonment for a term of twelve months or both.
16. (1) Any person who for the time being is under a duty to discharge a function relating to an election but;
- (a) Fails to perform or discharge that duty; or
 - (b) Performs that duty fraudulently, negligently or recklessly; or
 - (c) Commits any act or omission in breach of that duty, is guilty of an offence and liable to a fine of N20, 000.00 or imprisonment for a term of 3years or both.
- (2) The persons to whom this section applies are:
- (a) Police Officers;
 - (b) Members of the State Security Service;
 - (c) Officials and members of staff of the Electoral Commission;
 - (d) Party Agents; and
 - (e) Any other officer or officers appointed to discharge a function in relation to the Election.

Offences by law enforcement agent etc.

17. (1) Any officer, agent or a candidate appointed under paragraph 4 of Schedule 3 to this Law concerned in the conduct of an election at a polling station or schedule 3 unit shall maintain and aid in maintaining the secrecy of the voting. Requirement
- (2) No officer, agent or candidate referred to in subsection (1) of this section shall except for some purpose authorized by law, communicate to a person before the poll is closed, any information as to the name or number on the register of voters who has or has not voted at the place of voting
- (3) No person shall:
- (a) Interfere, with a voter when recording his vote unless invited by the voter for assistance; or
 - (b) Obtain or attempt to obtain, in the place of voting information as to the candidate for whom a voter in that place is about to cast a vote or has voted unless while assisting the voter to record his vote; or
 - (c) Communicate to a person information obtained while assisting a voter as to the candidate for whom the voter has voted or is about to vote or;
 - (d) Communicate at any time to any person any information obtained in the place of voting through whatever means as to the candidate for whom a voter in that place is about to vote or has voted.
- (4) A person who contravenes any of the provisions of this section is guilty of an offence and is liable to a fine not exceeding N20,000 or imprisonment for a term not exceeding 3 years, or both.
18. (1) A candidate is guilty of corrupt practices if: Corrupt practices.
- (a) He commits any of the following offences:
 - i. Impersonation;
 - ii. Treating;
 - iii. Undue influence;

- iv. Bribery or
 - v. Acting, abetting, counseling, or procuring the commission of any of the offences specified in subsection (1) (a) of this section.
- (b) Any of the above named offences is committed with
- i. His knowledge or consent; or
 - ii. The knowledge or consent of a person who is acting under the general or special authority of the candidate with reference to the election
- (2) If any candidate elected at an election held under this Law commits any of the offences prescribed in subsection (1) of this section, the Election of that candidate shall be invalid.

19. (1) Any person who at an election

- (a) Applies for a ballot paper or votes in the name of some other person, whether that name is the name of a living or dead, or of a fictitious person or;
 - (b) Having voted once at the Election, applies at the same election for a ballot paper or votes in his own name or in the name of any other person, living or dead or of a fictitious person, is guilty of an offence of impersonation.
- (2) Any person who aids, consents or procures the commission of the offence of impersonation is guilty of impersonation.

Offices & penalties relating to corrupt practices.

(3) Any person who:

- (a) corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides or pays wholly or in part the expense of giving or providing any food, drink, entertainment or provisions to or for any person:
 - i. For the purpose of influencing that person, or any other person to vote or refrain from voting; or
 - ii. On account of that person or any other person, having voted or refrained from voting at the Election commits the offence of cheating and;

- iii. A voter who corruptly accepts or takes any food, drinks entertainment or provisions to which subsection 1 of this section relates, is guilty of an offence of cheating.

(4) Any person who:

- (a) Directly or indirectly, by himself or by any other person on his behalf, make use of or threatens to make use of any force, violence, or restraint, or
- (b) Inflicts or threatens to inflict by himself or by any other person, any, temporal or spiritual injury, damage, harm or loss on or against a person in order to induce or compel that person to vote or refrain from voting, or on account of such person having voted or refrained from voting; or
- (c) By abduction, duress, or a fraudulent device or contrivance, impedes or prevents the free use of the vote by the voter or compels, induces, or prevails on a voter to give or refrain from giving his vote is guilty of an offence of undue influence.

(5) Any person who:

- (a) Directly or indirectly by himself or by any other person on his behalf:
 - i. Gives, lends or agrees to give or lend, offers, or promises to procure or to endeavour to procure voters for any person in order to induce the voter to vote or refrain from voting or
 - ii. Corruptly does an act referred to in subsection (1) of this section on account of that voter having voted or refrained from voting or
- (b) Directly or indirectly, by himself or by any other person on his behalf, makes any gift, loan, offer, promise, procurement or agreement to or for any person or community in order to induce

a person or community to procure, or to endeavour to procure the return of a person, is guilty of an offence of bribery.

- (c) Any person guilty of any of the offences specified in this section is liable to a fine not exceeding N50, 000.00 or imprisonment for a term of twelve months or both.
- (d) In addition, such person shall not be eligible during a period of 5 years from the date of this conviction to be elected under this Law or if elected before his conviction, to retain his seat.

20. (1) Any person who

- (a) Forges or fraudulently defaces or fraudulently destroys nomination form, or delivers to the officer charged with the conduct of an election, a nomination form, knowing that the Nomination Form to be forged, or
- (b) Forges or counterfeits or fraudulently destroys a ballot paper or the official mark on a ballot paper or a statement of result; or
- (c) Without due authority, supplies a ballot paper to a person; or
- (d) Fraudulently puts into a ballot box a paper which he is not authorised by law to put in, or
- (e) Fraudulently takes out of the polling station or unit a ballot paper; or
- (f) Without authority, destroys, takes or otherwise interferes with a ballot box or ballot papers in use for the purpose of an election, is guilty of an offence and shall be liable to a fine of N50,000.00 or to imprisonment for a term not exceeding 2 years or both.

Offences and penalties in respect of nomination Forms, ballot papers etc and ballot boxes

- (2) An attempt to commit an offence specified in subsection (1) of this section shall be punishable in the same manner in which the offence itself is punishable.

(3) In a prosecution for any offences in relation to a nomination paper, ballot box, ballot paper or the marking of instruments at an election held under this Law, the property in the paper, box or instrument shall be stated to be that of the officer charged with the conduct of the Election.

(4) Any candidate who forges, utters, or falsifies any document or gives any false information to the Electoral Commission for the purpose of nomination for an elective office or post under this Law shall be disqualified as a candidate for the Election.

21. (1) Any person who:

- (a) votes or induces or procures any person to vote at an election knowing that he or that person is prohibited by this Law or any other Law from voting at the election; or
- (b) before or during the Election, knowingly or recklessly publishes a false statement on the withdrawal of a candidate at the Election for the purpose of promoting or procuring the Election of another candidate is guilty of an offence and liable on conviction to a fine of not exceeding N10,000.00 or imprisonment of a term of 12 months or both.

Offences & penalties for

(2) Any person who willfully votes at an election in a ward or local government in respect of which his name does not appear on the register of voters is guilty of an offence and liable to a fine of N20,000.00 or imprisonment for a term not exceeding 12 months or both.

(3) Any person who, having been issued with a ballot paper in a polling station or unit, takes or attempts to take that ballot paper out of the Polling Station or unit is guilty of an offence and liable to a fine not exceeding N20,000.00 or imprisonment for a term of 12 months or both.

(4) Any person who, at an election, brings into a polling station or unit a ballot paper relating to the Election which ballot paper was issued to

another person is guilty of an offence and liable to a fine not exceeding N20,000.00 or imprisonment for a term of 12 months or both.

(5) For the purpose of sections 16, and 18 of this Law, the expression “refrain from voting” includes taking a ballot paper out of a polling station or unit contrary to subsection (1) of section 19 of this Law.

(6) If the Presiding Officer in a polling station or unit has cause to suspect that a person who has been issued with a ballot paper is about to leave a polling station or unit and has the ballot paper in his possession, the Presiding Officer or a person acting under his direction may search that person.

22. (1) Any person who, being a Presiding Officer at an election:

- (a) gives a certificate or statement of result which, to his knowledge, is false in a material particular, or
- (b) perversely and without lawful excuse, refuses to render a statement of result relating to the Election to an official to whom it is required to be delivered, or
- (c) does anything which impedes or obstructs the proper counting or obtaining of the correct result of the election, is guilty of an offence and liable to a fine not exceeding N10,000 or imprisonment for a term not exceeding 2 years or both.

Offences and penalties relating to statement of result.

23. Any person who is convicted of an offence under sections 18, 19, 20 and 21 of this Law shall, in addition to any other punishment, not be eligible during a period of three (3) years from the date of his conviction to:

- (a) vote at any election conducted under this Law or;
- (b) be elected under this Law or if elected before his conviction to retain his seat.

Disqualification of person convicted of certain offences

24. Any person who, at a polling station or unit or a place being used for the counting of votes, acts or incites others to act in a disorderly manner is guilty of an offence and liable to a fine not exceeding N10,000.00 or imprisonment not exceeding 12 months or both.

Disorderly conduct at election

25. No person shall, on the date or dates on which a poll is taken at a polling station or unit in respect of a Local Government election:
- (a) Convene, hold or attend a public meeting in the State; or
 - (b) Operate any megaphone, amplifier or any other public address apparatus in the State for the purpose of making an announcement concerning the Election except where the apparatus is operated by an officer appointed under this Law for the purpose of making official announcement relating to the Election;
 - (c) No person shall, on the date or dates on which a poll is taken at a polling station or unit under this Law:
 - i. Canvass for votes; or
 - ii. Solicit the vote of any voter; or
 - iii. Persuade a voter not to vote for a particular candidate; or
 - iv. Persuade a voter not to vote at the Election; or
 - v. Shout slogans, tender a notice, exhibit sign, symbol, badge, photograph or party card referring to the Election; or
 - vi. Shout slogans concerning the Election, within the polling station or unit in a public or private place within a distance of two hundred meters of the polling station or unit.
 - (d) No candidate or any other person, with the connivance of the Candidate, shall, whether on payment or otherwise, use, hire or procure any vessel or vehicle for the conveyance of a voter other than the Candidate himself or his agent, to or from a polling station or unit;

- (e) No person shall bring alcoholic beverages into or sell same in a polling station or unit or in a place being used for the counting of votes;
 - (f) Any person who contravenes the provisions of this section is guilty of an offence and liable to a fine not exceeding N20, 000.00 or imprisonment for a term not exceeding 12 months or both.
26. Any candidate or agent who records the serial number of a rejected ballot paper in contravention of this Law is guilty of an offence and liable to a fine not exceeding N20, 000.00 or imprisonment for a term not exceeding 12 months or both. Offences in relation to counting of voting schedule 4.
27. Any person who at a lawful public meeting to which this Law applies: Distance and meeting
- (a) Acts or incites another person to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was convened or;
 - (b) Has in his possession an offensive weapon is guilty of an offence and liable to a fine not exceeding N10,000.00 or imprisonment for a term of 2 years or both.
28. Where a person is convicted of an offence under this Law which disqualifies him from being elected as a member of the Council or to an elective office, the Court by which he was convicted shall send to the Electoral Commission the judgment of the Conviction and where the person convicted has appealed, the Court which heard the Appeal shall within one month after entering judgment send its decision to the Electoral Commission. Conviction of disqualifying offence to be reported etc.
29. An attempt or a conspiracy to commit an offence specified in this Law shall be punishable in the same manner as the offence. Punishment of attempt to commit offences
30. (1) An offence committed under this Law shall be triable in a Magistrate Court or the District Court in which the offence is committed. Trial of offences

- (2) A prosecution under this Law shall be under taken by the Office of the Attorney-General of the State, or by an officer of the Nigeria Police Force.

PART IV – DETERMINATION OF ELECTION PETITIONS ARISING FROM ACTION UNDER THIS LAW

31. No election and no return at an election under this Law shall be questioned in any manner other than by a petition complaining of undue return (in this Law referred to as an Election Petition) presented to the Tribunal in accordance with the provisions of this Law, and in which the person elected or returned is joined as a party.
32. (1) There shall be established in the State one or more election Tribunals to be known as Local Government Election Tribunals (hereinafter referred to respectively as “Election Tribunal”) which shall, to the exclusion of any other Court or Tribunal, have original jurisdiction to hear and determine any question as to whether:
- (a) Any person has been validly elected at an election under this Law; or
 - (b) The term of office of any person has ceased or the seat of any person in the Council has become vacant.
- (2) An Election Tribunal shall consist of a Chairman and Two other Members.
- (3) The Chairman shall be a Chief Magistrate and one other member who shall be appointed from among Magistrates of the State Judiciary not below the rank of a Senior Magistrate, and the other member who is not less than ten years post call, shall be appointed from the private bar.
- (4) The Chairman and other members of the Election Tribunal shall be appointed by the Chief Judge of the State or any person acting in that capacity.

