

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT TO MANDATE COMPULSORY USE OF BIOMETRIC VOTER ACCREDITATION SYSTEM (BIVAS) BY THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) FOR ACCREDITATION OF ELIGIBLE VOTERS AND ON THE SPOT TRANSMISSION OF RESULTS IN ALL INEC-CONDUCTED ELECTIONS, AND FOR RELATED MATTERS

Sponsored Hon. Paul Nnamchi

Co-sponsors:

Hon. Julius Ihonbere ,	Hon. Ahmed Yusuf Doro
Hon. Aminu Sani Jaji	Hon. Chinedu Obika
Hon. Usman Zanna	Hon. Victor Nwokolo
Hon. Hassan Abubakar	Hon. Chimaobi Sam Atu
Hon. Philip Agbese	Hon. Onwuegbu B. Anayo
Hon. Donatus K. Mathew	Hon. Sadiq Ango Abdullahi
Hon. Esosa Iyawe	Hon. Aminu Ibrahim Kafur
Hon. Ahmed Munir	Hon. Dennis Agbo

[] Commencement

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

1 **1.** The purpose of this Bill is to enhance transparency, Objective
2 accountability, and integrity in elections conducted by the Independent
3 National Electoral Commission (INEC) by mandating the use of the
4 Biometric Voter Accreditation System (BIVAS) for voter accreditation and
5 immediate transmission of election results.

6 **2.** Section (x) of the Principal Act is amended as follows: Amendment to
7 (1) Compulsory Use of BIVAS: Section (x) of the
8 (a) The Independent Nation I Electoral Commission (INEC) shall Principal Act

1 adopt and ensure the use of Biometric Voter Accreditation System (BIVAS) for
2 the accreditation of all eligible voters in all elections conducted by INEC;

3 (b) INEC shall ensure the biometric data of every voter is verified
4 through BIVAS before the voter is permitted to vote;

5 (2) Real-time Transmission of Results:

6 (a) Upon the conclusion of voting in any polling unit, INEC officials
7 must immediately transmit the results electronically through the prescribed
8 real-time platform;

9 (b) All transmitted results shall be recorded and stored securely to
10 ensure integrity and accuracy.

11 (3) INEC Responsibility and Accountability:

12 (a) INEC shall ensure BIVAS devices are deployed to every polling
13 unit, adequately functional, and accessible;

14 (b) INEC must conduct training and prepare logistics to ensure
15 uninterrupted use of SIVAS and result transmission systems.

Consequences
for Non-
Compliance

16 4. Failure to adhere to the provisions of this Act shall attract the
17 following penalties:

18 (1) For INEC Officials:

19 (a) Any INEC official who fails to ensure the use of SIVAS for voter
20 accreditation or does not transmit results on the spot shall be subject to
21 immediate suspension and investigation;

22 (b) If found guilty of willful neglect, the official shall face jail term of
23 two years without option of fine in addition to dismissal as a deterrent.

24 (2) For Election Results:

25 (a) Results from polling units where SIVAS was not used for
26 accreditation or where results were not transmitted on the spot shall be deemed
27 void;

28 (b) In cases where non-compliance materially affects the outcome of
29 an election, such elections may be subject to cancellation and / or re-conducted
30 within a period stipulated by INEC.

- 1 **5.** INEC's adherence to this Act is subject to judicial review, Judicial Review
2 allowing candidates and political parties to challenge any instance of non-
3 compliance in an electoral tribunal.
- 4 **6.** This Bill may be cited as the Electoral Act (Amendment) Bill, Short title
5 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act to mandate the compulsory use of the Biometric Voter Accreditation System (BIVAS) for the accreditation of voters and the on- the-spot electronic transmission .of results in elections conducted by INEC. The aim is to enhance the integrity of the electoral process, reduce instances of election malpractice, and strengthen public trust in electoral outcomes, Penalties are introduced to deter non-compliance by INEC officials, ensuring strict adherence to these provisions.