

FAQs FREQUENTLY ASKED QUESTIONS

THE 2011 GENERAL ELECTIONS - WHAT YOU NEED TO KNOW

PRODUCED BY
MEDIA CENTRES PROJECT FOR THE
2011 ELECTIONS IN NIGERIA

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PART 1: - THE HOTLINES

Welcome to the Frequently Asked Questions (FAQs), resources which inform and educate for effective use of the Elections Legal Hotlines for Journalists, a component of the Media Centres Project for the 2011 Elections.

Q1: What are “election legal hotlines for journalists”?

A: These are special telephone lines that journalists can use in order to get information or to talk about issues during the 2011 general elections in Nigeria.

Q2: What about the “legal” part of it?

A: This is the indication that lawyers are involved in it. The legal hotlines are held by lawyers who receive calls from people on legal issues concerning the 2011 elections.

Q3: Who can use the hotlines?

A: The hotlines are available to be used by journalists from print, broadcast and online media who have complaints to make or information to share on the conduct of the elections.

Q4: How can journalists use the hotlines?

A: A journalist simply makes a call to any of the hotlines. A lawyer picks the call at the other end, listens to the complaints or information, and offers legal opinion or advice on what to do on the issue reported.

Q5: What are the numbers of these hotlines and how are they deployed?

A: There are three (3) hotlines in each geo-political zone, meaning that there are eighteen (18) of them all over Nigeria. The distribution of the hotlines is as follows;

North Central

1. 07052460498
2. 07067356218
3. 07083352222

South South

1. 08068671214
2. 08076142345
3. 08026131415

South East

1. 07081567243
2. 08135985086
3. 08074126134

North West

1. 08163693880
2. 07088887395
3. 07054564233

North East

1. 07037405316
2. 08127687421
3. 08152715391

South West

1. 08138245252
2. 08028389161
3. 08050508997

Q6: During which period of the day can people call the hotlines?

A: The hotlines are operational and functioning 24 hours daily.

Q7: Are they operational on voting days only?

A: No. They are available daily till end of May, 2011.

PART 2: ELECTION ISSUES

Q1: When and how will voting be conducted during the April 2011 General Elections?

A: The Independent National Electoral Commission has issued a Notice pursuant to Section 46 of the Electoral Act 2010 (as amended) as follows:

Date and Hours of Polls

(A) National Assembly Elections will hold on the 2nd day of April, 2011.

- i. Accreditation will be from 8:00 - 12:00.
- ii. Voting starts from 12:30pm and ends when the last accredited voter on the queue casts his/her vote.

(B) Presidential Election will hold on the 9th day of April, 2011.

- i. Accreditation will be from 8:00 - 12:00.
- ii. Voting starts from 12:30pm and ends when the last accredited voter on the queue casts his/her vote.

(C) Governorship and State Assembly Elections will hold on the 16th day of April, 2011.

i. Accreditation will be from 8:00 - 12:00.

ii. Voting starts from 12:30pm and ends when the last accredited voter on the queue casts his/her vote.

Persons Entitled To Vote

Persons eligible to vote at the elections shall be those registered during the 2011 Voter registration.

Location of Polling Units

Voters shall cast their votes at centres where they registered during the 2011 Voter registration exercise.

Q2: What are the criteria for running for any political office?

A: There are four main issues in the qualifications required to run for any political office. These are citizenship, age, education, and affiliation with a sponsoring political party.

Citizenship:

Candidates must be Nigerian citizens. For Executive Offices, candidates must be citizens by birth.

Age:

- Candidates for the offices of President and Vice President must be at least 40 years of age.
- Candidates for the offices of Governor and Deputy Governor must be at least 35 years of age.
- Candidates aspiring to the Senate must be at least 35 years of age.
- Candidates aspiring to the House of Representatives must be at least 30 years of age.
- Candidates aspiring to State Houses of Assembly must be at least 30 years of age.
- Candidates for the office of Chairman of an Area Council must be at least 30 years of age.
- Candidates aspiring to councillorship of an Area Council must be at least 25 years of age.

Education: Candidates must have up to School Certificate or its equivalent.

Political Party: Candidates must belong to the party sponsoring him.

Q3: What are the grounds for disqualification from running for any political office?