Proceedings to question an election

Establishments to question an election

33. (1) An election petition under this Law shall be presented within fourteen (14) days from the date on which the result of the Election is declared. Time for presenting election petition.
- (2) An election petition under this Law shall be heard and determined within 180 days from the day of presentation of petition before the Election Tribunal.
34. (1) An election petition may be presented by one or more of the following persons: Presentation of petition
- (a) A person claiming to have had the right to contest or be returned at an election,
 - (b) A candidate at an election
 - (c) A party at an Election.
- (2) The person whose election is complained of in this Law is referred to as the Respondent, but if the petition complains of the conduct of an officer appointed under paragraph 4 of Schedule 3 of this Law or any other person who took part in the conduct of an election, the Electoral Body shall for the purpose of this Law be deemed respondent and shall be joined as a necessary party.
35. (1) An election may be questioned on any of the following grounds: Ground(s) for petition.
- (a) That a person whose election is questioned was, at the time of the Election disqualified from being elected.
 - (b) That the Election was voided by corrupt practices or offences or non-compliance with the provisions of this Law.
 - (c) That the Respondent was not duly elected by a majority of valid votes cast at the Election; or
 - (d) That the Petitioner was validly nominated but was unlawfully excluded from the Election.
- (2) The Electoral Commission shall not be liable to any suit or action whatsoever for the exclusion of a person from contesting an election

under this Law and shall not be indemnified in damages or any other penalty.

- (3) An act or omission which may be contrary to an instruction or direction of the Electoral Commission or an officer appointed for the purpose of the Election but which is not contrary to the provisions of this Law, shall not of itself be a ground for questioning the Election.

36. (1) An election shall not be invalidated by reason of non-compliance with the provisions of the Law if it appears to the Election Tribunal that the Election was conducted substantially in accordance with the principles of the Law and that the non-compliance did not substantially affect the result of the Election.

Non-compliance with provisions not to invalidate election.

- (2) An election shall not be questioned by reason of a defect in the title, or want of title of the person conducting the Election or acting in the office given the right to conduct the Election.

37. (1) An Appeal Tribunal shall consist of a High Court Judge as the Chairman and one member from the Magistrates of the State Judiciary not below the rank of Chief Magistrate and one other member of not less than ten years post call, appointed by the Chief Judge.

Appeals over Election Petition

- (2) Notwithstanding any thing to the contrary in any other enactment, a Notice of Appeal to the Election Appeal Tribunal on an election petition shall be given within 7 days from the date of the decision appealed against.

- (3) An appeal arising from the decision of the Local Government Election Tribunal shall be heard and determined within sixty days (60) from the day the Notice of Appeal is filed.

- (4) The Decision of the Election Appeal Tribunal on an appeal brought under subsection (2) of this section shall be final.

38. (1) Subject to subsection (2) of this section, if the Election Tribunal determines that a candidate who was returned as elected was not validly elected on any ground, the Election Tribunal shall nullify the Election.

Nullification of election by Election Tribunal.

- (2) If the Election Tribunal determines that a candidate who was returned as elected was not validly elected on the ground that he did not score the majority of valid votes cast at the Election, the Election Tribunal shall declare as elected the Candidate who scored the majority of valid votes cast at the Election.
- (3) On the motion of a respondent in an election petition, the Election Tribunal may strike out an election petition on the ground that it is not in accordance with the provisions of Schedule 5 to this Law. Schedule 5.
39. If the Election Tribunal determines that a candidate returned as elected was not validly elected, and if notice of appeal against that decision is given, the candidate returned as elected shall, notwithstanding the contrary decision of the Election Tribunal, remain in office pending the determination of the Appeal. Person elected to remain in officer pending appeal.
40. The rule of procedure to be adopted for election petitions and appeals shall be those set out in Schedule 5 to this Law. Procedure for election petition Schedule 5.
- PART V – GENERAL PROVISIONS**
41. Subject to the provisions of this Law, no person who has voted at an election held under this Law shall, in any legal proceedings arising out of the Election be required to state whom he voted for. Voter not required to disclose his vote
42. (1) Where a date has been fixed for the holding of an Election and there are reasons to apprehend that a serious breach of the peace is likely to occur if the Election is proceeded with, on the appointed date, the Election shall be postponed by the Electoral Commission until some other convenient date to be fixed by it. Election may be postponed for threatened disturbances
- (2) Where an election has started on the appointed date but is substantially disrupted by any intervening cause before conclusion, the Election may be cancelled, and the Electoral Commission shall fix a new date for a new election. Schedule 4.

- (3) Where an election is postponed before the last day for the delivery of nomination forms, the Electoral Officer shall, on a new date being appointed for the Election, proceed in all respects as if that date were the date referred to in paragraph 1 of schedule 4 of this Law as the date for the holding of the Election.
- (4) Where an election is postponed under this Law on or after the last day for the delivery of nomination forms, and Poll has to be taken between the candidates then nominated, the Electoral Officer shall, on a new date being appointed for the Election, proceed as if the date appointed were the date for taking of Poll between the candidates.
- (5) Where an election is cancelled under this Law as a result of substantial disturbance intervening in the course of the Election, the Electoral Officer shall, on a new date appointed for the Election, proceed as if the date appointed were the date for taking of the Poll between the candidates nominated for the Election.
- (6) An election postponed under this section may in like manner be further postponed.

43. (1) The Chief Electoral Officer of the State or any other Officer of the Electoral Commission authorized by him shall retain for six months all documents relating to an election forwarded to him in accordance with the provision of this Law and shall then, unless:

- (a) Otherwise ordered by the Election Appeal Tribunal or the Election Tribunal; or
- (b) He is aware that legal proceedings are pending in respect of the Election, cause them to be destroyed or discarded.

Custody and inspection of documents.

- (2) An order for an inspection of polling documents or an inspection of a document or any other packet in the custody of the Chief Electoral Officer of the Electoral Commission may be made by the Election Appeal Tribunal or the Election Tribunal, if it is satisfied that the Order required is for the purpose of instituting or maintaining an election petition.
 - (3) An order under this Section may be made subject to such conditions, as the Election Appeal Tribunal or the Election Tribunal may deem fit.
 - (4) A document, other than a document referred to in subsection (2) of this Section, relating to an election and which is retained by the Chief Electoral Officer of the State Electoral Commission in accordance with subsection (1) of this Section, shall be open to inspection on an order made by the Election Appeal Tribunal or the Election Tribunal in exercise of its power to compel the production of documents in legal proceedings, but shall not otherwise be open to inspection.
 - (5) A document referred to in this Section, which is in the custody of the Chief Electoral Commission shall be deemed to be in proper custody for the purpose of the hearing and determination of an election petition.
44. Any person elected into any of the offices and seats referred to in this Law shall be sworn in to that respective office in accordance with the Oath of Office and Oath of Allegiance contained in Schedule 2, and
- (a) In the case of the Chairman of the Local Government, by the Chief Judge of the High Court of the State or any person acting on his behalf;
 - (b) In the case of the Councilors of the council, by a Magistrate of the State Judiciary or any one, acting on his behalf.

Swearing-in into Office.

45. (1) The Commission may prescribe: Election expenses.
- (a) A scale of remuneration for officers appointed under this Law for the conduct of elections;
 - (b) A scale of maximum charges in respect of other expenses incurred by an Electoral Officer, a Presiding Officer or a Returning Officer in connection with an election.
- (2) The Commission may revise the scale as it thinks fit.
- (3) An Electoral Officer, Presiding Officer or Returning Officer shall, in addition to any remuneration prescribed under subsection (1)(a) of this Section, be entitled to such sums in respect of expenses not exceeding the prescribed scale, in connection with the conduct of an election as are reasonable.
- (4) The Electoral Commission may pay such honoraria as it may determine to all other persons and officers who may be involved in one way or the other in conducting an election under this Law or in carrying out any task in connection with an election or election petition.
46. Notwithstanding any defect or error in any notice, form or document made or given or other thing whatsoever done in pursuance of the provisions of this Law, rules, regulations, guidelines, manuals or circulars made or issued, such notice, form or document is validated for all purposes with effect from the date on which it was made, given or done respectively. Defect not to invalidate NASIEC documents
47. The State Election Tribunal and State Election Appeal Tribunal shall be funded by the State Government. Funding of election Tribunal etc
48. (1) A person who by reason of his holding or acting in an office under this Law has a responsibility for, or in connection with the conduct of Electoral official not eligible for election.

elections under this Law, shall be disqualified from election as a candidate, while he holds or acts in that office.

(2) No staff of the Electoral Commission shall contest an election under this Law, unless he resigns from or vacates his office not less than one year preceding the date of the Election in question.

49. The Nasarawa State Local Government Election Law 2003, the Nasarawa State Local Government Election (Amendment Law) 2012 and any other Law relating to Local Government Election in Nasarawa State are repealed.

50. In this Law, unless the context otherwise requires:

Interpretation

“Appointment” includes appointment to an office, confirmation of appointment, promotion or transfer,

“Authority” includes Government or Government Agency;

“Chairman” or “Vice Chairman” when used with reference to a Local Government means the Chairman or Vice Chairman of the Local Government;

“Chief Electoral Officer of the State” means the Chairman and Chief Executive of the State Independent Electoral Commission.

“Civil Service” means service of the Local Government in a capacity as staff of the Local Government assigned with the responsibility of any business of the Government.

“Disorderliness” means any act done contrary to the provisions of conduct of election under this Law;

“Electoral Commission” means the Nasarawa State Independent Electoral Commission established by this Law.

“Electoral Officer” means the State Independent Electoral Commission Officer who is the head of the Commission’s Office at the Local Government Area;

“Enactment” means provisions of any Law or subsidiary legislation;

“State” means Nasarawa State of Nigeria’

“Function” includes power and duty;

“Government” means the Government of Nasarawa State or of a Local Government Area within the State or any person or organ exercising power or authority on its behalf;

“Oath of Allegiance” means the Oath of Allegiance prescribed under Schedule 2 to this Law;

“Oath of the Office” means the Oath of Office prescribed under schedule 2 to this Law;

“Petition” means an election petition under this Law;

“Political Party” means a political party registered by the Independent National Electoral Commission;

“Polling Station” means the place, enclosure, booth, shade or house at which voting takes place under this place and includes polling unit;

“Power” includes function and duty;

“Return” means the declaration by a Returning Officer of a candidate in an election under this Law as being the winner of the Election;

“School Certificate or its equivalent” means the following:

- i. A secondary school certificate or its equivalent, or Grade II Teacher’s Certificate, the City and Guilds Certificate; or
- ii. Education up to secondary school certificate level, or
- iii. Primary six certificate or its equivalent, and

Service in the public sector or private sector of the Federation in any capacity acceptable to the Commission for a minimum of ten (10) years, and

Attendance of courses and training in such institutions as may be acceptable to the Commission for period totaling up to minimum of one (1) year; and

The ability to read, write, understand and communicate in the English language to the satisfaction of the Commission; and

iv. Any other qualification acceptable to the Electoral Commission.

“Secret Society” means any association, group or body of persons (where registered or not)

(a) That uses secret signs, oath, rites or symbols and which is formed to promote a cause, the purpose or part of the purposes of which is to foster the interest of its members and aid one another under any circumstances without due regard to merit, fair play or justice to the detriment of the legitimate interest of those who are not members;

(b) The membership of which is incompatible with the function or dignity of any public officer under this Law or any other enactment and whose members are sworn to observe oaths of society; and

(c) The activities of which are not known to the public at large and the names of whose members are kept secret and whose meetings and other activities are held in secret;

(2) In this Law references to a person holding an office shall include reference to a person acting in that office or holding that office for the time being.

