

ELECTIONS (REGISTRATION, ETC. OF VOTERS) ACT

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ELECTIONS (REGISTRATION, ETC. OF VOTERS) ACT

An Act to provide for the procedure for the registration of persons qualified to vote and to maintain and revise the register of voters.

[1991 No. 35.]

[20th August, 1991]

[Commencement.]

1. Registration of voters, etc.

(1) The Independent National Electoral Commission (in this Act referred to as "the Commission") shall carry out the registration of persons qualified to vote and maintain and revise the register of voters compiled under this Act.

(2) A person shall be eligible to be registered as a voter in the area where he resides if-

- (a) he is a citizen of Nigeria;
- (b) he is resident in Nigeria;
- (c) he has attained the minimum age of eighteen years.

(3) The Commission shall compile a new register of voters from a preliminary list of voters obtained from the registration of all persons qualified to vote, and in any other manner as the Commission may think fit.

(4) A registration officer or an assistant registration officer and any person authorised by him shall, for any purpose connected with the registration of voters, be present at the registration centre between the hours of 8 o'clock in the morning and 6 o'clock in the evening and may make such enquiries as may be deemed necessary for the performance of his duties.

(5) Any of the persons referred to in subsection (4) of this section engaged in the registration of voters shall carry an identity card provided by the Commission as evidence of his authority to register voters residing in the registration unit.

(6) A person engaged in the registration of voters shall in respect of his unit-

- (a) exercise the utmost care in preparing the list of voters to be known as the preliminary list; and
- (b) take all necessary precautions to ensure that the preliminary list, when completed, contains the principal names by which every registered voter is usually or may be known and his address, and that the list does not contain the name of any person who is not qualified to vote.

(7) Every preliminary list compiled under this Act shall be displayed in the constituency to which it relates in such a manner and in such places as the Commission may direct and no register of voters shall be printed or used for the purpose of any election until all claims and objections have been dealt with in the prescribed manner.

(8) When the claims and objections to a preliminary list have been dealt with as required by section 8 of this Act, it shall be printed in such number of volumes, which shall be bound and paged with the pages numbered consecutively, as directed by the Commission and be published as the register of voters.

(9) The register of voters shall contain in respect of every person, the particulars required in Form EC.1A in the Schedule to this Act, including the principal name and such one or more other names by which a person is usually or may be known and his address which, for the purposes of this subsection, may be the name of a village or, in the case of a town, the name of the street, if the Commission thinks fit, but no person shall be registered under a principal name alone being a single name or without his address.

[Schedule.]

(10) A person whose name appears in the register of voters shall be entitled to vote at any election conducted by the Commission.

2. Revision of the register of voters

(1) The register of voters in every constituency may be revised before any election.

(2) The Commission shall in any area in which a revision is to be carried out and in such manner as it thinks fit, invite applications, for inclusion in the register of voters, from persons claiming to be entitled because of age, change of residence or any other sufficient reason as the Commission may deem reasonable.

(3) An application for inclusion in the register of voters shall be in Form EC.1 in the Schedule to this Act and shall be made within the time prescribed for such application, by the applicant in person; but if the applicant is an illiterate person, any person who is literate may assist him.

[Schedule.]

(4) The registration officer shall include the names of persons to which subsection (2) of this section applies in a list to be known as the supplementary list.

(5) The supplementary list shall, with the existing register of voters, comprise a new preliminary list and the provisions of this Act as to the preliminary list shall apply and have effect accordingly.

3. Registration cards

(1) The Commission shall issue registration cards in Form. EC.1G in the Schedule to this Act to persons included in the preliminary list.

[Schedule.]

(2) Each such registration card shall be numbered, bear the stamp of the Commission and any relevant particulars as may be required by the Commission.

(3) The Commission may design new registration cards from time to time as it thinks fit and such new registration cards shall be the valid authority for voting at any election.

4. Registration agents

(1) A political party may, by notice in writing by an officer of the party and addressed to the electoral officer of the local government area, appoint a person, in this Act referred to as a "registration agent", to attend at each registration centre in the constituency where the registration of voters or revision of the register of voters is being effected.

(2) The notice shall set out the name and address of the registration agent and be given by the officer of the political party or his representative to the electoral officer not later than ten days before the date for the registration of voters or revision of the register of voters.

(3) A registration agent shall be a person ordinarily resident in the State constituency in respect of which he is appointed.