A: A person may be disqualified from running for office if he or she:

- has declared allegiance to another country;
- has been elected to the office of President or Governor office at any two previous elections;
- is adjudged to be a lunatic or declared to be of unsound mind;
- is under a sentence of death; or
- is under a sentence of imprisonment or fine for an offence involving dishonesty or fraud;
- has in the last 10 years been convicted and sentenced for an offence involving dishonesty;
- has been found guilty of a contravention of the code of conduct;
- is an undischarged bankrupt;
- is employed in the public service and does not resign, withdraw or retire at least 30 days to the election;
- is a member of a secret society;
- has been indicted for embezzlement or fraud by a judicial committee of inquiry or an Administrative Panel of Inquiry or a Tribunal AND which indictment has been accepted by the Federal or State Government;
- has presented a forged certificate to the Independent National Electoral Commission.

Q4: How many political parties are there and what are their names?

A: There are 63 registered political parties in Nigeria at the moment. They are:

1. Accord (A)
2. Action Congress of Nigeria (ACN)
3. Action Alliance (AA)
4. Action Party of Nigeria (APN)
5. Advanced Congress of Democrats (ACD)
6. African Democratic Congress (ADC)
7. African Liberation Party (ALP)
8. African Political System (APS)
9. African Renaissance Party (ARP)
10. All Nigeria Peoples Party (ANPP)
11. All Progressives Grand Alliance (APGA)
12. Alliance For Democracy (AD)
13. Allied Congress Party of Nigeria (ACPN)
14. Better Nigeria Progressive Party (BNPP)
15. Change Advocacy Party (CAP)
16. Citizens Popular Party (CPP)
17. Community Party of Nigeria (CPN)
18. Congress for Democratic Change (CDC)
19. Congress for Progressive Change (CPC)
20. Democratic Alternative (DA)
21. Democratic Front for Peoples Federation (DFPF)
22. Democratic Peoples Alliance (DPA)
23. Democratic Peoples Party (DPP)
24. Freedom Party of Nigeria (FPN)
25. Fresh Democratic Party (FRESH)
26. Hope Democratic Party (HDP)
27. Justice Party (JP)
28. Kowa Party (KP)
29. Labour Party (LP)
30. Liberal Democratic Party of Nigeria (LDPN)
31. Masses Movement of Nigeria (MMN)
32. Mega Progressive Peoples Party (MPPP)
33. Movement for Democracy and Justice (MDJ)
34. Movement for the Restoration and Defence of Democracy (MRDD)
35. National Action Council (NAC)
36. National Conscience Party (NCP)
37. National Democratic Liberty Party (NDLP)
38. National Democratic Party (NDP)
39. National Majority Democratic Party (NMDP)
40. National Movement of Progressive Party (NMPP)
41. National Reformation Party (NRP)
42. National Solidarity Democratic Party (NSDP)
43. National Transformation Party (NTP)
44. National Unity Party (NUP)
45. New Democrats (ND)
46. New Nigeria Peoples Party (NNPP)
47. Nigeria Advance Party (NAP)
48. Nigeria Elements Progressive Party (NEPP)
49. Nigeria Peoples Congress (NPC)
50. People For Democratic Change (PDC)
51. Peoples Democratic Party (PDP)
52. Peoples Mandate Party (PMP)
53. Peoples Party of Nigeria (PPN)
54. Peoples Progressive Party (PPP)
55. Peoples Redemption Party (PRP)
56. Peoples Salvation Party (PSP)
57. Progressive Action Congress (PAC)
58. Progressive Peoples Alliance (PPA)
59. Republican Party of Nigeria (RPN)
60. Social Democratic Mega Party (SDMP)
61. United Democratic Party (UDP)
62. United National Party for Development (UNPD)
63. United Nigeria Peoples Party (UNPP)

Q5: Where can the offices of the Independent National Electoral Commission be found around the country?

A: The Independent National Electoral Commission (INEC) has an office in each State of the Federation and the Federal Capital Territory. Each State

office is headed by a Resident Electoral Commissioner. The offices of INEC are located at:

FCT Headquarters
No.3 Olusegun Obasanjo Way
Area 10 Garki, Abuja

Abia State
UCDA Road,
Opposite Abia State Secretariat,
Umuahia.