SCHEDULE 1(A) SECTION 3

S/NO	LOCAL GOVERNMENT AREA	HEAD QUARTERS OF LOCAL GOVERNMENT
1.	AKWANGA	AKWANGA
2.	AWE	AWE
3	KEFFI	KEFFI
4	KARU	KARU
5	KEANA	KEANA
6	LAFIA	LAFIA
7	KOKONA	GARAKU
8	NASARAWA	NASARAWA
9	OBI	OBI
10	NASARAWA EGGON	NASARAWA EGGON
11	TOTO	TOTO
12	WAMBA	WAMBA
13	DOMA	DOMA

SCHEDULE 1(B) SECTION 3

S/NO	DEVELOPMENT AREA OF NASARWA STATE	HEADQUARTERS OF DEVELOPMENT AREA OF NASARWA STATE
1.	EKE	AGBASHI
2.	LAFIA NORTH	SHABU
3.	LAFIA EAST	ASSAKIO
4.	AKUN	AKPATA
5.	AGIDI	MADA STATION
6.	FARIN RUWA	KWARRA
7.	AKWANGA WEST	RINZE
8.	AGWADA	AGWADA
9.	PANDA	PANDA
10.	KARSHI	UKE
11.	LOKO	LOKO
12.	UDEGE	MARARABA UDEGE
13.	GADABUKE	GADABUKE
14.	JENKWE	AGYARAGU
15.	AZARA	AZARA
16.	GIZA	GIZA
17.	DADDERE	DADDERE
18.	UMAISHA	UMAISHA

SCHEDULE 2 SECTION 44
OATHS
OATH OF ALLEGIANCE

I,.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve and defend the Law of the Federation Republic of Nigeria.

OATH OF OFFICE OF CHAIRMAN OF A LOCAL GOVERNMENT

I..... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Chairman of.....Local Government I will discharge my duties to the best of my ability, faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 As amended and the Nasarawa State Local Government Election Law 2018, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will exercise the authority vested in me as Chairman so as not to impede or prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria so as to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will, to the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Code of Conduct of Bureau and Tribunal Act 1990; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Chairman of..... Local Government, except as may be required for the discharge of duties and that I devote myself to the service and well being of the people of Nigeria.

So help me God.

OATH OF OFFICE OF VICE CHAIRMAN OF A LOCAL GOVERNMENT

I,.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Vice Chairman of.....Local Government I will discharge my duties to the best of my ability, faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 As amended and the Nasarawa State Local Government Election Law 2018, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State policy vested in the President of the Federal Republic of Nigeria so as not to endanger the continuance of Federal Government of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will, to the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Code of Conduct of Bureau and Tribunal Act 1990; that in all circumstances, I will do right to all manner of people, according to Law, without fear or favour, affection or ill-will, that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Vice Chairman of.....Local Government, except as may be required for the discharge of duties.

So help me God.

OATH OF OFFICE OF COUNCILLOR OF A LOCAL GOVERNMENT

I.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Councilor of Local Government Election Law 2018. I will perform my functions honestly to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria 1999 as amended and the Nasarawa State Local Government Law 2018; and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Code of Conduct of Bureau and Tribunal Act 1990.

So help me God.

SCHEDULE 3 SECTION 12

APPOINTMENT AND SUPERVISION OF OFFICERS

1. (1) There shall be an Electoral Officer for each Local Government Council who shall be appointed by the Electoral Commission.
(2) An Electoral Officer may be appointed by reference to an office and shall hold such office until his appointment is terminated.
(3) The Electoral Commission may, in any case where it considers it expedient, appoint more than one Electoral Officer for a Local Government Area and shall specify the part of Local Government Area for which each Electoral Officer is responsible and, in relation to the part of Local Government Area, the Electoral Officer shall have and exercise the functions of an Electoral Officer.
2. (1) The Electoral Commission may appoint a person to be an Assistant Electoral Officer for the conduct of an election and the person so

Appointment of Electoral Officer

Appointment of other officers for the conduct of election

appointed shall in respect of that election have such functions imposed or conferred by this Law on the Electoral Officer or as the Electoral Commission may determine.

- (2) The Electoral Commission shall for the purpose of an election appoint such Returning Officers, Assistant Returning Officers, Presiding Officers, Assistant Presiding Officers, Poll Clerks, Assistant Poll Clerks and such other officers as are required for the Election.
- (3) A person appointed as an Assistant Returning Officer under the provisions of this section shall have the functions imposed or conferred by this Law on a Returning Officer.
3. An Electoral Officer shall supervise all the other officers appointed under section 4 of this Schedule in his Local Government Area and may, subject to the provisions of this Law or any instructions issued by the Electoral Commission, given directions to those officers with regards to performance of their functions. Supervision of other officers by electoral officers
4. The Electoral Commission shall appoint, in respect of the state officers including ad-hoc officers, to exercise specific functions over the conduct of an election or of elections generally, and those officers shall have such powers and duties as shall be assigned to them by the Electoral Commission. Appointment of other officers to exercise functions over conduct of election
5. (1) Subject to the provisions of this Law, the general supervision of the conduct of an election in the State under this Law shall be vested in the Chairman of the Electoral Commission. Function of chairman electoral commission.
(2) The Chairman of the Electoral Commission may:-
 - (a) Require information from any officer appointed under this Schedule with respect to a matter relating to the functions of that officer.
 - (b) Issue instructions to any of those officers with respect to the performance of his functions under this Law.

- (3) An officer appointed under this Schedule shall comply with the requirements of this Law and instructions of the Chairman of the Electoral Commission under this section.
- (4) Notwithstanding any provision of this Law, the power to declare the scores of candidates and the return of candidates for the office of the Chairman of all Local Government Council and the office of all the Councilors shall be vested in the Chairman of the Nasarawa State Independent Electoral Commission who is also the Chief Electoral Officer of the State Electoral Body.
- (5) Declaration of scores of candidates and the return of candidates by the chief electoral officer shall be final and subject to review only by an Election Tribunal in an election petition proceeding under this Law.

SCHEDULE 4 (SECTION 13)
PROCEDURE AT ELECTIONS

1. (1) The Electoral Commission shall within 30 days before the date specified for holding of an election under this Law, publish in the State, a notice:
 - (a) Stating the date of the election; and
 - (b) Appointing the place at which nomination papers are to be delivered.
- (2) The notice shall be further published in each ward in respect of which an election is to be held.
2. (1) Every political party shall, within two weeks after the date of announcement by the Electoral Commission in paragraph one subparagraph one of this Schedule, deliver to the Electoral Commission;
 - (a) Form NASIEC/C.F. 001 set out in Schedule 6 of this Law personal particulars of their candidates for the Election as supplied by the Candidate; and

Notice of election

List screening clearance,
etc.

Form NASIEC/C.F 001
Schedule 6.

- (b) Form NASIEC/C.F 002 set out in Schedule 6 to this Law, a list of candidates the political party proposes to sponsor at the Election. Form NASIEC/C.F 002
Schedule 6.
- (2) The Electoral Commission shall, within a reasonable time after receipt of the Forms referred to in sub-paragraph 10 of this section deliver to the political party:-
- (a) Form NASIEC/C.F.003 set out in Schedule 5 to this Law, a list of candidates who are adjudged qualified to contest the Election; and Form NASIEC/C.F 003
Schedule 6.
- (b) Where applicable, in form NASIEC/C.F.4 set out in Schedule 6 to this Law, a separate list of the Candidates rejected by the Electoral Commission. Form NASIEC/C.F 004
Schedule 6.
- (3) Where a candidate is rejected, the Electoral Commission shall afford the political party concerned an opportunity to substitute the Candidate rejected with a fresh candidate, provided that the substitution is made within a reasonable time or as may be directed by the Electoral Commission.
3. (1) Screening and clearance of candidates for election shall be in accordance with the provisions of this Law. Screening and clearance of
candidates
- (2) The membership of the State Screening Committee as the case may be.
- (3) The membership of the State Screening Committee shall be approved by the Electoral Commission, from time to time.
4. Any person not satisfied with the decision of the State Screening Committee on any matter may appeal to the Electoral Commission for review in form NASIEC/C.F.005 set out in the Schedule 6 to this Law. Form NASIEC/C.F.005
Schedule 6.
5. (1) A candidate for an election under this Law shall be nominated in writing by such number of persons prescribed in (2)(c) or (d) of paragraph 7 of this Law and the nominators shall:- Nomination of candidates
- (a) In the case of the Chairman, be from different parts of the constituency; and

- (b) Be person whose names appear on the register of voter in the constituency.
- (2) The nomination may be as in Form NASIEC 4 set out in Schedule 6 to this Law and shall be subscribed by these candidates and the persons nominating him. Form NASIEC 4 Scheduled 6.
- (3) The Electoral or Assistant Electoral Officer, as the case may be, shall:-
- a. Supply each candidate for an election with nomination forms on payment of such fee as may be prescribed by the Electoral Commission; and
 - b. At the request of any candidate, his nominators being present, complete the Nominations Forms on behalf of the Candidate.
- (4) Each candidate, or one of the persons nominating him, shall deliver his nomination form subscribed as in sub-paragraph (2) of this paragraph at the place appointed by the Electoral Officer or Assistant Electoral Officer under paragraph 1 of this Schedule not later than four 0'clock in the afternoon of the fifth day before the day of the Election.
- (5) No person shall subscribe as a nominator to more than one nomination form at the same election and, if he does his signature shall be inoperative on any second or subsequent form which he subscribes as a nominator, so however, that no account shall be taken whose nomination of a candidate who has died or withdrawn or whose nomination has not been accepted as valid nomination before the delivery of the second nomination form.
- (6) No person who has subscribed as a nominator shall, so long as the candidate stands nominated, withdraw his nomination.
- (7) A candidate for an election shall deliver along with the nomination form such number of posters containing his photograph and the symbol of his political party as may be required by the Electoral Commission.

6. (1) Every candidate for election under this Law shall, before his nomination form is delivered to the Electoral Officer or Assistant Electoral Officer, deposit or cause to be deposited the amount prescribed in sections (e) or (1) of section 8 (1) (e) of this Law by the Electoral Commission for the Election and shall at the time of the delivery of his nomination paper, produce to the Electoral Officer or Assistant Electoral Officer the Official receipt for the amount. Deposit
- (2) No nomination shall be valid unless the prescribed amount is deposited and the receipt for the amount produced in the manner required by subsection (1) of this section.
7. (1) When a nomination form is delivered and a deposit is paid in accordance with the provisions of this Law, the candidate shall be deemed to stand nominated unless and until;
- a. The Electoral Officer certifies that the nomination paper is invalid upon proof;
 - b. Proof is given to the satisfaction of the Electoral Officer of the candidate's death; or
 - c. The candidate withdraws his candidature as specified in paragraph 9 of this Schedule.
- (2) The Electoral Officer shall be entitled to declare the nomination form invalid only on one or more of the following grounds:
- (a) that the candidate has not produced evidence of tax payments as and when due for a period of three years immediately preceding the year of election or a valid evidence of exemption from the payment of all or any of the taxes; or
 - (b) that particulars of the candidate or his nominators are not as required by law; or
 - (c) that the nomination form is not signed as required by law or
 - (d) that the candidate has been nominated in more than one ward; or

- (e) that the nominators of the candidate or any one of them is not a person whose name appear on the Register of Voters in respect of the appropriate ward; or
 - (f) that the candidate does not possess any of the qualifications required under this Law; or
 - (g) that the candidate is not a registered voter in Nigeria; or
 - (h) that the candidate is not a member of a political party; or
 - (i) that the candidate is disqualified under this Law.
- (3) Whenever the Electoral Officer decides that a candidate has not been validly nominated, he shall endorse and sign on the nomination form the fact and reasons for his decision.
8. (1) The Electoral Officer shall, within forty-eight hours of the receipt of a nomination form, communicate in writing in Form NASIEC 5 set out in Schedule 6 of this Law to the candidate or to one of the persons nominating the candidate or political party sponsoring the candidate his decision as to the validity or otherwise of the nomination.
- (2) A candidate whose first nomination form is or may be invalid may be permitted to submit a second nomination form within the time allowed, but a candidate who forges or falsifies a document or gives false information for the purpose of nomination under this Law shall be disqualified and prevented from contesting the Election.
9. (1) The Electoral Officer shall, not later than twenty-four hours before the day of election, publish by displaying it or causing to be displayed at the place or places appointed for the delivery of nomination forms a statement of the names of all candidates standing nominated and of the persons nominating them with their respective addresses and occupations.
- (2) No candidate who has been screened and cleared to contest an election shall be prevented from contesting the Election for any reason unless he

Form NASIEC 5
Schedule 6

- voluntarily withdraws his candidature, unless and until other compelling and convincing factors emerge, as to his inability to contest.
10. A candidate may withdraw his candidature by notice in writing signed and delivered by himself, to the Electoral Officer not later than one 0'clock in the afternoon of a day before the Election. Withdrawal of Candidates.
11. (a) If after the latest time for the delivery of nomination forms and before the commencement of the poll a nominated candidate dies, the Electoral Officer shall, on being satisfied of the fact of the death by the presentation of death certificate from a government hospital, countermand the poll and the Electoral Commission shall appoint some other convenient date for the Election. Death of candidate
- (b) In an Election for the office of the Chairman of Local Government Council, if during or after the poll and before the declaration of scores of candidates and return of candidates elected, a candidate dies, a fresh nomination of another candidate for Chairmanship shall be submitted to the commission within 7 days after which a fresh election shall be held for the vacant seat within 7 days by the electoral Commission.
- (C) Pursuant to this Law, where a candidate for the office of the Councilor dies before the declaration of scores for candidates and return of candidate, the Commission shall within 30 days after the death of such candidate announce/fix date and conduct an election for such office".
12. If a nomination form, signed by a candidate and by the persons nominating him, is lodged in more than one constituency, his candidature shall be void in each ward. Invalidity of double nomination.
13. (1) Subject to the provisions of this Law, if after the latest time for the delivery of nomination forms and for withdrawal of candidates for an election under this Law more than one person remains validly nominated, a poll shall be taken. Contested and uncontested election.