5. Duty of a registration agent

The registration agent shall-

- (a) ensure the good conduct of his party supporters during the registration or revision exercise;
- (b) sign the certificate of daily registration in Form EC1B in the Schedule to this Act at the end of each day:

Provided that any failure to sign the said form shall not invalidate the collation of registered voters for any such day.

[Schedule.]

6. Display of the existing register of voters

(1) The registration officer shall display the existing register of voters for a period of not less than 21 days at each registration centre or such other places within the constituency as the Commission thinks fit.

(2) Any person eligible to register whose name is omitted in the existing register may apply within the 21 days of the display of the existing register, by notice in writing to the registration centre in Form EC2 in the Schedule to this Act, to have his name and address inserted in the preliminary list.

7. Notice of display of the preliminary list

(1) Where it is necessary to display any preliminary list under this Act, the registration officer shall prepare copies of the whole or any part of the list, and shall display copies of the preliminary list in each registration centre and such other places within a constituency as the Commission thinks fit and each list shall bear the date of its display.

(2) The registration officer shall attach on each preliminary list a notice stating-

- (a) that within five days of the display of the list, claims in respect of omissions or for correction of any item in the list, may be made;
- (b) that, within the same period, objections may be made under the Act to the inclusion of any name in the list; and
- (c) that claims in the form EC.2 or objections in the form EC.3 respectively in the Schedule to this Act may be obtained at local government electoral offices or such other public places throughout the constituency as shall be stated in the notice.

[Schedule.]

(3) Copies of the list or part thereof as displayed shall be available for inspection free of charge by members of the public at local government electoral offices or such other public places throughout the constituency as the Commission may direct, and copies may be inspected at those places during normal office hours for not less than five days after the display of the preliminary list.

8. Claims and objections

(1) Any person eligible to be registered may, if his name is omitted or incorrectly stated in the preliminary list, claim within twelve days of the display of the preliminary list, by notice in writing to the registration officer in form EC.2 in the Schedule to this Act, to have his name and address inserted or to have any such entry amended.

(2) Any person may, within 21 days of the display of the preliminary list, by notice in writing to the registration officer in the Form EC.3 in the Schedule to this Act, object to the inclusion of any other name appearing therein, as being the name of a person not entitled to inclusion in that list.

9. Revising officer for hearing of claims, etc.

(1) The Commission may appoint as a revising officer any fit person to hear and determine claims and objections to an entry in or omission from the preliminary list; and may appoint such number of other persons as it thinks necessary to assist the revising officer.

(2) Any person appointed as a revising officer shall have the powers of a registration officer and may, for the purposes of his duties under this Act, administer any oath necessary at a hearing.

10. Power to make rules for hearing of claims, etc.

(1) Subject to the provisions of this Act, the Commission may make rules prescribing the time for hearing any claim or objection and the procedure at the hearing.

(2) Where a claim is made under this Act, the revising officer, after hearing the applicant and any evidence in support, shall, if he is satisfied that the claim has been established, enter the name and address of the applicant in the preliminary list or make such other corrections as may be necessary.

(3) Where an objection is made under this Act, the revising officer shall give notice of the objection in such manner as he thinks fit; and if, after hearing the parties concerned and any relevant evidence, he is satisfied that the objection is sustained, he shall amend the entry.

11. Completion of preliminary list

- (1) The registration officer shall amend the preliminary list-
 - (a) to give effect to a decision on any claim or objection; or
 - (b) to delete any duplicate entry; or
 - (c) to delete the names of persons who are dead or disqualified; or
 - (d) to delete the names of persons who do not comply with the provisions of section 2 of this Act.

(2) Where a preliminary list is amended to give effect to a decision to include the name of a voter, the registration officer shall at the same time issue to the person whose name is included in that list a registration card in Form EC.1G in the Schedule to this Act.

[Schedule.]

(3) If the registration officer or the Commission has reasonable cause to believe that a person is registered in more than one place either in the same constituency or in different constituencies, the registration officer or the Commission, as the case may be, shall make such alterations or corrections in the preliminary list as are necessary.

(4) No correction under subsection (3) of this section shall be made without notice to the person affected and the giving of reasonable time for the receipt of objections to the proposed correction and, if necessary, for any hearing in respect thereof.