Adamawa State
Galadima Aminu Way,
Adjacent NNPC Mega filling station,
Jimeta, Yola

Akwa Ibom State
Plot 4/5 Udo Udoma Avenue
Uyo

Anambra State
House Of Assembly Road,
Off Aroma Junction, Enugu-Onitsha
Express Way,
Awka

Bauchi State
High Court Close,
Off Ahmadu Bello Way,
Bauchi

Bayelsa State
Road Safety Road,
Yenagoa

Benue State
No. 8 Jonah Jang Crescent,
Opposite Federal Secretariat,
Makurdi.

Borno State
Airport Road
Maiduguri.

Cross River State
No. 81 Murtula Mohammed Highway,
Calabar.

Delta State
NTA Road, Off Okpanam Road,
Asaba

Ebonyi State
No. 5 Town Planning Road,
Abakaliki

Edo State
No.3 Benin-Auchi Road,
Ikpoba Hill,
Benin City

Ekiti State
INEC HQ, GRA Extension,
New Iyin Road,
Ado Ekiti

Enugu State
No.5 Auchi Street,
Independence Layout,
Enugu

Gombe State
Along Bauchi Road,
behind Total Filling Station,
Gombe State

Imo State
Plot 1002 Port-Harcourt Road,
Opposite Imo State Secretariat,
Owerri

Jigawa State
INEC Link Street,
Off Sani Abacha Way,
Dutse

Kaduna State
No.109, Isa Kaita Road,
Ungwar Rimi,
Kaduna

Kano State
No. 1 Pilgrim's Camp Way,
Opposite Hajj Camp,
Kano

Katsina State
Daura Road,
Behind Kupda
Kastina

Kebbi State
Olusegun Obasanjo Avenue,
Aliero Quarters,
Birnin Kebbi.

Kogi State
Along Marine Road
Lokoja

Kwara State
Western Reservoir Road,
Yebumot Hotel Area,
Ilorin

Lagos State
No. 6 Birrel Avenue,
Sabo, Yaba,
Lagos

Nasarawa State
Kurikyo Road,
Off Sani Abacha Way (Jos Road)
Lafia

Niger State
David Mark Road,
Tunga, Minna

Ogun State
Opposite Olusegun Obasanjo Library,
Magbon, Abeokuta

Ondo State
No.12, Ola Akadiri Street,
Alagbaka Quarters,
Akure

Osun State
KM 4. Gbongan Road,
Abere, Osogbo

Oyo State
Parliament Road,
Agodi Gate Office,
Ibadan

Plateau State
Miango Road,
Jos

Rivers State
Plot 236, Aba Road,
Port-Harcourt.

Sokoto State
No.3 Tangaza Road,
Opposite Police HQ,
Low Cost, Sokoto.

Taraba State
Wuro Sembe Road,
Jalingo

Yobe State
KM 6 Kashim Ibrahim Way,
Damaturu

Zamfara State
Along Obasanjo Drive,
Off Bye-Pass Road, Gasau.

Q6: Who can vote in the elections?

A: Only registered voters can vote during the elections. A person is qualified to be registered as a voter if he or she is a citizen of Nigeria; has attained the age of 18 years; and is ordinarily resident, works in, originates from the Local Government/Area Council or Ward covered by the registration centre; presents himself to the registration officers of the Commission for registration as a voter; and is not subject to any legal incapacity to vote under any law, rule or regulations in Nigeria.

Q7: What is the procedure for voting on Polling Day?

A: The Presiding Officer is in charge of each Polling Unit. It is the responsibility of the Presiding Officer to ensure that the Polling Unit has electoral materials of the right type and quantity as well as a Voters' Register that is complete and authentic. All pages in the Register must be signed and stamped with the INEC stamp and no page should be missing.

The Presiding Officer will be assisted by two poll assistants in the discharge of his or her responsibilities.

Accreditation will be from 8am and end at 12 noon. As voters arrive at the Polling Unit for accreditation, the Presiding Officer and his or her poll assistants will check their voter's card against their names in the voter's register.

Voters who arrive and join the queue before and until 12 noon will be accredited; but any voter coming after 12 noon will not be accredited. Only a temporary voter's card will be acceptable for accreditation and voting.

Voting starts at 12:30pm and ends when the last person on the queue votes.