- (2) Subject to the provisions of this Law, if after the latest time for the delivery of nomination forms and withdrawal of candidate for an election under this law one candidate remains duly nominated, that candidate shall be declared elected.
- (3) Where a person is declared elected under the provisions of subparagraph (2) of this paragraph, a declaration of result Form NASIEC. 8E and NASIEC 8E (1) set out in Schedule 6 to this Law shall be completed and a copy issued to the person by the Returning Officer while the original of the Form shall be returned to the Electoral Officer as in the case of a contested election.
14. Where no candidate remains nominated in any ward on the date appointed for the nomination, the Chairman of the Electoral Commission shall fix a date for another election.
15. The result of the poll shall be ascertained by carefully counting the votes cast for each candidate at the Election and the collation of the figures returned from the various parts of the constituency.
16. (1) When a poll has to be taken, the Electoral Commission shall appoint from among Poll Clerks, Presiding Officers and Poll orderlies appointed under Schedule 3 to this Law, persons to conduct the election in each Polling Station or unit.
- (2) The Presiding Officer shall be in charge of a polling station or unit.
- (3) For purpose of a contested election, the Electoral Commission shall:-
- a. appoint a sufficient number of polling stations or units in each ward or unit in which a poll is taking place, and allot voters to the various polling stations or units as may be prescribed by law;

Form NASIEC 8E and 8E1
Schedule 6.

Nomination

Ascertainment of
Result of poll.

- b. assign to each polling station or unit a Poll Clerk, an orderly to assist the Presiding Officers;
 - c. Provide each polling station or unit with instrument for making official mark on the voters card for applying indelible ink to the thumb of any person who has voted at the polling station or unit;
 - d. Provide each polling station or unit with copies of register of voters allotted to vote at the polling station or unit; and
 - e. Perform such other acts and things, as may be necessary for conducting the election in the manner prescribed by this Law.
- (3) The Electoral Commission shall appoint at least one polling station or unit in respect of each ward in which the election is to be held to be the ward counting centre.
17. (1) Each candidate may appoint a party agent to attend at each polling station or unit in respect of the election for the purpose of ensuring that the interest of the candidate is protected. Party Agents
- (2) Notice in writing shall be given to the Electoral Commission by every candidate not later than twenty-four hours before the day of the election, conveying the names and address of his party agents and the respective polling station or unit to which they are being posted by the candidate.
- (3) A candidate shall be entitled to change his party agent and appoint a substitute before the Election, and shall forthwith furnish the Electoral Commission in writing with the name, address and any particulars of the agent so substituted.
18. (1) The Chairman of the Electoral Commission or the Electoral Officer shall on or before the second day of the Election, cause to be published in every ward in which election is to be held, in such manner as may be prescribed by law, a notice specifying: Notice of poll.
- a. The day and the hours fixed for the poll;

- b. The names, arranged in alphabetical order, of the surname, place of residence and occupation of each candidate remaining nominated; and
 - c. The location of the polling station and units in the ward and an indication of the persons entitled to vote in the respective polling station and units.
- (2) The hours fixed for the taking of polls shall be continuous period as may be determined by the Electoral Commission.
19. (1) Without prejudice to sub-paragraph (3) (c) paragraph 16 of this schedule, the Electoral Commission shall:
- a. furnish each Presiding Officer with such ballot boxes and ballot papers as may be required for the poll;
 - b. provide each Presiding Officer with pens, ink, pads and other items or stationery necessary for the conduct of the poll in accordance with the provisions of the Law.
20. Every ballot paper shall:-
- a. be a printed-paper on which the symbol adopted by the political party and duly registered as prescribed by law shall be clearly set out and have a blank space at the right side of the symbol on which a thumb impression can conveniently be made;
 - b. have a serial number printed or stamped on its back or some other part; and
 - c. be attached to a counterfoil bearing the same serial number as is printed or stamped on the ballot paper.
21. The ballot box shall be properly constructed so that the ballot papers can easily be put in them by the voter but cannot be withdrawn.
22. (1) The accreditation of voters shall commence on the day and time stipulated.
- (2) The Presiding Officer shall:-
- a. Cross-check voters card of a person applying for accreditation against the register of voters and may ask the voter if required

Provision of materials at Polling Station

Form of ballot paper

Form of ballot box.

by a candidate or party agent, the following questions or any of the questions; that is:-

- i. “Are you the person whose name is on the Register of Voters as follows.....(Reading the copy of the entry in the register)?
- ii. “Are you a person above 18 years of age”?;
- b. Not accredit any voter who answers the question in subparagraph (2) (a) of this paragraph in the negative;
- c. Mark the name of the voter in the register of voters with biro;
- d. Stamp and sign each voters card at the back with the appropriate stamp and state the date and type of election in code;
- e. Enter in form NASIEC 8A or NASIEC 8A (1), set out in Schedule 6 to this Law, the number of persons registered to vote at the polling station or unit, the number of registered voters accredited, the serial numbers of the ballot papers issued to a polling station or unit, the serial numbers of ballot paper issued to the voters, the serial number of the balance of unused ballot papers and the number of accredited voters standing in the queue at the commencement of voting.

NASIEC 8A and 8A (1)
Schedule 6.

(3) The Presiding Officer and the party agent shall sign forms NASIEC 8A and NASIEC 8A (1) to authenticate the number entered.

23. (1) Any person who, having been accredited, leaves the polling zone or any other place appointed for the accreditation of persons or mixes up with unaccredited persons is guilty of an offence of disorderliness under this Law and liable to the punishment as provided in this Law.

Disorderliness during
accreditation

- (2) Any person who, not being an accredited person, is found in any polling zone is guilty of an offence of disorderliness under this Law and liable to the punishment as provided in this Law.

24. At the close of accreditation, the Presiding Officer shall:-

- a. Explain the voting procedure to be followed;
- b. Introduce the candidates or their posters and symbols;
- c. Introduce the Poll Clerk and the party agents;
- d. Explain all activities which constitute election offences within the polling zone, including penalties for committing each offence;
- e. Ensure that posters bearing photographs of the candidates are displayed within the polling zone.

25. After compliance with the provisions of paragraph 22 of this Schedule, the Presiding Officer shall:

- a. announce the commencement of voting;
- b. request the accredited voters to line up in single line;
- c. separate the queue between men and women;
- d. request security agents of Poll Orderlies to supervise the queue behind the last accredited voter and request the voters in the queue to show their voters card duly stamped by the Presiding Officer;
- e. issue accredited voters with ballot papers;
- f. direct voters to the voting table where, after thumb marking the ballot paper secretly, they shall cast their votes in the ballot box;
- g. count the votes at the close of poll in the presence of the voters;
- h. announce the number of votes counted for each of the candidates.

26. (1) No person shall be admitted to vote at any polling station or unit other than the one at which the person is registered.

- (2) The Presiding Officer shall regulate the admission of voters to the polling station or unit and shall exclude all other persons except the

Allocation of polling station and admission thereto.

candidates, party agents, poll orderlies and security agents.

27. (1) If at the time a person applies for accreditation, or after he has left the polling station or unit, a party agent, or security agent declares to the Presiding Officer that he has reasonable cause to believe that the person is under the age of 18 years or has committed the offence of impersonation and undertakes to substantiate the charge in a court of Law, the Presiding Officer shall order a police officer for an offence in respect of which he may be arrested without warrant.

Personation by applicant
for ballot paper.

- (2) A person arrested under the provisions of this paragraph shall be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without warrant.

28. When the prescribed hour for the closing of accreditation has been reached, the Presiding Officer shall declare accreditation closed and no more persons shall be admitted to the polling station or unit, but those persons already inside the polling station or unit shall be accredited and be allowed to vote.

Closing of accreditation

Counting of Votes

29. (1) The Presiding Officer, after counting the voters at the polling station or unit, shall enter the votes scored by each candidate in Form NASIEC 8A (1), as the case may be, or as set out in schedule 6 to this Law.

Form NASIEC 8A,
NASIEC 8A(1) Schedule 6.

- (2) Form NASIEC 8A and form NASIEC 8A (1) shall be signed and stamped by the Presiding Officer and countersigned by the candidates or their agents where available at the polling station or unit.

- (3) A party agent shall be required to sign form NASIEC 8A and form NASIEC 8A (1) especially where he has requested for a recount, but failure by a party agent to sign form NASIEC 8A and form NASIEC 8A (1) shall not invalidate the result of the poll.

- (4) The Presiding Officer shall give to the party agents and the Police Officer present a copy each of completed form NASIEC 8A and form NASIEC 8A(1) after it has been signed by both the Presiding Officer and the party agents.
30. After the recording of the result of the Election, the Presiding Officer shall take the Election result and materials to the Ward Collation Centre under security escort and party agents, if available. Post election procedure and collation of election result.
31. Subject to the provisions of this Law, the Electoral Commission shall make and publish in the Gazette; Guidelines for the Local Government Council election and the Guidelines shall make provisions, among other things for step-by-step recording of the poll in the Electoral Forms NASIEC 8A, NASIEC 8A (1), NASIEC 8B, NASIEC 8B(1), NASIEC 8E, 8E(1), NASIEC 8F set out in Schedule 6 to this Law, beginning from the polling station or unit of the Election results shall be declared. Step by step recording of poll.
32. Every result form completed at the Ward or Local Government levels in accordance with the provisions of this Law or any guidelines issued by the Electoral Commission shall be stamped, signed and countersigned by the relevant officers and party agents at those levels and copies given to the police officers and the party agents, if available. Result form to be signed and countersigned.
33. (1) The Presiding Officer shall endorse the word “rejected” on the ballot papers rejected and the ballot papers shall not be counted except otherwise allowed by the Returning Officer who may overrule the Presiding Officer. Endorsement on rejected ballot papers.
- (2) If an objection to the decision of a Presiding Officer to reject a ballot paper is raised by a candidate or a party agent at the time the decision is made, the Presiding Officer shall add to the word “rejected”, the phrase “but objected to”.

- (3) The Presiding Officer shall prepare a statement on rejected ballot papers, stating the number rejected, the reason for rejection, and shall on request allow a candidate or a party agent to copy the statement and shall also be allowed to record the serial number of the rejected ballot papers.
34. The decision of the Returning Officer on any question arising from or relating to:-
- a. unmarked ballot papers
 - b. rejected ballot papers; and shall be final and subject to review only by an Election Tribunal in an election petition proceeding under this Law
35. A candidate or a party agent may, if present at the polling station or unit when the counting of votes is completed by the Presiding Officer may refuse to do so if the demand is unreasonable. Recount
36. If two or more candidates poll equal number of votes, the Returning Officer shall not return any of the candidates and a fresh election shall be held for the candidates on a later date to be appointed by the Electoral Commission. Equality of votes
37. The Chairman of the Electoral Commission or Electoral Officer, as the case may be, shall cause to be posted at the State or Local Government Area Office of the Electoral Commission, as the case may be, a notice showing –
- a. the candidates at the Election and their scores; and
 - b. the person declared as elected or returned at the elections.
38. The Chairman of the Electoral Commission or the Electoral Officer shall keep official custody of all the documents, including statement of results and ballot papers relating to the Election, which are returned to either of them by the Returning Officers. Custody of documents
39. Where in this Law, an act or a thing is required or authorized to be done by or in the presence of party agent, the non-attendance of a party agent at the time and place appointed for the act or thing or refusal by a party

agent to do the act shall not, if the act or thing is otherwise done properly, invalidate the act or thing.