- (5) Every notice required to be given under this section shall be in writing and may be-
 - (a) served upon the person affected by delivering it at or posting it to his address as shown in the preliminary list; or
 - (b) exhibited at such local government council offices or local government electoral offices or other public place in the vicinity of the ordinary residence of the person as shown in the preliminary list.

12. Publication of preliminary list

- (1) The registration officer shall-
 - (a) not later than thirty days from the date when the preliminary list was first displayed or within such extended period as the Commission may allow, make such corrections in the preliminary list, and he shall forward the list to the Commission;

(b) number the names in the preliminary list in such manner as the Commission may direct; and after endorsing and signing a certificate of verification on the preliminary list, he shall forward the list to the Commission.

(2) The preliminary list shall be printed and published by the Commission on such date as the Commission, after considering any alterations or amendments recommended by the appropriate registration officer, may deem fit.

(3) For the purpose of this section, the preliminary list shall be deemed to be printed if it is produced in a visible form by lithography or any means which the Commission considers expedient in the circumstances.

13. Inspection of register of voters

(1) The preliminary list in respect of each constituency when printed and published by the Commission shall be the register of voters for that constituency; and a copy of the register of voters, when published, may be inspected free of charge by members of the public during normal office hours at such place in the constituency as the Commission shall, in writing, appoint.

(2) Copies of the register of voters shall be made available by the Commission to the political parties at such price as it thinks reasonable.

14. Correction of register of voters

(1) Subject to the provisions of this Act, where the Commission is satisfied that there is a mistake in the register of voters, it shall not later than seven days before the date appointed for an election, give notice in such manner as it thinks fit of its intention to correct the mistake; and the correction may be made accordingly.

(2) Nothing in this section as to limitation of time or the giving of notice shall apply where the Commission is satisfied that it is in the public interest to make the correction without waiting for any time or giving any notice.

(3) A registered voter, who at any time before the election, is resident in a constituency other than that in which he is registered, may apply to the resident electoral commissioner of the State where he is resident for his name to be entered on the transferred voter's list for the constituency.

(4) An application under the provisions of subsection (3) of this section shall be accompanied by the applicant's registration card as in Form EC.1G in the Schedule to this Act and be made-

[Schedule.]

- (a) not less than thirty days before nomination day in the constituency where the applicant is resident; and
- (b) not less than thirty days before nomination day in the constituency where the applicant is registered.

(5) The resident electoral commissioner to whom an application is made under the provisions of this section shall cause the applicant's name to be entered in the transferred voter's list if he is satisfied that the applicant is resident in a polling area in his constituency and is registered in some other constituency.

(6) Whenever an electoral officer on the direction of the resident electoral commissioner enters the name of any person on the transferred voter's list for his constituency, he shall-

- (a) assign that person to a polling station or a voting area in his constituency and indicate in the list the voting station or polling area to which that person is assigned;
- (b) send a copy of the entry to the electoral officer of the constituency where the person whose name has been so entered was originally registered and upon receipt of the entry, the electoral officer shall delete the voter's name from the voter's list.

(7) Every person whose name is entered on the transferred voter's list for a constituency shall be entitled to vote at any election in the polling station or polling area to which he is assigned.

15. Power of the Resident Electoral Commissioner to entertain late registration

(1) Any person eligible to register as a voter in any constituency, but who was at the time of the registration or revision exercise unable to have his name included in the register of voters by reason of being out of Nigeria during the exercise or for any other cause as the Commission may deem reasonable in the circumstances, may apply to the resident electoral commissioner of the State in which he is resident for his name to be included in the register of voters in the constituency in which he is resident.

(2) An application under the provisions of subsection (1) of this section shall be made not less than thirty days before nomination day in the constituency where the applicant is resident.

(3) The resident electoral commissioner to whom an application is made under the provisions of this section shall cause the applicant's name to be entered in the appropriate register of voters if he is satisfied that the applicant is resident in the registration unit in his constituency.

(4) Every person whose name is entered in the register of voters for a constituency shall be entitled to vote at any election in the polling station or a voting area in which he is registered.

16. Use of the register

The register of voters shall be used for the purpose of determining the persons entitled to vote at every election to the office of the President and Vice-President of the Federal Republic of Nigeria, the Governor and Deputy Governor of a State, the Mayor and Deputy Mayor of the Federal Capital Territory, Abuja, the chairman and deputy chairman of a local government, the National Assembly and the House of Assembly of a State, the Mayoral Council of the Federal Capital Territory, Abuja, a local government council and an area council of the Federal Capital Territory, Abuja.