Once a voter is accredited, the index finger of his or her left hand will be marked with an indelible ink.

After accreditation is concluded, the Presiding Officer will enter in Form EC 8A (the Statement of Result Form) in figures and words, the following information:

- The number of voters on the Register;

- The number of accredited voters.

After the accreditation period, the Presiding Officer will introduce the Poll Assistants, the security agents and accredited Party Agents.

The Presiding Officer will also explain the voting procedure to the voters as well as all activities that constitute electoral offences and the penalties for committing such offences as listed in the Electoral Act 2010, as amended.

The Law requires that at the hour fixed for opening of the poll, before the commencement of voting, the Presiding Officer will open the empty ballot box and show it to the persons that are lawfully present at the Polling unit and then close and seal the box so as to prevent it from being opened by any unauthorized person. The ballot box will then be placed in full view of all those present and will be maintained there until the close of poll.

The Presiding Officer will next invite all accredited voters to queue up in front of him or her in one single line. Where culture does not allow men and women to mingle in a queue, the Presiding Officer will allow separate queues for men and women.

The Presiding Officer will then count the number of all accredited voters on the queue and announce loudly to the hearing of all present the number of accredited voters in the queue and proceed to enter in Form EC 8A, the number of accredited voters waiting in the queue to vote in figures and words.

The Presiding Officer will then sign the form in the appropriate section and invite the polling agents to sign.

The Presiding Officer will then invite the voters to move one at a time to the Presiding Officer's table. If he or she is satisfied that the person's name is on the Voters Register, the Presiding Officer will issue him or her a ballot paper and indicate on the Register that the person has voted.

A candidate or a Polling Agent may challenge the right of a person to receive a ballot paper under any of the grounds of disqualification from voting specified in the Electoral Act.

If there is no challenge, the Presiding Officer will then ask each voter to

move to the voting cubicle to thumb-print in the space opposite the symbol of the party of his or her choice and to drop the ballot paper in the ballot box in the full view of all present.

Q8: How will the results of the elections be announced?

A: The results of all the elections shall be announced by the Presiding Officer at the Polling unit; the Ward Collation Officer at the Ward Collation Centre; the Local Government or Area Council Collation Officer at the Local Government/Area Council Collation Centre; and the State Collation Officer at the State Collation Centre.

The Returning Officer shall announce the result and declare the winner of the election at: Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory; Area Council Collation Centre in the case of Chairmanship and Vice Chairmanship election in the Federal Capital Territory; State Constituency Collation Centre in the case of State House of Assembly election; Federal Constituency Collation Centre in the case of election to the House of Representatives; Senatorial District Collation Centre in the case of election to the Senate; State Collation Centre in the case of election of a Governor of a State; and National Collation Centre in the case of election of the President.

The Chief Electoral Commissioner shall be the Returning Officer at the Presidential election.

Q9: What are the steps and procedures for counting and collating votes?

A: After voting is concluded at the polling unit, the Presiding Officer will empty the contents of the ballot box on the table and sort out the ballot papers according to party symbols.

Using the alphabetical order of names of the political parties, the Presiding Officer will count loudly the number of votes scored by each candidate.

He or she will then enter in Form EC 8A the number of votes scored by each candidate in the space provided in both figures and words.

He or she will then verify the poll result by cross checking the number of persons registered to vote at the center; the number of accredited voters in

the queue before voting commenced; and the total number of votes scored by the candidates.

The Presiding Officer will nullify the result where the total number of votes cast for the candidates exceeds the total number of people accredited to vote at the polling unit, after thorough verification.

Where the result is nullified, the Presiding Officer will endorse Form EC 8A for the polling unit with the words: “Result Cancelled” and immediately announce the nullification of the result to those present.

He or she will then sign Form EC 8A and invite one Party Agent from each of the political parties to sign the Statement of Result Form and then give a copy of the duly completed and signed Form EC 8A to: each Party Agent and the security agents.

The Presiding Officer will post a copy of the result at the Polling Unit and proceed immediately with the original copy and deliver it to the Collation Officer at the Registration Area Center accompanied by security agents and Party Agents.

He or she will return all the election materials used during the election to the Electoral Officer (EO) through the Supervisory Presiding Officer (SPO) for preservation.