40. A sealed Certificate of return at an election in the form set out in schedule 6 to this Law shall be issued to every candidate who has won an election under this Law.

SCHEDULE 5 (SECTION 38 AND 40)

PROCEDURE FOR ELECTION PETITION.

- 1 An election petition relating to Local Government election shall be by way of accelerated hearing from day to day including Sundays if the Tribunals deem it necessary.
- 2 (1) At the time of presenting an election petition, the petitioner shall give security for cost which may become payable by him to a witness summoned on his behalf or to the Respondent.
- (2) the security shall be of such amount not less than N10, 000. As the Election Tribunal may order and shall be given by depositing the amount with the Election Tribunal.
- (3) where two or more person are joined in an election petition, a deposit as may be ordered under sub-paragraph (2) of this schedule shall be sufficient.
- (4) if no security is given as required by this section, there shall be no further proceeding on the election petition through the time prescribed under paragraph (1) and (3) of paragraph 2 to this schedule shall continue to run.
3. (1) The presentation of an election petition under this Law shall be by the petitioner (or petitioners if more than one) leaving it in person, or by his solicitors, if any, named at the foot of the Election petition with the Secretary, and the Secretary shall give a receipt which shall be Form TF.001 set out in Schedule 6 to this Law.

- (2) At the time of presenting the election petition, there shall also be left a copy of the election petition for each respondent and seven other copies to be reserved by the Secretary.
 - (3) The Secretary shall compare the copies of the Election Petition left in accordance with sub-paragraph (2) of this paragraph with the original petition and shall certify them as true copies of the Election Petition on being satisfied by the comparison that they are true copies of the Election Petition.
 - (4) The Petitioner or his Solicitor, as the case may be, shall, at the time of presenting the Election Petition, pay the fees for the service and the publication of the Election Petition, and for certifying the copies and, in default of the payment, the Election Petition shall be deemed not to have been received, unless the Election Tribunal otherwise orders.
- 4 (1) An election petition under this Law shall-
- a. specify the right parties interested in the Election Petition
 - b. specify the right of petitioner to present the Election Petition;
 - c. state the holding of election, the scores of the candidates and the person returned as the winner of the Election; and
 - d. state clearly the facts of the Election Petition and the grounds on which the Election Petition is based and relief sought by the Petitioner.
- (2) The Election Petition shall be divided into paragraph, each of which shall be confined to a distinct or major fact of the Election Petition, and every paragraph shall be numbered consecutively.
 - (3) The Election Petition shall further:-
 - a. conclude with a prayer or prayers, as for instance, that the Petitioner or one of the Petitioners be declared validly elected or returned, having polled the majority of lawful votes cast at the Election or that the Election may be declared nullified, as the case may be; and

Custody of documents

- b. be signed by the Petitioner or all the Petitioners or by the Solicitor, if any named at the foot of the Election Petition.
- (4) At the foot of the Election Petitioner there shall also be stated an address of the Petitioner for service within five kilometers of the post office in the Judicial Division, and the name of its occupier, at which address documents intended for the Petitioner may be left.
- (5) If an address for service and its occupier are not stated as specified in sub-paragraph (4) of this paragraph, the Petition shall be deemed not to have been filed, unless the Election Tribunal otherwise orders.
- (6) An election petition, which does not confirm with sub-paragraph (1) of this paragraph or any provision of that sub-paragraph is defective and may be struck out by the Election Tribunal.
- (7) The Form TF.002 set out in Schedule 6 to this Law shall be sufficient for the purpose of this paragraph. Form TF.002 Schedule 6
- (8) Evidence need not be stated in the Election Petition, but the Election Tribunal may order such further particulars as may be necessary. Further particulars
- (a) To prevent surprise and unnecessary expense;
- (b) To ensure a fair and proper hearing in the same way as in a civil action in the State High Court.
5. For the purpose of service of an election petition on the Respondent, the petitioner shall furnish the Secretary with the address of the Respondent's abode or the addresses of places where personal service can be effected on the Respondents. Address for service.
- 6 (1) On the presentation of an election petition and payment of the requisite fees, the Secretary shall forthwith- Action by Secretary

- (a) Cause notice, in Form TF.003 set out in Schedule 6 to this Law, of the presentation of the Election Petition and a certified copy of the Election Petition, to be served on each of the Respondents;
 - (b) Post on the Election Tribunal notice board a certified copy of the Election Petition; and
 - (c) Set aside a certified copy for onward transmission to the person or persons required by law to adjudicate and determine the Election Petition.
- (2) In the notice of presentation of the Election Petition, the Secretary shall state a time, not less than seven (7) days after the date of service of the notice, within which each of the Respondents shall enter an appearance in respect of the Election Petition.
- 7(1) Subject to sub-paragraphs (2) and (3) of this paragraph, service on the Respondents-
- (a) Of the documents mentioned in sub-paragraph (1)(a) of paragraph 6 of this Schedule; and
 - (b) Of any other documents required to be served on them before entering appearance, shall be personal.
- (2) Where the Petitioner has furnished, under paragraph 5 to this Schedule, the addresses of the places where personal service can be effected on the Respondent or the Respondents or anyone of them cannot be found at such place or places, the Election Tribunal, on being satisfied, on an application supported by an affidavit showing that all reasonable efforts have been made to effect personal service, may order that service of any document mentioned in sub-paragraph (1) of this paragraph be effected in any of the ways mentioned in the relevant provisions, of the Civil Procedure Rules for effecting substituted service in civil cases and that service shall be deemed to be equivalent to personal service.

Personal service on respondents

Entry of appearance

- 8(1) Where the Respondent intends to oppose the Election Petition, he shall within seven (7) days after being served or deemed to be served with the Election Petition enter an appearance by filing in the Registry a memorandum of appearance stating that he intends to oppose the Election Petition and giving the name and address of his Solicitor, if any, representing him or stating that he acts for himself, as the case may be, and in either case, giving an address for service within five kilometers of a post office in the Judicial Division and the name of its occupier at which documents intended for him may be left or served.
 - (2) If an address for service and its occupier is not stated the memorandum of appearance shall be deemed not to have been filed unless the Election Tribunal otherwise orders.
 - (3) The Memorandum of Appearance, which shall as in form TF.004 set out in Schedule 6 to this Law shall be signed by the Respondent or his Solicitor, if any.
 - (4) At the time of filling the Memorandum of Appearance, the Respondent or his Solicitor, as the case may be, shall:-
 - (a) leave a duplicate of the Memorandum of Appearance for each of the parties to the Election Petition and three other copies of the Memorandum of Appearance to be reserved by the Secretary, and
 - (b) Pay the fees for service as shall be prescribed by this Law and in default of the copies being left and the fees paid at the time of appearance shall be deemed filed, unless the Election Tribunal otherwise orders.
 - (5) A respondent who has a preliminary objection against the hearing of the Election Petition on grounds of Law shall file a conditional memorandum of appearance. Notice of appearance
9. The Secretary shall cause copies of the Memorandum to be served on, or its notice to be given to, the other parties to the Election Petition. Filing of reply

- 10(1) The Respondent shall, within six (6) days of entering an appearance, file in the Registry his reply, specifying in it which of the facts alleged in the Election Petition he admits and which he denies, and setting out the facts on which he relies in opposition to the Election.
- (2) Where the Respondent in an Election Petition complaining of an undue return and claiming the seat or office for a petitioner intends to prove that the claim is incorrect or false, the Respondent, in his reply shall set out the facts and figures clearly and distinctly, disproving the claim of the Petitioner.
- (3) The Reply may be signed by the Respondent or the Solicitor representing him, if any
- (4) At the time of filing the reply, the Respondent or his Solicitor, if any, shall leave copies of the Reply for service on the other parties to the Election Petition with seven extra copies of the Reply to be reserved by the Secretary, and pay the fees for service as may be prescribed and in default of leaving the required copies of the reply or paying the fees for service, the Reply shall be deemed out to have been filed, unless the Election Tribunal otherwise orders.
11. The Secretary shall cause a copy of the Reply to be served on each of the other parties to the Election Petition. Service of reply
- 12(1) Subject to paragraph (2) of this paragraph, the provision of Civil Procedure Rules relating to amendment of pleading shall apply in relation to an election petition.
- (2) After the expiry of the time limited by:-
- (a) Section 33 of this Law in presenting the Election Petition, no amendment shall be made-
- i. introducing any of the requirements of sub-paragraph (1) of paragraph 4 to this Schedule not contained in the original election petition filed; or
- ii. effecting a substantial alteration of the ground for, or the prayer in, the Election Petition; or

- iii. except anything which may be done under the provision of sub-paragraph (3) of this paragraph, effecting a substantial alteration of or addition to, the statement of facts relied on to support the ground for, or sustain the prayer in the Election Petition, and
 - (b) Paragraph 10 to this Schedule for filing the Reply, no amendment shall be made;
 - i. Alleging that the claim of the seat or office by the Petitioner is incorrect or false; or
 - ii. Except anything which may be done under the provisions of sub-paragraph(3) of this paragraph, effecting any substantial alteration or addition to the admissions or the denials contained in the original reply, or to the facts set out in the Reply.
 - (3) The Election Tribunal shall not, in the hearing and determination of an election petition, be obliged to confine its inquiry or findings to the issues raised by the parties in the election petition or the Reply, if any and may, without ordering or allowing:-
 - (a) the amendment of a statement of facts and grounds relied on in support of the Election Petition or the amendment of any admission or denial contained in the Reply; or
 - (b) the facts or grounds set out in Reply, but subject always and having due regard to the time limited by Paragraph 33 of this Law for presentation of an Election Petition, inquire into any other issue otherwise raised or apparent, as the Election Tribunal may deem necessary for the purpose of the full and proper inquiry into, and determination of the Election Petition.
 - 13. When a petitioner claims a seat alleging that he had the majority of valid votes cast at the Election, the party defending the Election or return at the Election shall set out clearly in his reply particulars of the votes, if any, which he objects to and the reasons for his objection
- Particulars of votes
objected by respondent.

against such votes, showing how he intends to prove at the hearing that the Petitioner is not entitled to succeed.

14(1) If a person in his Reply to the Election Petition raises new issues of facts in defence of his case, which the Petition has not dealt with, the Petitioner shall be entitled to file in the Registry, within three (3) days from the receipt of the Respondent's Reply, a petitioner's reply in answer to the new issues of facts, so however that-

Petitioner's reply

(a) the Petitioner shall not at this stage be entitled to bring in new facts, grounds of prayers tending to amend or add to the contents of the Petition filed by him; and

(b) the Petitioner's Reply does not run counter to the provisions of sub-paragraph (1) of paragraph 12 to this Schedule.

(2) The time limited by sub-paragraph (1) of this paragraph shall not be extended.

15(1) If a party in the Election Petition wishes to have further particulars or other directions of the Election Tribunal, he may, at any time after entry of appearance, but not later than ten (10) days after the filling of the Reply, apply to the Election Tribunal specifying in his motion on notice, the direction for which he prays and the Motion shall, unless the Election Tribunal otherwise orders, be set down for hearing on the first available day.

Further particular or direction

(2) If a party does not apply as provided in sub-paragraph (1) of this paragraph, he shall be taken to require no further particulars or other directions and the party shall be barred from so applying after the period laid down in sub-paragraph (1) of this paragraph has lapsed.

