

# A BILL

## FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AS (AMENDED) TO ALLOW FOR THE PARTICIPATION OF CANDIDATES WHO ARE NOT SPONSORED BY POLITICAL PARTIES IN PRESIDENTIAL, GOVERNORSHIP, NATIONAL ASSEMBLY, STATE HOUSES OF ASSEMBLY AND LOCAL GOVERNMENT COUNCILS ELECTIONS; AND FOR RELATED MATTERS, 2024

*Sponsored by Hon. Akintunde Rotimi*

[ ] Commencement

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

1           **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in  
2 this Bill referred to as "the Principal Act") is altered as set out in this Bill. Alteration of the  
Constitution

3           **2.** Section 7 of the Principal Act is altered- Alteration of  
Section 7 of the  
Principal Act

4           (a) by inserting after subsection (4), new subsections "(4A)", and  
5 "(4B)"-  
6           "(4A) Notwithstanding any other law, any individual eligible to  
7 vote or contest an election into the State House of Assembly, shall have the  
8 right to be a candidate for election to any local government office  
9 notwithstanding that such individual does not belong to, or is not sponsored  
10 by any political party."

11           (4B) A candidate who does not belong to, or is not sponsored by  
12 any political party shall only contest an election if-

13           (i) in the case of a Chairmanship election, such a candidate has  
14 obtained the verified signatures of at least ten percent of registered voters  
15 from at least two-thirds majority of all the electoral wards in the respective  
16 local government area;

17           (ii) in the case of a Councillorship election, such a candidate

1 obtains the signatures of at least ten percent of registered voters from at least  
2 two-thirds majority of all the polling units in the respective electoral wards:

3 PROVIDED always that the signatures shall be verified by the  
4 Independent National Electoral Commission or the State Electoral  
5 Commission; and that a registered voter shall not sign for more than one  
6 independent candidate in respect of the same office.

Alteration of  
Section 65 of the  
Principal Act

7 **3.** Section 65 of the Principal Act is further altered by substituting for  
8 subsection "(2)", a new subsection "(2)" -

9 "(2) A person shall be qualified for election under subsection (1) of  
10 this section if he has been educated up to at least School Certificate level or its  
11 equivalent; and

12 (a) he is a member of a political party and is sponsored by that party;

13 (b) he is an independent candidate and has obtained the verified  
14 signatures of at least ten percent of registered voters from at least two- thirds  
15 majority of the local government areas in his Senatorial District or Federal  
16 Constituency as the case may be:

17 PROVIDED that the signatures shall be verified by the Independent  
18 National Electoral Commission; and that a registered voter shall not sign for  
19 more than one independent candidate in respect of the same office"

Alteration of  
Section 106 of the  
Principal Act

20 **4.** Section 106 of the Principal Act is further altered-

21 (a) in subsection (2) Cd), by inserting after the last word, "party", the  
22 expression, "or the person is an independent candidate";

23 (b) by inserting after paragraph (d), a new paragraph "(e)"

24 "(e) in the case of an independent candidate, the person has obtained  
25 the verified signatures of at least ten percent of registered voters from at least  
26 two-thirds majority of the electoral ward in the State Constituency:

27 PROVIDED that the signatures shall be verified by the Independent  
28 National Electoral Commission; and that a registered voter shall not sign for  
29 more than one independent candidate in respect of the same office."