The Collation Officer shall be responsible for the collation of results either at the Registration Area Center (RAC), Local Government Area level and the State Level.

At the Registration Area Level, the Registration Area Collation Officer is in charge of the Collation Centre and shall work in liaison with the security agents to see to the maintenance of law and order at the Collation Center.

He or she will use Form EC 8B to collate votes entered in Form EC 8A submitted to him or her by the Presiding Officers, Polling Unit by Polling Unit to get the Registration Area level results by the candidates.

Where there has been a cancellation in a polling unit by a presiding officer or where elections did not hold in a polling unit, the fact of that cancellation or non-holding of the election shall be entered in Form EC40G.

The Registration Area Collation Officer shall then call out loudly the total votes scored by candidates in the Registration Area Center and sign Form EC 8B and invite each candidate or Party Agent of the political parties to sign the form. The refusal of the Party agents to sign the results will not however invalidate the result of the poll.

The Registration Area Collation Officer will thereafter give a copy of the signed Form EC 8B to: each party agent and the security agents. The original copy will be given to the Local Government Collation Officer while the Electoral Officer will also be given a copy. The Registration Area Collation Officer will also post a copy of the result at the collation center.

At the Local Government Level, the Local Government Collation Officer is in charge of the Local Government Collation centre. He or she is to liaise with the security agents in maintaining law and order at the Collation Center.

The Local Government Collation Officer is to use Form EC 8C to collate results from Form EC 8B submitted to him or her by the Registration Area Center Officers. He or she will enter in Form EC 8C votes scored by the candidates as recorded on Form EC 8B to get the results for the candidates for that Federal Constituency.

Where there has been an entry in Form EC40G, details of such entries shall be collated in Form EC40G1. The Local Government Collation Officer shall then loudly announce the total votes scored by all candidates in the Local Government Area and sign Form EC 8C before inviting the Party Agents to sign the form. However, their refusal to sign the form will not invalidate the result of the Poll.

The Local Government Collation Officer will then distribute copies of the signed Form EC 8C as follows: The original copy will go to the Returning Officer at the State level while copies will be given to the candidates. One copy will go to the Resident Electoral Commissioner through the Electoral Officer who will also get his or her copy. A copy each will be given to the security agents.

The Local Government Collation Officer will announce and declare the

result of the election and post a copy of the result at the Collation Center.

At the State level, the State Returning Officer is in charge of the State Collation Centre. It is his or her duty to liaise with security agents to ensure that law and order is maintained at the Collation Center.

The State Returning Officer will use Form EC 8D to collate results from Form EC 8C submitted to him or her by the Local Government Returning Officers to get the state results for the candidates.

The State Returning Officer will then loudly announce the results scored by all candidates in the state taking into consideration form EC40G2. He or she will then sign Form EC 8D and invite the Party Agents to also sign the form. But the refusal of the Party Agents to sign the form will not invalidate the result of the Poll.

He or she will then distribute copies of the signed Form EC 8D as follows: The original copy will go to the Chief Electoral Officer for the Federation, who is the INEC Chairman. Copies will be given to the candidates and one copy will be given to the Resident Electoral Commissioner as well as a copy each for the security agents. The State Returning Officer will also post a copy of the result at the Collation Center.

Q10: What kinds of conduct constitute offences during the election?

A:

- No person shall register in more than one registration centre or register more than once in the same registration centre. Any person who contravenes this provision commits an offence and is liable on conviction to a fine of not more than N100,000 or imprisonment for a term of not more than one year or to both.
- No voter shall hold more than one valid voters' card. Any person who contravenes this provision commits an offence and shall be liable on conviction, to a fine of not more than N100,000 or imprisonment for not more than one year or to both.
- Any person who issues a duplicate voters' card to any voter on polling day or less than 30 days before polling day commits an offence and is liable on conviction, to a fine of not more than

N200,000 or imprisonment for not more than two years or to both.