- (3) Supply of further particulars under this paragraph shall not entitle the party to go beyond the ambit of supplying such further particulars as have been demanded by the other party, and embark on undue amendment of, or additions to his petition or reply, contrary to paragraph 12 to this Schedule.
16. Every election petition shall be heard and determined in an open tribunal.
- 17(1) The time and place of hearing of an election petition shall be fixed by the Election Tribunal, and notice of the time and place of the hearing, which may be as in Form TF.005 set out in Schedule 6 to this Law, shall be given by Secretary at least five (5) days before the day fixed for the hearing by-
- (a) Pasting the notice on the Tribunal notice board; and
- (b) Sending a copy of the notice by registered post or through a messenger to-
- i. The Petitioner's address for service
- ii. The Respondents' address for service, if any
- iii. The Chairman of the Electoral Commission or the Electoral Officer.
18. The pasting of the notice of hearing on the Tribunal notice board shall be deemed and taken to be good notice, and the notice shall not be vitiated by any miscarriage of the copy or copies of the notice sent pursuant to paragraph 17 to this Schedule.
- 19(1) The Election Tribunal may, from time to time by order made on the application of a party to the Election Petition or *suo motu*, postpone the beginning of the hearing to such day as it may consider appropriate having regard at all times to the need for speedy conclusion of the hearing of the Election Petition.
- (2) The Secretary shall post or cause to be pasted on the Tribunal notice board a copy of the Order.
- Time and place of hearing petition
- Hearing of petition to be in open Tribunal
- Pasting of notice on Tribunal notice Board deem to be good notice
- Postponement of Hearing

- (3) Where the Election Tribunal gives an order of postponement at its own instance, a copy of the Order shall be sent by the Secretary by registered post or messenger to the address for service given by the Petitioner and to the address for service if any, given by the Respondents or any of them.
- (4) The provisions of paragraph 18 to this Schedule shall apply to an order or a notice of postponement as same as to the notice of hearing.
20. If the Chairman of the Election Tribunal has not arrived at the appointed time for the hearing or at the time of which the hearing has been postponed the hearing shall by reason of that fact stand adjourned to the following day and so from day to day. Non-arrival of Chairman of Election Tribunal.
- 21(1) No formal adjournment of the Election Tribunal for the hearing of an election petition shall be necessary, but the hearing shall be deemed adjourned and may be continued from day to day until the hearing is concluded unless the Election Tribunal otherwise directs as the circumstances may dictate. Hearing continue from day to day.
- (2) If the Chairman who begins the hearing of an election petition is disable by illness or otherwise, the hearing may be recommended and concluded by another chairman appointed by the appropriate authority.
- 22(1) After the hearing of an election petition has began, if the inquiry cannot be continued on the ensuring day or, if the day is a Sunday or a public holiday, on that day following the same, the hearing shall not be adjourned sine die but to a definite day to be announced before the rising of the Election Tribunal, and notice of the day to which the hearing is adjourned shall be pasted by the Secretary on the Tribunal notice board. Adjournment of Hearing
- (2) The hearing may be continued on Saturday or on a public holiday if circumstances dictate. Power of Chairman dispose interlocutory matters

- 23(1) All interlocutory questions and matters shall be heard and disposed of by the Chairman who shall have control over the proceedings as a Judge in the High Court of the State.
- (2) After the hearing of the Election Petition is concluded, if the Election Tribunal before which it was heard has prepared its judgment but the Chairman is unable to deliver it due to illness or any other cause, the judgment may be delivered by one of the members, and the judgment so delivered shall be the judgment of the Election Tribunal and the member shall certify the decision of the Election Tribunal to the Electoral Officer or, the Chairman of the Electoral Commission.
- 24(1) At the conclusion of the hearing, the Election Tribunal shall determine whether a person whose election or return is complained of or any other person and whether the person was validly returned or elected, or whether the election was void, and shall certify the determination to the Election Officer, or Chairman of the Electoral Commission.
- (2) If the Election Tribunal has determined that the election is invalid, then, subject to section 37 of this Law where there is an appeal and the Appeal fails, a new election shall be held by the Electoral Commission.
- (3) Where a new election is to be conducted under the provisions of this paragraph, the Electoral Commission shall appoint a date for the Election, which shall not be later than three (3) months from the date of the determination.
25. An election petition shall be withdrawn at any time before the final determination of the Petition.
26. If the election petition is withdrawn, the petitioner shall be liable to pay appropriate cost to the respondents or anyone of them unless the Election Tribunal otherwise orders.
- 27(1) If a sole petitioner or the survivor of several petitioners dies, then, subject to sub-paragraphs (2) and (3) of this paragraph, there shall be no

Power of Chairman
dispose interlocutory
matters

Withdrawal or
abatement of petition

Payment of cost to
respondents.

Abatement of proceeding in
election petition.

further proceedings on the Election Petition and the Election Tribunal may strike off its cause list.

- (2) The death of a petitioner shall abate all the cost previously incurred in the course of proceedings in respect of the Election Petition.
- (3) Where notice, with copies for each party to the Election Petition supported by affidavit of two witnesses testifying to the death of a sole petitioner or of the survivor of several petitioners, is given to the Secretary, he shall submit the notice to the Election Tribunal, and if the Election Tribunal so directs the Secretary shall-
 - (a) serve notice on the other parties to the Petition:
 - (b) post or cause to be pasted a notice on the Tribunal notice board; and
 - (c) cause notice to be published in the Gazette and in conspicuous places in the constituency, in such form as the Election Tribunal may direct.

28(1) If before the hearing of an election petition, a respondent, other than the Electoral Officer the Returning Officer or Presiding Officer, gives to the Election Tribunal notice in writing signed by him or his Solicitor before the Secretary that he does not intend to oppose the Election Petition, the Tribunal shall:

Notice of no application to petition

- (a) Serve notice on the other parties to the Election Petition, and
 - (b) Post or cause to be pasted a notice on the Tribunal notice board
- (2) A respondent who has given notice to his intention not to oppose the Election Petition shall not appear or act as a party against the Election Petition in any proceeding on it, but the giving of the notice shall not of itself cause him to cease to be a respondent.

29(1) Where a notice of:

- (a) the death of the sole petitioner or the survivor of several petitioners; or

Countermand Notice of hearing

- (b) the Respondent's intention not to oppose an election is received after notice of hearing of the Election Petition has been given, and before the hearing has began, the Secretary shall countermand the notice of hearing.
- (2) The countermand shall be given in the same manner and, as near as may be as the notice of hearing
30. Money deposited as security shall be returned to the party who deposited it or his solicitor if not used. Return of Security
- 31(1) On the hearing of an election petition, the Election Tribunal may summon a person as a witness who appears to the Election Tribunal to have been concerned in the Election. Calling of witness(es)
- (2) The Election Tribunal may examine a witness so summoned or any other person in the Election Tribunal although the witness or person is not called and examined by a party to the Election Petition and thereafter he may be cross-examined by or on behalf of the Petitioner and the Respondent.
- (3) Where the Election Tribunal summons a person as a witness under this paragraph, the provisions of the Civil Procedure Rules relating to the expenses of persons ordered to attend a hearing shall apply as if they were part of this paragraph.
- 32(1) The Election Tribunal shall:
- (a) In making and carrying into effect an order for the production and inspection of documents used in the Election and relating to the way in which the votes of particular persons were given; and
- (b) In the examination of any witness who produces or will produce a document, ensure that the way in which the vote of a particular person has been given shall not be disclosed until it has been proved that the vote was given and the vote has been declared by the Election Tribunal to be invalid. Inspection of document(s)
- 33(1) A person called as a witness in a proceeding in the Election Tribunal shall not be excused from answering a question relating to an offence at Privileges of a witness

- or connected with an election on the grounds that the answer may incriminate or tend to incriminate him, or on the ground of privilege.
- (2) A witness who answers truly all questions, which he is required by the Election Tribunal to answer, shall be entitled to receive a certificate of indemnity under the hand of the Chairman of the Election Tribunal stating that the witness has so answered.
- (3) An answer by a person to a question before the Election Tribunal shall not, except in the case of a criminal proceeding for perjury in respect of the answer, be admissible in any proceeding, civil or criminal, in evidence against him.
- (4) When a person has received a certificate of indemnity in relation to an election and legal proceedings are at any time brought against him for an offence against the provisions of this Law, committed by him prior to the date of the certificate at or in relation to that election, the Election Tribunal having cognizance of the case shall, on proof of the certificate, stay the proceedings, and may, at its discretion award to that person such costs as he may have been put to in the proceeding.
34. At the hearing of an election petition complaining of an undue return and claiming the seat or office for a petitioner, the Respondent may, subject to the provisions of sub-paragraph (2) of paragraph 10 to this Schedule, give evidence to prove that the Election of the Petitioner was undue in the same manner. Evidence by respondent.
- 35(1) The Election Tribunal shall have power, to enlarge time for doing any act of taking any proceeding on such terms (if any) as the justice of the case may require except otherwise provided by any other provision of this law. Enlargement and abridgement of time.
- (2) An enlargement of time may be ordered although the application for the enlargement is not made until after the expiration of the time appointed or allowed.
- (3) When the time for delivering a pleading or document or filing any affidavit, answer or document, or doing anything or act is or has been

fixed or limited by any of the paragraphs or rules under or in pursuance of this Law or by a direction or an order of the Election Tribunal, the costs of an application to extend the time, where allowed or of an order made thereon shall be borne by the party making the application, unless the Election Tribunal otherwise orders.

- (4) Every application for enlargement or abridgement of time shall be supported by affidavit.
 - (5) An application for abridgement of time may be made *ex parte*, but the Election Tribunal may require notice of the application to be given to the other parties to the election petition.
 - (6) An application for enlargement of time shall be made by motion after notice to the other party to the election petition but the Election Tribunal may, for good cause shown by affidavit or otherwise, dispense with the notice.
 - (7) A copy of an order made for enlargement or abridgement of time shall be filed or delivered together with any document filed or delivered by virtue of the order.
36. A party may change his address for service by giving notice of his new address for service and its occupier to the Secretary and to each party to the election petition but until a notice received by the Secretary, his old address for service shall continue to be address for service.
37. Two or more candidates may be respondents to the same petition and their case may, for the sake of convenience be heard at the same time, but for all purpose the Election Petition shall be deemed to be a separate petition against each of the Respondents.
38. Where two or more petitions are presented in relation to the same election or return, all the Petitions shall be consolidated, considered and be dealt with as one petition unless the Election Tribunal shall

Change of address by a party

Two or more candidates as respondents.

Consolidation for petitions.

otherwise direct in order to do justice or an objection in *limine* against one or more of the Petitions has been upheld by the Election Tribunal.

39(1) Where an election petition complains of the conduct of an Electoral Officer, a Presiding Officer, Returning Officer or any other Official of the Electoral Commission, he shall for all purpose be deemed to be a respondent and joined in the Election Petition as a necessary party, but an Electoral officer, Presiding Officer or Returning Officer shall not be at liberty to decline from opposing the petition except with the written consent of the Attorney-General of the State.

Electoral Officer etc as respondent.

(2) If consent is withheld by the Attorney General under the sub-paragraph (1) of this paragraph, the State Government shall indemnify the Electoral Officer, Presiding Officer or Returning Officer against any costs which may be awarded against him by the Election Tribunal in respect of the Election Petition.

(3) Where an Electoral Officer, a Presiding Officer or Returning Officer or any Official of the Electoral Commission has been joined as a respondent in an election petition, a legal officer of the Electoral Commission or a legal practitioner engaged by the Electoral Commission or the Attorney-General of the State concerned (acting in person or through any of his legal officers) shall represent the Electoral Officer, Presiding Officer or Returning Officer or other Official at the Election Tribunal.

(4) A private legal practitioner engaged by the Electoral Commission under sub-paragraph (3) of this paragraph shall be entitled to be paid his professional fees, and a legal officer so engaged shall be paid such honorarium as may be approved by the Electoral Commission.

40(1) An application to set aside an election or a proceeding pertaining to it shall show clearly the legal ground on which the application is based.

Non-compliance with rule, etc.

(2) An election petition shall not be defeated by an objection if it is possible at the time the objection is raised to remedy the defect either by way of amendment or as may be directed by the Election Tribunal.

- (3) An objection challenging the irregularity or competence of an election petition shall be heard and determined before any further steps in the proceedings if the objection is brought immediately the defect on the face of the election petition is noticed.
41. Subject to the provisions of this Law, an appeal to the Election Appeal Tribunal shall be determined in accordance with the practice and procedure relating to appeals to the High Court regard being had to the need for urgency on electoral matters. Practice and procedure of constitutional court.
42. In this schedule- Interpretation
- “Attorney-General” means the Attorney General of Nasarawa State;
- “Civil Procedure Rules” means the Civil Procedure of the Nasarawa State High Court for the time being in force;
- “Election” means any election to which an election petition relates;
- “Registry” means a Registry set up for an Election Tribunal established under this Law.
- “Secretary” means the Secretary of an Election Tribunal established under this Law.
- “Tribunal Notice Board” means a notice board at the registry or notice board at the place of hearing where notice of presentation of petition or any other notice may be given or posted.

