

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT, 2022, TO MAKE THE ELECTRONIC TRANSMISSION, ELECTRONIC AUTO-COLLATION AND LIVE ONLINE PUBLICATION OF ELECTION RESULTS MANDATORY BY THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC); AND FOR RELATED MATTERS

Sponsored by Hon. Akarachi Etinosa Amadi

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

1 1.-(1) Subsection 50(2) of the principal Act is amended by deleting
2 the words "voting at an election and transmission of results under this Act
3 shall be in accordance with the procedure determined by the Commission"
4 and substituting therefor-
5 "voting at an election shall be by such method as the Commission may
6 prescribe, provided that every result from a Polling Unit shall, immediately
7 after announcement, be transmitted electronically through a secure, real-
8 time system approved by the Commission and capable of end-to-end
9 encryption. Such transmission is mandatory and forms an integral part of the
10 polling process."

Amendment of Section 50 (Voting and Transmission of Results)

11 (2) A new subsection 50(5) is inserted-
12 "(5) A Presiding Officer who fails to comply with subsection (2)
13 commits an offence and is liable on conviction to imprisonment for five (5)
14 years or a fine of ₦5,000,000 or both; and any result so affected shall be
15 void."

16 2.-(1) Subsection 60(5) is amended by deleting the phrase "in a
17 manner as prescribed by the Commission" and substituting-
18 "by simultaneously (a) uploading a scanned copy of Form EC8A, and (b)
19

Amendment of Section 60 (Counting of Votes and Forms)

1 pushing the result data packet (including total accredited voters and votes
2 scored by each candidate) via an INEC-certified electronic device to the
3 National Electronic Results Transmission System (NERTS) immediately after
4 announcement at the Polling Unit."

5 (2) New subsections 60(6)-(8) are inserted-

6 "(6) The electronic data packet shall carry a unique hash to guarantee
7 integrity and shall be time-stamped and geo-tagged.

8 (7) The Presiding Officer shall display, on demand, the transmission
9 confirmation to every accredited agent present.

10 (8) Failure to transmit in accordance with this section shall constitute
11 non-compliance substantial enough to invalidate the Polling Unit result."

Amendment of
Section 62 (Post-
Election Procedure)

12 3. The marginal note is substituted with "post-election procedure,
13 electronic collation and publication of election results."

14 Subsection 62(1) - after "deliver same" insert "and ensure the electronic
15 version has been successfully received on NERTS."

16 Subsection 62(2) now reads -

17 "A Collation Officer shall rely first and exclusively on the electronically
18 transmitted unit results auto-collated by NERTS already published online;
19 manual forms shall serve solely as secondary, back-up evidence where
20 electronic records are unavailable owing to verified force-majeure events."

Amendment of
Section 62
(Collation and
Declaration of
Results)

21 4.-(1) In subsections 64(4) and 64(5) replace "shall use" with "shall
22 exclusively use" and delete the words "subject to his or her verification and
23 confirmation that".

24 (2) Subsection 64(6) - add a proviso-

25 "...Provided that where the electronic record for a Polling Unit is absent on
26 NERTS within two hours of close of poll, the result for that Polling Unit shall
27 be suspended until electronic data is supplied or a supplementary poll is
28 conducted within seven (7) days."

Insertion of New
Sections 64A-64C

29 5. 64A. National Electronic Results Transmission and Auto-Collation
30 System (NERTS):

1 (1) INEC shall maintain a secure, redundant, end-to-end-encrypted
2 platform known as NERTS for real-time intake and automatic collation of
3 election results.

4 (2) NERTS shall generate a publicly documented Application
5 Programming Interface (API) for third-party viewing not later than thirty
6 (30) minutes after the first result is uploaded in any election.

7 (3) The system shall, without further human input, tally Polling-
8 Unit data hierarchically (Ward ? LGA ? State ? National) and push the
9 running totals live to the public portal and API.

10 64B. Live Public Results Portal:

11 (1) All Polling-Unit-level results uploaded to NERTS shall auto-
12 populate a live, publicly accessible portal on the INEC website and through
13 the API referenced in section 64A(2).

14 (2) Data on the portal shall be searchable, downloadable and retain
15 a tamper-evident audit trail.

16 64C. Offences, Civil Remedies and Penalties:

17 (1) Any INEC staff or ad-hoc officer who tampers with, obstructs,
18 delays or disables the electronic transmission, auto-collation or publication
19 process commits an offence and is liable on conviction to imprisonment for
20 ten (10) years without an option of fine.

21 (2) Any candidate, party agent or other person who aids or abets
22 such interference commits a like offence.

23 (3) Civil Locus Standi. - Any registered voter, political party or
24 candidate shall have the right to institute civil proceedings against the
25 Commission or its officers for failure to comply with any provision of this
26 Act and may petition the appropriate security or anti-corruption agencies for
27 investigation and prosecution. No preliminary objection on standing shall
28 defeat such an action.

29 6. All references in the principal Act to "in a manner as the
30 Commission may prescribe" in relation to the transmission or collation of

1 results are amended to reflect the mandatory electronic procedures introduced
2 by this Act.
Citation 3 7. This Bill may be cited as the Electoral Act (Amendment) Bill,
4 2025.

EXPLANATORY MEMORANDUM

*(This memorandum does not form part of the Act and is for
explanatory purposes only.)*

This Bill seeks to amend the Electoral Act, 2022, to make the electronic transmission, electronic auto-collation and live online publication of election results mandatory by the Independent National Electoral Commission (INEC).

(1) Purpose - The Bill removes INEC discretion and makes e-transmission and automatic e-collation of results compulsory, with live public access.

(2) Key Features-

- (a) Mandatory real-time electronic transmission from every Polling Unit;
- (b) Automatic hierarchical collation by NERTS (Ward, LGA, State, National);
- (c) Live public portal and open API for instant citizen oversight;
- (d) Manual collation meetings serve only as a transparent back-up;
- (e) Tough criminal penalties plus explicit civil standing for any voter, party or candidate to sue or petition security agencies;

(3) Impact - Delivers end-to-end transparency, deters manipulation, and empowers citizens to enforce credible elections in 2027 and beyond.