- Any person who is in unlawful possession of any voter's card whether issued in the name of any voter or not; or sells or attempts to sell or offers to sell any voter's card whether issued in the name of any voter or not; or buys or offers to buy any voters' card whether on his own behalf or on behalf of any other person, commits an offence and shall be liable, on conviction, to a fine of not more than N500,000 or imprisonment for not more than two years or to both.
- Any person who makes a false statement in any application for registration as a voter knowing it to be false; or after a demand or requisition made of him under the Electoral Act without just cause, fails to give any such information or does not give the information within the time specified; or in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter; or transmits or is concerned in transmitting to any person as genuine a declaration on registration which is false in any material particular, knowing it to be false; or by himself or through any other person procures the registration of himself or any other person on a voters' register for a State, knowing that he or that other person is not entitled to be registered on that voters' register or is already registered on it or on another voters' register; or by himself or through any other person procures the registration of a fictitious person; commits an offence and is liable on conviction to a fine of not more than N100,000 or imprisonment for not more than one year or to both.
- Any person who: by duress, including threats of any kind causes or induces any person or persons generally to refrain from registering as a voter or voters; or in any way hinders another person from registering as a voter; commits an offence and is liable on conviction, to a fine of not more than N500,000 or imprisonment for not more than five years.
- The Resident Electoral Commissioner in a State where an election is conducted, shall within 7 days, after an application is made to him, by any of the parties to an election petition issue the documents or the certified true copies of the documents to the party.

Any Resident Electoral Commissioner who willfully fails to comply with this provision is guilty of an offence and shall be liable on conviction to a maximum fine of N2 million or imprisonment for 12 months, or to both.

- If at the time a person applies for a ballot paper and before he or she has left the polling unit, a polling agent, polling unit official or security agent informs the Presiding Officer that he or she has reason to believe that the person is under the age of 18 years or has committed the offence of impersonation and gives an undertaking on a prescribed form to substantiate the charge in a court, the Presiding Officer may order a police officer to arrest that person and the Presiding Officer's order shall be sufficient authority for the police officer so to arrest the person.
- A person in respect of whom a polling agent, polling official, or security agent has given information in this manner will not because of the information, be prevented from voting. But the Presiding Officer shall write against his or her name, the words "protested against for impersonation" in the marked copy of the register of voters or part of the register of voters. Where such a person admits to the Presiding Officer that he or she is not the person he or she pretended to be, the person shall not be permitted to vote and shall be handed over to the Police.

Q11: Can a person vote in a constituency different from the one in which he or she was registered?

A: A person who before the election is resident in a constituency different from the one in which he was registered may apply to the Resident Electoral Commissioner of the State where he is currently resident for his name to be entered on the transferred voters List for the constituency.

A person applying under this provision will submit his or her voters' card and shall apply not less than 30 days before the date of an election in the constituency where the applicant now is resident. The Resident Electoral Commissioner to whom an application is made shall enter the applicant's name in the Transferred Voters' List if he is satisfied that the applicant is resident in a polling area in the constituency and is registered in another constituency.

Whenever an Electoral Officer enters the name of any person on the Transferred Voters' List for his constituency he will assign that person to a polling unit or a polling area in his Constituency and indicate in the list the Polling unit to which that person is assigned; issue the person with a new voters' card and retrieve his previous voter's card; and send a copy of the entry to the Electoral Officer of the constituency where the person whose name has been entered was originally registered and after receiving the entry, that Electoral Officer shall delete the name from his voters' list.

Q12: How can a lost or damaged voter's card be replaced?

A: Whenever a Voter's card is lost, destroyed, defaced, torn or damaged in any other way, the owner of such card shall, at least 30 days before polling day, apply in person to the Electoral Officer or any other officer duly authorized by the Resident Electoral Commissioner, stating the circumstances of the loss, destruction, defacement or damage. If the Electoral Officer or any other officer is satisfied about the circumstances of the loss, destruction, defacement or damage of the Voters' card, he shall issue to the voter another copy of the voters' original voters' card with the word "DUPLICATE" clearly marked or printed on it, showing the date of issue. No person can issue a duplicate voters' card to any voter on polling day or less than 30 days before polling day.

Q13: What is the procedure for obtaining approval to monitor or observe the 2011 elections?

A: An organization or group seeking accreditation to observe or monitor the elections should apply to the Independent National Electoral Commission (INEC) through the Election Monitoring and Observation Unit at the INEC Headquarters in Abuja. The Unit can be contacted through the following telephone numbers: 08060092273, 08034509468, 08036048515 and 08034517079.