SCHEDULE 6 Section 14

CONFIDENTIAL FORM NASIEC/C.F.001

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION

Data form for person seeking election to the office of Councillor of a Local Government Council.

PART 1

A. PERSONAL PARTICULARS

1. Surname (in block letters):.....
2. Maiden Name (where applicable):.....
3. Other Names (in block letters):.....
4. Have you ever changed your names? If so, what were your former names?
.....
5. Residential Address:.....
6. Marital Status:.....
7. Postal Address:.....
8. Nationality:.....
9. Did you change Nationality in the past? If so what was your Nationality?
.....
10. Date of Birth:.....
11. Place of Birth:.....
12. Local Government Area:.....
13. State of Origin:.....
14. How long have you stayed in your present place of abode?.....
15. Are you an indigene of your present place of abode?.....
16. What is your present occupation?.....

B. EDUCATIONAL INSTITUTIONS ATTENDED WITH DATES

1. Primary School:.....
2. Secondary School (including teacher's commercial, Technical and equivalent institutions).....
3. Tertiary Institutions (including Universities and Colleges).....

C. EDUCATIONAL QUALIFICATIONS WITH DATES:

.....
.....
.....
.....

D. WORKING EXPERIENCE WITH DATES (State Employer, Nature of Work, reasons for leaving)

.....
.....

.....
.....

E. POLITICAL EXPERIENCE AND ACTIVITIES (State Political activities involved in the past public offices held, reason for leaving Office, date) etc)

.....
.....
.....

F. GENERAL

1. Have you ever been tried by the Code of Conduct Tribunal? If yes, state details of the charge and the findings of the court or tribunal, including punishment, if any.

.....
.....
.....

2. Have you ever been tried or involved in any investigation or inquiry regarding lunacy? If yes, state nature of inquiry or investigation, including the findings.

.....
.....
.....

3. State with full details the names and address of Clubs, Societies, Associations or Unions you belong to or have belonged to in the past.....

4. Have you ever been involved in any bankruptcy proceedings? If so, state where proceedings took place and the findings of the inquiry

.....
.....
.....

5. Have you ever been arrested by the Police or any other Security agency? If so, state reasons for arrest, where the arrest took place and the outcome of the investigation

.....
.....
.....

6. Are you a member of a political party? If so, state the name of your political party, when you joined the political party and your position in the party

.....
.....
.....

7. Has your party agreed to sponsor you or is the party's sponsorship being contested? State other known contestants

.....
.....
.....

8. Where have you paid your taxes in the last three years? State the amount paid and the receipt numbers or tax clearance certificate numbers with dates

.....

SUBMISSION OF LIST OF CANDIDATES BY REGISTERED POLITICAL PARTY

DATE:.....

NAME OF REGISTERED POLITICAL PARTY:_____

STATE:_____

LOCAL GOVERNMENT AREA:_____

S/N	Name of Candidate	Age	Sex	Home Address	Ward	Post Being Contested	Educational Qualification	Particulars of 3 Years Tax Payment	Remarks

N.B Please attach folders of each candidate with evidence of particulars supplied in this form together with other information considered important.

Chairman's Signature:.....

Secretary Signature:.....

Political Party:.....

Political Party:.....

Date:.....

NASIEC/C.F.003

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
LOCAL GOVERNMENT COUNCIL ELECTION**

**RETURN OF LIST OF CANDIDATES DECLARED NOT QUALIFIED TO
CONTEST ELECTION**

DATE:.....

NAME OF REGISTERED POLITICAL PARTY:.....

STATE:.....

LOCAL GOVERNMENT AREA:.....

- 9. Have you ever been involved in any investigation or trial relating to narcotic drugs or any psychotropic substance? If so, state place of investigation or trial, date and the outcome of the investigation or trial:.....
- 10. Are you a registered voter? If so, state place of registration, registration number and the registration area code number.....
- 11. Give any other information about your person and the reason for which you intend to contest the election.....

**G. DECLARATION BEFORE A COMMISSIONER OF OATHS, IN THE
MAGISTRATE OR HIGH COURT OF THE PLACE YOU LIVE.**

- 1. I solemnly and sincerely declare that the particulars given above are true and correct to the best of my knowledge and belief.
- 2. Before making the declaration, I verified the facts and cross-checked them as to their veracity.

DEPONENT

Sworn to at the Magistrate/High Court Registry.....
This.....day of.....

BEFORE ME

.....
COMMISSIONER FOR OATHS

PART II

H. FOR OFFICIAL USE OF THE ELECTORAL COMMISSION
(here record any independent information obtained or available about the subject).

FORM NASIEC/C.F.002

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION LOCAL GOVERNMENT COUNCIL ELECTION

D. WORKING EXPERIENCE WITH DATES (State Employer, nature of work, reason for leaving)

.....
.....
.....

E. POLITICAL EXPERIENCE AND ACTIVITIES (State political activities involved in the past public offices held, reason for leaving Office, date) etc.

.....
.....
.....

F. GENERAL

1. Have you ever been tried by the Code of Conduct Tribunal? If yes, state details of the charge and the findings of the court or tribunal, including punishment, if any

.....
.....
.....

2. Have you ever been tried or involved in any investigation or inquiry regarding lunacy? If yes, state nature of inquiry or investigation, including the findings.

.....
.....
.....

3. State with full details the names and address of Clubs, Societies, Associations or Unions you belong to or have belonged to in the past.....

4. Have you ever been involved in any bankruptcy proceeding? If so, state where proceedings took place and the findings of the inquiry

.....
.....
.....

5. Have you ever been arrested by the police or any other security agency? If so, state reasons for arrest, where the arrest took place and the outcome of the investigation

.....
.....
.....

6. Are you a member of a political party? If so, state the name of your political party, when you joined the political party and your position in the party

7. Has your party agreed to sponsor you or is the party's sponsorship being contested? State other known contestants

8. Where have you paid your taxes in the last three years? State the amount paid and the receipt numbers of tax clearance certificate numbers with dates

S/N	Name of Candidate	Age	Sex	Home Address	Ward Constituency	Post being Contested	Particulars of Disqualification	Remarks

Chairman's Signature.....

Secretary

Date

NASIEC Signature:.....

NASIEC

Date:.....

NASIEC/C.F.004

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
LOCAL GOVERNMENT COUNCIL ELECTION

RETURN OF LIST OF CANDIDATES DELCARED QUALIFIED TO CONTEST ELECTION

DATE.....

NAME OF REGISTRETED POLITICAL PARTY.....

STATE.....

LOCAL GOVERNMENT.....

S/N	Name of Candidate	Age	Sex	Home Address	Ward Constituency	Post Sought to Be Contested	Particulars of Qualification	Remarks

Chairman's Signature:.....

Secretary's

Date:.....

NASIEC Signature.....

NASIEC

Date:.....

FORM NASIEC/C.F.005

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
LOCAL GOVERNMENT COUNCIL ELECTION**

APPEAL AGAINST DISQUALIFICATION BY STATE CLEARANCE COMMITTEE

Date.....

1. Name of Candidate:.....
2. Home Address:.....
3. Ward or Constituency:.....
4. Local Government Area:.....
5. State:.....
6. Political Party Sponsoring Candidate:.....
7. Post Sought to be contested:.....
8. Reason for disqualification by State Clearance Committee, if known
.....
9. Ground of Appeal.....
.....
10. Further personal particulars or information likely to contest cause of disqualification
(attach documents if necessary).....
11. Remark by party official (Chairman or Secretary of the party):
.....
.....

Signature.....

Chairman/Secretary

(Affix official rubber stamp)

12. I,.....affirm that the additional information given above to towards my clearance to contest the election is true and correction to the best of my knowledge.

.....
Signature of Applicant

13. Decision of clearance appeal committee:.....
.....
.....

FORM NASIEC 5

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
ELECTORAL OFFICER’S RULING AS TO VALIDITY OF NOMINATION

TO.....

.....

.....

Take notice that a nomination paper received by me on.....in your faovur *(has been accepted/rejected by me upon the following grounds);

.....

.....

.....

.....

Dated this.....day of.....

.....

Chairman

Nasarawa State Independent Electoral Commission

*Strike out words not applicable.

FORM NASIEC 4C

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION FORMS FOR
NOMINATION OF CANDIDATE FOR LOCAL GOVERNMENT COUNCILORSHIP
ELECTION**

TO:

The Chairman,
Nasarawa State Independent Electoral Commission,
Lafia.

I,.....
Of.....(Address).....
.....
(Occupation)

State that:

1. I am the candidate to whom this nomination paper relates and I am willing to stand for election to the office of the Councillorship for.....Local Government Area.
2. I am a Nigerian Citizen of not less than 30 years of age
3. I have paid my income tax as and when due for three years immediately preceding the years of the election.
4. My name appears on the official list of voters for the ward in which I reside namely:..... ward.
5. My educational qualifications are
.....
.....
.....
.....
.....
6. My political affiliation and party.....
.....

Signed:.....

Candidate:.....

We the undersigned are the nominators of the above candidate and we registered as voters for the Ward for which the candidate seeks election:

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of First Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Second Nominator

Name:.....
Address:.....
Party Affiliation: (if any).....
Occupation:.....
Voter's Registration Particulars:
Number:.....
Local Government:.....
Ward:.....
Registration Unit:.....
Date:.....

.....
Signature of Third Nominator

Name:.....
Address:.....
Party Affiliation: (if any).....
Occupation:.....
Voter's Registration Particulars:
Number:.....
Local Government:.....
Ward:.....
Registration Unit:.....
Date:.....

.....
Signature of Fourth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Fifth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Sixth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Seventh Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Eighth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Ninth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Tenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Eleventh Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Twelfth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Thirteenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Fourteenth Nominator

Name:.....
Address:.....
Party Affiliation: (if any).....
Occupation:.....
Voter's Registration Particulars:
Number:.....
Local Government:.....
Ward:.....
Registration Unit:.....
Date:.....

.....
Signature of Fifteenth Nominator

Name:.....
Address:.....
Party Affiliation: (if any).....
Occupation:.....
Voter's Registration Particulars:
Number:.....
Local Government:.....
Ward:.....
Registration Unit:.....
Date:.....

.....
Signature of Sixteenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Seventeenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Eighteenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Nineteenth Nominator

Name:.....

Address:.....

Party Affiliation: (if any).....

Occupation:.....

Voter's Registration Particulars:

Number:.....

Local Government:.....

Ward:.....

Registration Unit:.....

Date:.....

.....
Signature of Twentieth Nominator

FORM NASIEC AD

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
FORMS FOR NOMINATION OF CANDIDATE FOR LOCAL GOVERNMENT
COUNCILLORSHIP ELECTION

TO

The Chairman,
Nasarawa State Independent Electoral Commission,
Lafia.

I,.....
Of.....(Address).....
.....
(Occupation)

State that:

1. I am the candidate to whom this nomination paper relates and I am willing to stand for election to the office of the Councillorship for.....
Ward in..... Local Government Area.
2. I am a Nigeria Citizen of not less than 30 years of age
3. I have paid my income tax as and when due for three years immediately preceding the years of the election.
4. My name appears on the official list of voters for the ward in which I reside namely:..... ward.
5. My educational qualifications are
.....
.....
.....
.....
.....
6. My political affiliation and party.....
.....

Signed:.....

Candidate:.....

FORM NASIEC 8A

(N. A. S. I. E. C. LOGO)

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
STATEMENT OF RESULT OF POLL FOR ELECTION OF CHAIRMAN OF
COUNCIL**

POLLING STATION:..... CODE NO.....
WARD:..... CODE NO.....
LOCAL GOVERNMENT:..... CODE NO.....
STATE;..... CODE NO.....

NO OF VOTERS ON THE REGISTER IN FIGURES:.....
NO OF VOTERS ON THE REGISTER IN WORDS:.....

NO OF ACCREDITED VOTERS IN FIGURE:.....
NO OF ACCREDITED VOTERS IN WORDS:.....

