

TOP 10 PROVISIONS IN THE ELECTORAL ACT, 2022



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Early Release of Election Funds to INEC:

The act strengthens the financial independence of the Independent National Electoral Commission (INEC) by ensuring that all funding required for a general election is released not later than one year before the next general elections.

Section 3(3)

01/10



Top 10 Provisions in the Electoral Act, 2022



Inclusion of Persons with Disability:

The Commission shall take reasonable steps to ensure that persons with disabilities, special needs and vulnerable persons are assisted at the polling place by the provision of suitable means of communication, such as Braille, Large embossed print or electronic devices or sign language interpretation, or off-site voting in appropriate cases.

Section 54 (2)

02/10



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Legalizing electronic accreditation of voters:

The act makes provisions for electronic accreditation of voter using the Smart Card Readers or any technological device as may be determined by INEC.

Section 47

03/10



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Redefined overvoting

According to the act, overvoting occurs when the number of votes cast at an election in any polling unit exceed the total number of accredited voters in that polling unit. With this new provision 'total number of accredited voters', will become a determining factor in the validity of votes in an election. The outdated definition has been exploited by politicians to manipulate electoral outcomes.

Section 51

04/10



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Substitution of candidate in the event of death in an election:

The new act addresses a lacuna in the current electoral law, which was manifest in the 2015 Governorship Election in Kogi State where a candidate died before the result of that election was announced. The act affords political parties the opportunity to conduct primary elections to replace a candidate who dies after the commencement of polls and before the announcement of final results and declaration of a winner. A timeline of 21 days is provided for INEC to conclude an election and declare a winner. It goes further to prescribe that in the case of legislative elections, the election will start afresh, and a political party affected by the bereavement can conduct a new primary within 14 days to nominate a new candidate. However, in the case of presidential and governorship elections, the running mate of the deceased candidate will continue with the election and nominate a running mate.



Section 34

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Power to review election results declared under duress:

The act confers INEC with the power to review declarations and returns made under questionable circumstances to keep Returning Officers in check and ensure full compliance with electoral guidelines. The provision will fundamentally transform the results management process and deter politicians from compelling polling officials to declare fabricated election results.

Section 65

06/10



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Early conduct of party primaries and submission of list of candidates:

Every political party shall not later than 180 days before the date appointed for general election, submit the list of candidates the party proposes to sponsor at the election to the Commission, who must have emerged from valid primaries conducted by the political party.

Section 29(1)

07 /10



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Early commencement of campaigns:

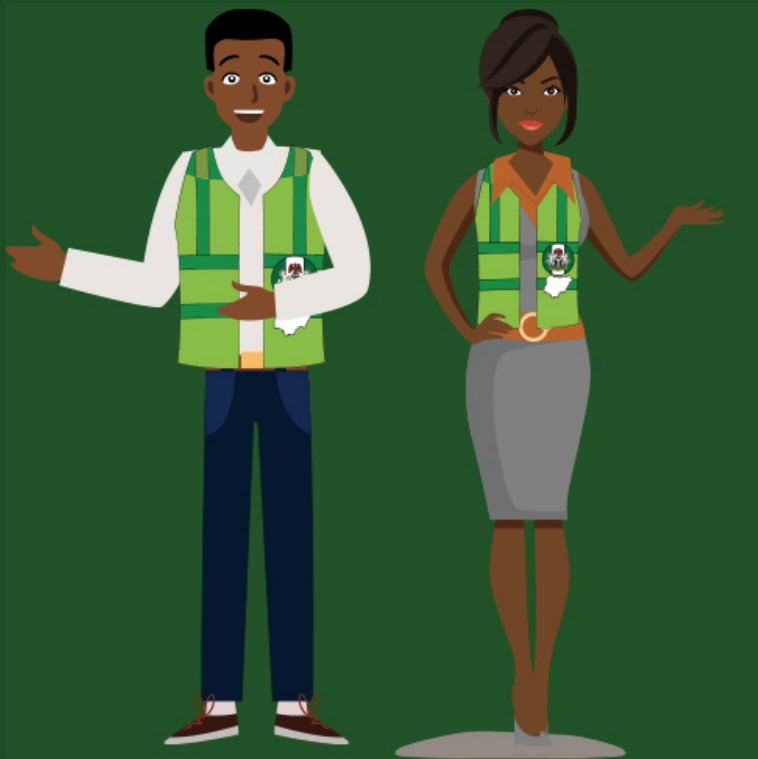
The period of public campaigns by political parties has been extended from 90 days to 150 days before polling day and end 24 hours prior to that day.

Section 94

08/10



Top 10 Provisions in the Electoral Act, 2022



Political Neutrality of INEC Personnel Upon Appointment and Penalty for Contravention:

A person who, being a member of a political party, misrepresents himself by not disclosing his membership, affiliation, or connection to any political party in order to secure an appointment with the Commission in any capacity, commits an offence and is liable on conviction, to a fine of N5,000,000 or imprisonment for a term not exceeding two years or both.

Section 8 (5)

09/10



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Electronic transmission of results:

The act confers INEC with the powers to determine whether election results are transmitted electronically or manually.

Section 50

10/10