Such an organization or group will be required to submit an application to INEC by completing INEC Form EMOC 01. If the application is successful, the organization or group will then be required to fill INEC Form EMOC 02 and submit the full names of its officials and the State of deployment to the Election Monitoring and Observation Unit, INEC.

INEC Forms EMOC 01 and EMOC 02 are obtainable at INEC Headquarters in Abuja.

A political party which presents to the Independent National Electoral Commission the name of a candidate who does not meet the qualifications stipulated in the Electoral Act shall be guilty of an offence and on conviction will be liable to a maximum fine of N500,000.00.

No person is allowed to nominate more than one person for an election to the same office. Any person who contravenes this provision is guilty of an offence and on conviction is liable to a maximum fine of N100,000 or imprisonment for three months or to both fine and imprisonment, but the action of such a person will not invalidate the nomination.

Q14: How are polling agents appointed and what are their rights?

A: A polling agent shall be entitled to be present at the distribution of election materials, at voting, counting and the collation of election results.

Each political party may write to the Electoral Officer of the Local Government or Area Council to appoint a person to attend at each polling unit and collation centre in the Local Government or Area Council for which it has candidate.

Such a letter must stipulate the name and address of the polling agent and be given to the Electoral Officer at least 7 days before the date fixed for the election.

But no person currently serving as Chairman or member of a Local Government or Area Council, Commissioner of a State, Deputy Governor, or Governor of a State, Minister or any other person holding political office under any tier of Government and who has not resigned his or her appointment at least 3 months before the election can serve as a polling agent of any Political Party, either at the polling unit or at any centre designated for collation of results of an election.

Although a candidate can appoint a polling agent to act on his or her behalf, a candidate is not thereby precluded from doing any act or thing which he has appointed a polling agent to do on his or her behalf under the Electoral Act.

Where the Electoral Act requires or authorizes anything to be done by or in

the presence of a Polling Agent, the non-attendance of the Polling Agent at the time and place appointed for the act or thing or refusal by the Polling Agent to do the act or thing shall not, if the act or thing is otherwise done properly, invalidate the act or thing.

Q15: Are there arrangements for persons with disabilities to vote?

A: A voter who is blind or is otherwise unable to distinguish symbols or who suffers from any other physical disability may be accompanied into the polling unit by a person chosen by him or her and that person shall, after informing the Presiding Officer of the disability, be permitted to accompany the voter into the voting compartment and assist the voter to make his or her mark as prescribed.

INEC is required by Law to take reasonable steps to ensure that voters with disabilities 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.

But no voter is allowed to vote through any other means except by personally attending the Polling unit and recording his or her vote in the manner prescribed by INEC.

Q16: Are there any restrictions on the financial dealings of political parties or candidates in an election?

A: Yes. Political parties are not allowed to have funds outside Nigeria. Under the Electoral Act, any Political Party that holds or possesses any fund outside Nigeria in contravention of the Act commits an offence and shall forfeit the funds or assets purchased with such funds to INEC and on conviction shall be liable to a fine of not less than N500,000.

Similarly, any political party that retains any fund or other asset remitted to it from outside Nigeria in contravention of the Act is guilty of an offence and shall forfeit the funds or assets to INEC and on conviction shall be liable to a fine of not less than N500,000.

Every political party is required to submit to INEC a detailed annual statement of Assets and Liabilities and analysis of its sources of funds and

other assets, together with statement of its expenditure in such a form as the Commission may from time to time require.

The Statement of Assets and Liabilities should cover the period January 1 to December 31 of each year. Every political party is obliged to grant to any officer authorized in writing by INEC access to examine the records and audited accounts kept by the party and the party must give to the officer all such information requested relating to all contributions received by or on behalf of the party.

INEC is required to publish the report on such examinations and audits in three National newspapers.

Q17: Are there limits on the amount of money that political parties or candidates can spend in an election?

A: INEC has the power to place limitation on the amount of money or other assets, which an individual or group of persons can contribute to a political party.

The Electoral Act also places limits on election expenses. The maximum election expenses to be incurred by a candidate at a Presidential election is put at N1 billion; the maximum election expenses to be incurred by a candidate at a Governorship election is N200 million; the maximum amount of election expenses to be incurred for a Senatorial seat by a candidate at an election to the National Assembly is N40 million; while the seat for House of Representatives is N20 million.