SERIAL NUMBERS OF VOTERS CARDS ALLOCATED TO THE POLLING
STATION:..... TO.....
SERIAL NUMBER OF VOTING CARDS ISSUED TO VOTERS:.....
.....TO.....
SERIAL NUMBER OF THE BALANCE OF VOTING CARDS.....TO.....
NAME OF PRESIDING OFFICER:.....SIGNATURE/STAMP:.....
NAME OF AGENT:..... SIGNATURE/STAMP:.....
NAME OF AGENT:..... SIGNATURE/STAMP:.....

I,.....hereby certify

1. That I was the Presiding Officer for the election held on the.....day of.....at above polling station.
2. That the election was contested/uncontested.
3. That the candidate received the following votes:
(a) Votes scored by APP Candidate:.....

(i) Figure:.....

(ii) Words:.....

(b) Votes scored by AD Candidate:.....

(i) Figure:.....

(ii) Words:.....

(c) Votes scored by PDP Candidate:.....

(i) Figure:.....

(ii) Words:.....

(d) Votes scored by ANPP Candidate:.....

(i) Figure:.....

(ii) Words:.....

(e) Votes scored by APGA Candidate:.....

(i) Figure:.....

(ii) Words:.....

(f) Votes scored by UNPP Candidate.....

(i) Figure:.....

(ii) Words:.....

NO OF VALID VOTES CAST IN FIGURES:.....

NO OF VALID VOTES CAST IN FIGURES:.....

NO OF INVALID VOTES CAST IN FIGURES:.....

NO OF INVALID VOTES CAST IN WORDS:.....

VOTES SCORED BY ALL CANDIDATE IN FIGURES:.....

VOTES SECORED BY ALL CANDIDATE IN WORDS:.....

NAME OF PRESIDING OFFICER:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

Dated this.....day of.....

FORM NASIEC 8A

(N. A. S. I. E. C. LOGO)

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
STATEMENT OF RESULT OF POLL FOR ELECTION OF COUNCILLORS**

POLLING STATION:..... CODE NO.....
WARD:..... CODE NO.....
LOCAL GOVERNMENT:..... CODE NO:.....
STATE:..... CODE NO:.....

NO OF VOTERS ON THE REGISTER IN FIGURES:.....
NO OF VOTERS ON THE REGISTER IN WORDS:.....

NO OF ACCREDITED VOTERS IN FIGURES:.....
NO OF ACCREDITED VOTERS IN WORDS:.....

SERIAL NUMBER OF VOTING CARDS ALLOCATED TO THE POLLING
STATION:.....TO.....
SERIAL NUMBER OF VOTING CARDS ISSUED TO VOTERS:.....
.....TO.....
...
SERIAL NUMBER OF THE BALANCE OF VOTING CARDS.....TO.....
NAME OF PRESIDING OFFICER:.....SIGNATURE/STAMP:.....
NAME OF AGENT:..... SIGNATURE/STAMP:.....
NAME OF AGENT:..... SIGNATURE/STAMP:.....

I,.....hereby certify

1. That I was the Presiding Officer for the election held on the.....day
of.....at above polling station.
2. That the election was contested/uncontested.
3. That the candidate received the following votes:
(a) Votes scored by APP Candidate:.....

(i) Figure:.....
(ii) Words:.....

(b) Votes scored by AD Candidate:.....

- (i) Figure:.....
- (ii) Words:.....

(c) Votes scored by PDP Candidate:.....

- (i) Figure:.....
- (ii) Words:.....

Votes scored by ANPP Candidate:.....

- (i) Figure:.....
- (ii) Words:.....

Votes scored by APGA Candidate:.....

- (i) Figure:.....
- (ii) Words:.....

(d) Votes scored by UNPP Candidate.....

- (i) Figure:.....
- (ii) Words:.....

NO OF VALID VOTES CAST IN FIGURES:.....

NO OF VALID VOTES CAST IN FIGURES:.....

NO OF INVALID VOTES CAST IN FIGURES:.....

NO OF INVALID VOTES CAST IN WORDS:.....

VOTES SCORED BY ALL CANDIDATE IN FIGURES:.....

VOTES SECORED BY ALL CANDIDATE IN WORDS:.....

NAME OF PRESIDING OFFICER:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

NAMEAGENT:.....SIGN/STAMP:.....

NAME OF AGENT:.....SIGN/STAMP:.....

Dated this.....day of.....

NASIEC 8B

NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION SUMMARY OF RESULT FROM POLLION STATION FOR ELECTION OF COUNCILLORS

STATE:.....L.G.A:.....
 LEVEL OF COLLATION:.....WARD:.....
 NAME OF WARD:.....CODE NO:.....

POLLING STATIONS			VOTES REGISTERED BY THE CANDIDATE/PARTS						
				APP	AD APGA	PDP	ANPP	UNPP	
			No of registered voters	Name of candidate		Name of candidate		Name of candidate	
S/N	Code	Name		Fig	Wd.	Fig.	Wd.	Fig.	Wd
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
Total No of votes Received by candidates									

Name of ward returning officer:.....
 Signature:.....Date/Stamp:.....

Name and signature of party Agent:.....

N.B The columns for candidate will depend on the number of political parties presenting candidates for the election.

NASIEC 8C

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
 SUMMARY OF RESULT FROM WARDS FOR ELECTION OF CHAIRMAN OF
 LOCAL GOVERNMENT COUNCIL**

STATE:..... CODE:.....
 LEVEL OF COLLATION-LOCAL GOVERNMENT AREA.

Name of Local Government Area:.....CODE:.....

POLLING STATIONS			VOTES REGISTERED BY THE CANDIDATE/PARTS						
S/N	Code	Name	No of registered voters	APP		AD		PDP	
				Fig	Wd.	Fig.	Wd.	Fig.	Wd
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
Total No of votes Received by candidates									

Name of ward returning officer:.....

Signature:.....Date/Stamp:.....

Name and signature of party Agent:.....

N.B The columns for candidate will depend on the number of political parties presenting candidates for the election.

NASIEC 8E

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
DECLARATION OF ELECTION OF CHAIRMAN OF COUNCIL**

PART 1

(To be complete by the Returning Officer)

I,.....

1. That I was the Returning Officer for the election held on the.....day of..... 200.....for.....
2. That the Election was CONTESTED/UNCONTESTED
3. That the candidate received the following votes

S/N	Name of Party	Totally Vote in Figures	Totally vote in Words

PART II

(TO BE COMPLETED BY THE CHIEF ELECTORAL OFFICER OR ANY OTHER PERSON DESIGNED BY THE CHIEF ELECTORAL OFFICER OF THE STATE)

4. That.....of.....having complied with the requirements of the law and scored the majority of vote is elected and returned.

Signature of Returning Officer.....

Date this.....day of.....

NASIEC 8E(1)

**NASARAWA STATE INDEPENDENT ELECTORAL COMMISSION
ELECTION TO THE LOCAL GOVERNMENT COUNCIL**

CERTIFICATE OF RETURN AT ELECTION

I hereby certify that the person elected

for:.....

In the.....election held on

the.....day

Of.....is.....

(State the full Names of Candidate)

Of.....

.....

(State the full address of Candidate)

Dated this.....day of.....

.....
For Chief Election Officer of State

FORM TF. 001

**RECEIPT OF PETITION
IN THE LOCAL GOVERNMENT COUNCIL ELECTION TRIBUNAL OF NASARAWA
STATE**

HOLDEN AT LAFIA;.....

PETITION NO:.....

Between

.....)
.....) Petitioners

And

.....)
.....) Respondents

Received on the.....day of.....at the
Registry.....of.....Local Government Election Tribunal, a
petition touching the election of..... a member of
the..... Ward/Constituency purporting to be signed by (insert name
petitioner).

Dated this.....day of.....

.....
Registrar
For Service on

Petitioners:

.....
.....
.....

FORM TF. 002

IN THE LOCAL GOVERNMENT COUNCIL ELECTION PETITION
TRIBUNAL OF NASARAWA STATE
HOLDEN AT LAFIA

The Election to the.....Local Government Council
for.....
Ward Local Government Area held on the..... day
of.....

Between

A.B.....)
C.D.....) Petitioner(s)
And
E.F.....)
G.H.....) Respondent(s)

The Petition of A.B of.....(or of A.B.
of.....and C.D of.....or as the case may
be) whose names are subscribed.

1. Your Petitioner A.B. is a person who voted (or had a right to vote as the case may be) at the above election (or claims to have had a right to be returned or elected at the above election) or

was a candidate at the above election, and your petition C.D (here state in like manner the right of each petitioner).....

2. And your petitioner(s) state(s) that the election was held on the..... day of..... when A.B (and C.D) and E.F. (and G.H) were candidates.
3. And your petition(s) state(s) that (here state facts and grounds of the petition(s) relies).....

Wherefore your Petitioner(s) pray(s) that it may be determined that the said E.F (and G.H) was (were) not duly elected (or returned) and that the (or his) election was void or that the said A.B (and C.D) was were elected and ought to have been returned or as the case may be.

Signed..... A.B.
..... C.D.

Address for services (within 5 kilometres)
of a post office within the judicial division)
.....
.....

The name of my (our) solicitor is.....or I (we) am (are) acting for myself (ourselves).

Signed..... A.B
..... C.D

Signed before me this.....day of.....

.....
Registrar

FORM TF. 003

IN THE LOCAL GOVERNMENT COUNCIL ELECTION TRIBUNAL OF NASARAWA STATE

HOLDE AT LAFIA

PETITION NO:.....

BETWEEN

.....)
.....) Petitioner(s)

And

.....)
.....) Respondent(s)

NOTICE OF PRESENTATION OF PETITION

To Respondent(s):

TAKE NOTICE that a petition a duplicate whereof is attached hereto has been presented in the Registry of the Tribunal named above and that you are to enter an appearance in respect of the Petition to the said Registry within.....days of the date when this notice was left at your address set out below or as the Tribunal may direct by order under section 9(2) of Schedule 5 to this Law, otherwise proceeding on the Petition may be continued and determined in default of your appearance, and may document intended for you may be posted up on the Tribunal notice boards, which shall be sufficient notice thereof.

Dated this.....day of.....

.....
Registrar

To.....

FORM TF. 004

IN THE LOCAL GOVERNMENT COUNCIL ELECTION TRIBUNAL OF NASARAWA STATE

HOLDEN AT LAFIA

PETITION NO:.....

MEMORANDUM OF APPEARANCE

Between

.....)
.....) Petitioner(s)

And

.....)
.....) Respondent(s)

To: The Registrar,
.....Local Government Election Tribunal

Please enter appearance for..... who is
sued as.....in the above election petition.

The name and address of his Solicitor are as follows:

.....
.....
.....

Dated this.....day of.....

.....
Signed

For Service on:

Petitioner:.....
.....
.....

FORM TF. 005

IN THE LOCAL GOVERNMENT COUNCIL ELECTION TRIBUNAL OF NASARAWA STATE

HOLDEN AT LAFIA

PETITION NO:.....

Between

.....)
.....) Petitioner(s)

And

.....)
.....) Respondent(s)

TAKE NOTICE that the above election petition will be heard on.....the.....day of.....and on such other days as the Tribunal may determine.

Dated this.....day of.....

.....
Registrar

Address for Service:

Petitioner:.....
.....
.....

Respondent:.....
.....
.....

FORM TF. 006

IN THE LOCAL GOVERNMENT COUNCIL ELECTION TRIBUNAL OF NASARAWA STATE

HOLDEN AT LAFIA

PETITION NO:.....

Between

.....)
.....) Petitioner(s)

And

.....)
.....) Respondent(s)

TAKE NOTICE that this Honourable Court will be moved on.....the.....day of.....at the hour of 9:0'clock in the forenoon or soon thereafter as the Petitioner or counsel on his behalf can be heard praying the tribunal for an order enabling the Petitioner to present the Petition on the following grounds

Dated this.....day of.....

.....
Registrar

For Service on:

Petitioner(s) or Solicitor:.....

MADE at Nasarawa State.....day of.....

This printed impression (**Local Government Election Law 2018**) has been carefully compared by me with the Bill, which has been passed by the Nasarawa State House of Assembly and is found by me to be a true and correct copy of the Bill.

EGO MAIKEFFI ABASHE
Clerk of the House
Nasarawa State House of Assembly

I assented this 2nd day of May, 2018

UMARU TANKO AL-MAKURA
Governor
Nasarawa State of Nigeria