17. Offences in relation to registration

Any person who-

- (a) without lawful authority, destroys, mutilates, defaces or removes or makes any alteration in any notice or document required for the purpose of registration or the revision of the register of voters under this Act; or
- (b) knowingly gives false information or makes a false statement with reference to any application for inclusion of his name in the register of voters or with reference to any objection to the retention or inclusion of the name of any person in the register of voters; or
- (c) presents himself to be or does an act whereby he is by any name or description whatsoever, included in the register of voters for more than one unit in which he is entitled to be registered; or
- (d) publishes any statement, rumour or report which he knows to be false or does not believe to be true so as to prevent persons who are qualified from applying for inclusion in the register of voters; or
- (e) impedes or obstructs a registration officer or any person acting on his behalf in the performance of his duties; or
- (f) without proper authority, carries the identity card of a registration officer or assistant registration officer,

is guilty of an offence and liable on conviction to imprisonment for a term of two years or to fine of N5,000 or to both such imprisonment and fine.

18. Offences in relation to improper use of registration cards, etc.

Any person who-

- (a) being entitled to a registration card, hands it, when received by him, to some person other than an officer appointed and acting in the course of his duty under this Act; or

- (b) not being an officer and acting in the course of his duty under this Act, receives a registration card in the name of some other person; or
- (c) without lawful excuse, has in his possession more than one registration card,
is guilty of an offence and liable on conviction to imprisonment for a term of two years or to a fine of N5,000 or to both such imprisonment and fine.

19. Offences in relation to dereliction of duty, etc.

Any registration officer, assistant registration officer, revising officer, registration agent, member or staff of the Commission by whatever name called, who, without lawful authority-

- (a) registers or aids the registration of any person by proxy or copies into the preliminary list the name and particulars of any person; or
- (b) issues to any person more than one registration card; or
- (c) issues to any political party a registration card; or
- (d) includes any person in the register of voters for more than one unit or more than once in the register of voters for a unit in which he is entitled to register,

is guilty of an offence and liable on conviction to imprisonment for a term of five years or to a fine of N10,000 or to both such imprisonment and fine.

20. Offences by certain officials and persons, etc.

(1) Any person to whom this section applies who is for the time being under duty to discharge any function relating to the registration of voters or revision of the register of voters, is guilty of an offence, if he, without reasonable cause, before or during the registration of voters or revision of the register of voters, or at any time thereafter-

- (a) fails to perform or discharge such duty; or
- (b) performs such duty fraudulently, negligently or recklessly; or
- (c) commits any act or omission in breach of such duty.

(2) A person who is guilty of an offence under subsection (1) of this section, shall be liable on conviction to a fine of N10,000 or to imprisonment for a term of five years or to both such fine and imprisonment.

(3) The persons to whom this section applies are registration officers, assistant registration officers, revising officers, officials and members of staff of the Commission, party registration agents, or any other officer or officers by whatever name called.

21. Forms

The forms set out in the Schedule to this Act, or such other forms as may be designed by the Commission, from time to time, may be used for the purposes of this Act.

22. Short title

This Act may be cited as the Elections (Registration, etc. of Voters) Act.

SCHEDULE

[Section 2 (3).]

SECTION A

FORM EC.1

Independent National Electoral Commission

Logo

Application for inclusion in the register of voters

To the registration officer,

registration unit

I,of

..... apply to be included in the preliminary list of the register of voters for the unit upon the grounds:

1. That I am a citizen of Nigeria;
2. That I am 18 years or above 18 years of age;

3. That I am now ordinary resident at

(here state town or village and if possible the street number if known)

4. And I declare that the above particulars are true to the best of my belief and-

* (a) that I am not already registered in this or any other preliminary list or register of voters under the Elections Registration, etc. of Voters Act 1991 (or I request that my name be now entered in the appropriate list); or

* (b) that I have already registered but wish my name transferred to the area of my new abode. Particulars of my former place of residence are given below.....-

State..... .

Local government area

Ward..... .

Registration area

Registration unit

Voter's number

Voter's name.....

SECTIONB

Applicant's other particulars (in capitals)

5. Name in full.....

(Family Name First)

6. Occupation.....

7. Age.....

8. Sex (male (M) female (F)) .

9. Address (i.e. house number, street name or name of village, hamlet or community)

.....