1	<b>5.</b> Section 131 of the Principal Act is further altered-	Alteration of Section 131 of the Principal Act
2	(a) in paragraph (c), by inserting after the last word, "party", the	
3	expression, "or the person is an independent candidate";	
4	(b) inserting a new subsection "(2)"-	
5	"(2) in the case of an independent candidate, the person has	
6	obtained the verified signatures of at least ten percent of registered voters	
7	from at least two-thirds majority of all States of the federation:	
8	PROVIDED that the signatures shall be verified by the	
9	Independent National Electoral Commission; and that a registered voter	
10	shall not sign for more than one independent candidate in respect of the same	
11	office"	
12	<b>6.</b> Section 177 of the Principal Act is further altered-	Alteration of Section 177 of the Principal Act
13	(a) in paragraph (c), by inserting after the last word, "party", the	
14	expression, "or the person is an independent candidate";	
15	(b) inserting a new subsection "(2)"-	
16	"(2) in the case of an independent candidate, the person has	
17	obtained the verified signatures of at least ten percent of registered voters	
18	from at least two-thirds majority of the local government areas in the State:	
19	PROVIDED that the signatures shall be verified by the	
20	Independent National Electoral Commission; and that a registered voter	
21	shall not sign for more than one independent candidate in respect of the same	
22	office"	
23	<b>7.</b> Section 221 of the Principal Act is altered by inserting, after the	Alteration of Section 221 of the Principal Act
24	existing section, a new subsection (2)-	
25	"(2) Nothing in section (1) of this section shall prevent a person, or	
26	group of persons not being a registered company or any registered entity in	
27	Nigeria, from canvassing for votes for an independent candidate in any	
28	election	
29	<b>8.</b> The Principal Act is altered by inserting, after the existing	Insertion of new sections 221A and 221B
30	section 221, new sections "221A" and "221B" -	

1 *"221A Duties of the Independent National Electoral Commission with respect*  
2 *to independent candidates:*

3 (1) The Independent National Electoral Commission shall develop  
4 and publish guidelines and procedures for the nomination, verification, and  
5 participation of independent candidates in all elections.

6 (2) The Independent National Electoral Commission shall by  
7 regulation, prescribe the time within which an independent candidate shall  
8 submit his nomination papers and the collation of the signatures of registered  
9 voters: Provided that the time prescribed under this section for the collation of  
10 the signatures of registered voters shall run concurrently with the time  
11 prescribed for the conduct of primary elections by political parties.

12 (3) The Independent National Electoral Commission shall prescribe a  
13 security deposit to be paid by an independent candidate seeking election into  
14 any elective office created by this Constitution or any other Act of the National  
15 Assembly: and such security deposit shall be forfeited if such candidate fails to  
16 secure at least ten percent of the total vote cast at the election"

17 (4) The Independent National Electoral Commission shall ensure that  
18 independent candidates are entitled to the same rights and subject to the same  
19 obligations as candidates sponsored by political parties, including access to  
20 public debates, media coverage, and campaign funding regulations.

21 (5) The Independent National Electoral Commission shall create  
22 public awareness campaigns to educate the electorate on the role and  
23 participation of independent candidates in the electoral process.

24 *221B Implementation and Monitoring:*

25 (1) The Independent National Electoral Commission shall establish a  
26 dedicated unit within the Commission to oversee the implementation and  
27 monitoring of independent candidature.

28 (2) The unit shall be responsible for:

29 (a) Processing nominations and verifying signatures;

1 (b) Monitoring compliance with electoral regulations by  
2 independent candidates;

3 (c) Resolving disputes related to independent candidature.

4 (3) The Independent National Electoral Commission shall submit  
5 an annual report to the National Assembly on the progress and challenges of  
6 implementing independent candidature, with recommendations for  
7 improvements"

8 **9.** Section 228 of the Principal Act is altered by inserting after  
9 paragraph (c), a new paragraph "(cc)"- Alteration of  
Section 228

10 "(cc) for the conferment on the Commission of power by  
11 regulations to prescribe the payment of such administrative fees by  
12 independent candidates for respective elections:"

13 **10.** This Bill may be cited as the Constitution of the Federal Citation  
14 Republic of Nigeria 1999 (Sixth Alteration) Bill, 2024.

#### EXPLANATORY MEMORANDUM

This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999, to allow an independent candidate to contest for elective positions at all levels. This will broaden the democratic process, thereby allowing citizens who are not affiliated with any political party the opportunity to run for public offices.