

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT 2022 TO PROVIDE A LEGAL FRAMEWORK FOR THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) TO QUICKLY RELOCATE VOTING IN AREAS DEEMED UNSAFE DUE TO SECURITY THREATS, IN ORDER TO UPHOLD THE DEMOCRATIC PRINCIPLE OF PARTICIPATION AND TO INCLUDE PROPER SAFEGUARDS TO PROTECT TRANSPARENCY AND INCLUSION AND FOR RELATED MATTERS

Sponsored by Hon. Ikeagwuonu Ugochinyere

[] Commencement

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

- 1 **1.** The Electoral Act (in this Part referred to as "the Principal
2 Act"), is amended as set out in this Part; Amendment of
the Principal Act
- 3 **2.** Subsection 4 is amended by renumbering accordingly; Amendment of
Section 4
- 4 **3.** Section 24 is amended by inserting a new subsection 3
5 immediately after the extant subsection 2 and before subsection 3 as
6 follows: Amendment of
Section 24
- 7 "3- Notwithstanding subsections (2) above, where by reason of
8 force majeure it becomes impossible for an election to hold at the designated
9 polling unit or Area, INEC may in consultation with the relevant security
10 agencies designate an alternative venue within the same constituency to
11 serve as a substitute polling unit or area for the conduct of the election in the
12 affected area."-
- 13 (a) Upon declaring a polling venue unsafe, the commission shall
14 within 48 hours designate an alternative polling venue within the same
15 constituency that can accommodate voters registered to vote at the original
16 location;
- 17 (b) In selecting an alternative venue, the commission shall conduct

1 due diligence to ensure the new location poses no credible security risk and is
2 reasonably accessible to registered voters;

3 (c) The commission shall publicize the change in venue through
4 multiple channels with sufficient notice prior to the election day to ensure all
5 voters are properly informed;

6 (d) On election day, the original venue shall remain closed for voting
7 while polling activities shall be conducted in the alternative venue for the
8 registered voters from the original location;

9 (e) Votes cast at the alternative venue shall be collated separately but
10 counted together with other results from the same constituency;

11 (f) This provision takes precedence over any existing provisions and
12 empowers the electoral commission to alter a polling venue solely based on
13 substantiated security concerns.

Citation

14 **4.** This Bill may be cited as Electoral Act 2022 (Amendment) Bill,
15 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act 2022 to provide a legal framework for the Independent National Electoral Commission (INEC) to quickly relocate voting in areas deemed unsafe due to security threats, in order to uphold the democratic principle of participation and to include proper safeguards to protect transparency and inclusion.