Date..... Signature

* Delete where not applicable or right thumb print

FORM EC.1B

[Section 21.]

Independent National Electoral Commission

Logo

I,of.....duly appointed

(insert name of registration officer)

(insert Address)

as a registration officer forlocal

government area/ward/constituencydo hereby declare-

- (a) that this preliminary list contains names of the qualified voters in the said registration area as I have been able to prepare; and
- (b) that I have prepared the official list of voters for this registration area impartially and to the best of my ability and that there now appear therein the names of all persons in the registration area whom I believe to be qualified as voters at the pending elections, and no names of persons whom I do not believe to be qualified as voters appear therein as qualified voters.

Dated this..... day of..... 20

.....
Registration officer

FORM EC.1B

[Section 21.]

Independent National Electoral Commission

Logo

Certificate of daily registration duties

State Code

Local government area Code.....

Ward Code

Registration area Code

Registration unit Code

This is to certify that the following number of people were registered:

Number in words

Number in figures

Assistant registration officer

Security agents

Party agents

Name.....

Name.....

Name.....

Signature.....

Signature.....

Signature.....

Name.....

Name.....

Name.....

Signature.....

Signature.....

Signature.....

Dated this..... day of..... 20.....

FORM EC.1G

[Sections 3 (1),11 (2), 14(4).]

Specimen copy of voters registration card

Counterfoil

LOGO

LOGO

Voters Registration Card

Voters Registration Card

Voters Right Thumb-Print Official Stamp

Voters Right Thumb-Print Official Stamp

State

Local government

Ward

Registration area

Registration unit/polling station State

Voter's number Local government area.....

Voter's name Ward

Voter's sex Age..... Registration area.....

Voter's right thumb-print..... Registration unit/polling station.....

Voter's number.....

Voter's name.....

Voter's sexAge.....

This card is valid for all transition-related elections;
bring it to the polling station for all such elections.

FORM EC.2

[Section 6, 7 (2), 8 (1).]

Independent National Electoral Commission

Claim for correction or insertion of name in the preliminary list

To the registration officer, unit.....

I,of.....declare-

1. That I applied for inclusion in the preliminary list for the register of voters for the above unit on the.....day of

..... 20

..... and that my particulars have been omitted/ inaccurately stated.

2. That I am a citizen of Nigeria;

3. That I am 18 years of age or over;

4. That I am ordinarily resident at the above address; or

5. That I hereby apply for the preliminary list to be completed/corrected accordingly.

I declare that the above particulars are true to the best of my belief and that I am not already registered in this or any other preliminary list or register of voters.

Date..... Signed

or right thumb print

FORM EC.3

[Section 7 (2), 8 (2).]

Independent National Electoral Commission

Objection to name in preliminary list

To the registration officer,constituency/ward

I,of.....

Address

whose name appears in the preliminary list for the above constituency/ward hereby give notice-

1. That I object to the inclusion in such list of the name of

whose address is given as

on the following grounds

.....

(here insert the grounds)

2. I wish to produce the following witnesses

Signedregistered voter

Dated thisday of20.....

FORM EC.17

[Section 21.]

Independent National Electoral Commission

Oath/Affirmation

I,do swear/affirm

that I will faithfully and honestly fulfil my duties asin conformity with the requirements of the Elections (Registration, etc. of voters) Act Cap. E5, 2000 and that save as provided in that Act, I will not disclose or make known any matter or thing which comes to my knowledge by reason of such duties.

.....

Signature of declarant

SWORN/affirm atthisday of..... 20.....

Signed

Resident Electoral Commissioner or
Electoral Officer

FORM EC.21

[Section 21.]

Independent National Electoral Commission

Identity Card

ID. card no

Name of holder

Status

Signature of holder

Signature of resident electoral commissioner

Date issued.....

Note:- This card must be returned to the electoral officer after the exercise.

FORM EC.25

[Section 21.]

Independent National Electoral Commission

Registration materials receipt

I,..... of

Address

duly appointed as

for

*(*Registration Area/Registration/Polling Unit)*

have received the following *registration forms, materials and equipment from-

Name.....

Address.....

Designation

**Supervisory assistant/Registration officer/Assistant registration officer*

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15 .

.....

Signature of Collector

Date

*Delete whichever is not applicable

ELECTIONS (REGISTRATION, ETC. OF VOTERS) ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
