

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT 2022 TO PROVIDE THAT ANY OFFICIAL OF THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) WHO DECLARES A FALSE ELECTION RESULT, COMMITS A CRIMINAL OFFENCE AND SHALL BE LIABLE ON CONVICTION TO AN IMPRISONMENT TERM OF SEVEN YEARS 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 Act"),
2 is amended as set out in this Bill. Amendment of
the Principal Act

3 **2.** Section 120 of the Principal Act is amended by inserting a new
4 subsection (7) (a)- (d) as follows: Amendment of
Section 120

5 "7(a) Notwithstanding the fore-going provisions of this section
6 and without prejudice to the provisions of the Act, any returning officer who
7 knowingly and intentionally declares a false election result commits an
8 offense and shall be liable to an imprisonment term of seven years upon
9 conviction by a court of competent jurisdiction;

10 (b) The Returning Officer must ensure accreditation figures tally
11 with the number of votes before announcement of election result. Failure to
12 do so will attract the penalties stipulated under subsection 7(a) above;

13 (c) Where the Returning Officer commits any of the offences stated
14 above, a legal action can be brought against him/her by an aggrieved
15 party(ies) in a Court of competent jurisdiction;

16 (d) The Returning Officer in 7a above refers to the Presiding officer
17 at the polling unit, Ward Collation Officer at the Registration Area or Ward
18 Collation Centre, Local Government or Area Council Collation Officer at

1 the Local Government or Area Council Collation Centre, State Collation
2 Officer at the State Collation Centre and Chief Electoral Commissioner at a
3 National Collation Centre".

Citation

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

5 EXPLANATORY MEMORANDUM

This Bill seeks to amend the Electoral Act 2022 to provide that any official of the Independent National Electoral Commission (INEC) who declares a false election result, commits a criminal offence and shall be liable on conviction to an imprisonment term of seven years