

A BILL FOR

AN ACT TO AMEND THE ELECTORAL ACT 2022 TO MANDATE THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) TO CARRY OUT RECONCILIATION AND VERIFICATION OF ELECTION RESULTS WITH THE ACCREDITED VOTERS' LIST RECORDED ON THE BIMODAL VOTER ACCREDITATION SYSTEM (BVAS) OR ANY OTHER TECHNOLOGY DEPLOYED BY INEC AS A PREREQUISITE FOR DECLARING A WINNER OF ANY ELECTION AND FOR RELATED MATTERS

Sponsors:

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| Hon. Ikeagwuonu Ugochinyere | Hon. Abdullmaleek Danga |
| Hon. Aliyu Mustapha | Hon. Francis Waive |
| Hon. Koki Sagir Ibrahim | Hon. Abdulla Muhammed |
| Hon. Abiante Awaji-Inombek D. | Hon. Ghali Tijani Mustapha |
| Hon. Chinedu Emeka | Hon. Emmanuel Ukpog-Udo |
| Hon. Chinwe M. Gwacham | Hon. Boma Goodhead |
| Hon. Matthew Nwogu | Hon. Onobun Marcus Iziegbeaya |
| Hon. Obinna Aguocha | Hon. Midala Balami |
| Hon. Peter Aniekwe | Hon. Emeka Idu Godwin Obiajulu |
| Hon. Mohammed Bello | Hon. Usman Basiru |
| Hon. Ukodhiko Ajirioghene J. | Hon. Hon. Obika Joshua Chinedu |
| Hon. Amobi Godwin Ogah | Hon. Mark Esset Udo |
| Hon. Dekeri Sunday Anamero | Hon. Atu Chimaobi Sam |
| Hon. Odimayo Okunjimi | Hon. Jajere Mohammed Buba Fika |
| Hon. Tafoki Dalhatu Shehu | Hon. Mustapha Tijani Ghali |
| Hon. Jibril Abdulmumin | Hon. Ibrahim Engr. Hamisu |
| Hon. Abdulkadir Tijani Jobe | Hon. Hassan Mohammed Danjuma |
| Hon. Mu'azu Abdullahi Gwarzo | Hon. Zakari Dauda Nyampa |
| Hon. Sani Abdullahi Rogo | Hon. Dankawu Idris |
| Hon. Ahmad Yusuf Badau | Hon. Yusuf Rabiu |
| Hon. Umar Mukhtar Zakari | Hon. Bala Sani Umar |
| Hon. Abdulhakeem Kamilu Ado | Hon. Anthony Adepoju |
| Hon. Sadiq Tafida | Hon. Odudoh Uduak Alphonsus |
| Hon. Osi Kama Nkemkanma | Hon. Abdullahi EI-Rusheed |
| Hon. Yusuf Shitu Galambi | Hon. Zubairu Bashir Usman |
| Hon. Paul Sunday Nnamchi | |

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria as follows:

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| 1 | 1. The Electoral Act 2022 (in this Bill referred to as "the Principal Act"), is amended as set out in this Bill. | Amendment of the Principal Act |
| 2 | | |
| 3 | 2. Section 66 of the Principal Act is amended by inserting a new | Amendment of Section 66 |
| 4 | subsection (1) - (5) as follows: | |

1 (1) In an election to the office of President or State Governor, and all
2 other elective positions whether or not contested and in any contested election
3 to any other elective office, the result shall be ascertained by counting the votes
4 cast for each candidate and subjected to the provisions of sections 133,134 and
5 179 of the Constitution, the candidate that receives the highest number of votes
6 shall be declared elected by the appropriate returning officer.

7 (2) No Returning Officer or other official of the Commission shall
8 declare the result of an election without first comparing the votes scored by
9 each candidate with the list of accredited voters in the respective polling units
10 or registration areas as recorded in the BVAS or any other technology deployed
11 for voters accreditation.

12 (3) The Returning Officer in each polling unit shall confirm that the
13 total number of votes cast is in harmony with the number of accredited voters as
14 recorded in the BVAS or any other technology deployed by INEC before
15 proceeding to declare the winner of the election in the polling unit.

16 (4) The Returning Officer in each polling unit must obtain a
17 certification in writing for the reconciliation and verification of results from
18 their polling unit agents.

19 For the purposes of verifying election results under Section 66 (4), the
20 presiding officer shall:

21 (a) Tally and confirm that the total number of votes cast is equal to or
22 less than the total number of accredited voters in the polling unit;

23 (b) Confirm that the number of votes scored by each candidate does
24 not exceed the total number of accredited voters;

25 (c) Carry out any other verification processes as may be prescribed by
26 the Commission;

27 (d) Where any discrepancy is found between the results to be declared
28 and the B.V.A.S or any other technology, the presiding officer shall reconcile
29 the difference before declaring the result or nullify the entire election in the
30 event where the figures obtained cannot be adequately reconciled.

1 (5) INEC shall not issue a Certificate of Return to any candidate
2 declared winner until reconciliation and verification of election results has
3 been conducted and duly confirmed in accordance with subsection (1) - (4).

4 (6) INEC shall carry out any consequential administrative action(s)
5 necessary to give full effect to the verification of election results against the
6 accredited voters' list as provided in this Act. Any declaration of winner
7 made in contravention of Sections 66 shall be null and void."

8 **3.** This Bill may be cited as Electoral Act 2022 (Amendment) Bill, Citation
9 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act 2022 to mandate the Independent National Electoral Commission (INEC) to carry out reconciliation and verification of election results with the accredited voters' list recorded on the Bimodal Voter Accreditation System (BVAS) or any other technology deployed by INEC as a prerequisite for declaring a winner of any election.