In the case of a State Assembly election, the maximum amount of election expenses to be incurred is N10 million; for a chairmanship election to an Area Council, the maximum amount of election expenses to be incurred is also N10 million while for in the case of councillorship election to an Area Council, the maximum amount of election expenses to be incurred by a candidate is N1 million.

However, the law stipulates that in determining the total expenditure incurred in relation to the candidature of any person at any election no account should be taken of any deposit made by the candidate on his or her nomination in compliance with the law; any expenditure incurred before the notification of the date fixed for the election with respect to services

rendered or material supplied before the notification and the political party expenses in respect of the candidate standing for a particular election.

Q18: Are there limits on political donations in an election?

A: Under the Electoral Act, no individual or other entity is allowed to donate more than N1 million to any candidate.

A candidate who knowingly acts in contravention of this section commits an offence and on conviction shall be liable in case of presidential election to a maximum fine of N1 million or imprisonment of 12 months or to both; in the case of a governorship election to a fine of N800,000.00 or imprisonment for 9 months or to both; in case of senatorial seat election in the National Assembly election to a fine of N600,000.00 or imprisonment for 6 months or to both; in the case of House of Representatives seat election in the National Assembly election to a fine of N500,000.00 or imprisonment for 5 months or to both; in the case of a State House of Assembly election to a fine of N300,000.00 or 3 months imprisonment or to both; in the case of Chairmanship election to a fine of N300,000.00 or 3 months imprisonment or to both; and in the case of Councillorship election to a fine of N100,000.00 or 1 month imprisonment or to both.

Any individual who knowingly contravenes this provision is liable on conviction to a maximum fine of N500,000.00 or 9 months imprisonment or to both and any Accountant who falsifies or conspires or aids a candidate to forge or falsify a document relating to his expenditure at an election or receipt or donation for the election or in any way aids and abets the breach of these provisions commits an offence and on conviction is liable to 10 years imprisonment.

Election expenses is defined to mean expenses incurred by a political party within the period from the date notice is given by INEC to conduct an election up to and including, the polling day for the particular election. Election expenses incurred by a political party for the management or the conduct of an election is to be determined by INEC in consultation with the political parties.

Any political party that incurs election expenses beyond the limit stipulated in the Electoral Act is guilty of an offence and liable on conviction to a maximum fine of N1 million and forfeiture to INEC of the

amount by which the expenses exceed the limit set by the Commission.

No political party is allowed to accept or keep any anonymous monetary or other contributions, gifts, or properties from any source whatsoever.

Every political party is to keep an account and asset book into which it will record all monetary and other forms of contribution received by the party; and the name and address of any person or entity that contributes any money or assets which exceeds N1 million.

No political party is allowed to accept any monetary or other contribution of more than N100,000 unless it can identify the source of the money or other contribution to INEC.

Q19: What security arrangements does the Law provide for political rallies and processions and during voting?

A: In order to ensure proper and peaceful conduct of political rallies and processions, the Commissioner of Police in each State and the Federal Capital Territory, Abuja, are obliged to provide adequate security for processions at political rallies in the states and the Federal Capital Territory.

Any person who, while in a political rally or procession or voting centre, has with him any offensive weapon or missile except in pursuance of a lawful duty is guilty of an offence and liable on conviction to a maximum fine of N2 million or imprisonment for a term of 2 years or to both. A person will be deemed to be acting in pursuance of a lawful duty if he is acting in his or her capacity as a police officer or as a member of a security agency authorized to carry arms and is specifically posted to be present at that political rally or procession.

No political campaign or slogan shall be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings. Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions is prohibited in political campaigns.

Places designated for religious worship, police station, and public offices are not allowed to be used for political campaigns, rallies and processions; or to promote, propagate or attack political parties, candidates or their

programmes or ideologies.

Masquerades are not be employed or used by any political party, candidate or person during political campaigns or for any other political purpose.

No political party or member of a political party is allowed to retain, organize, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display of physical force or coercion in promoting any political objective or interests, or in such manner as to arouse reasonable apprehension that they are organized, trained or equipped for that purpose.

No political party, person or candidate is allowed to keep or use private security organization, vanguard or any other group or individual by whatever name for the purpose of providing security, assisting or aiding the political party or candidate in any manner during campaigns, rallies, processions or elections.

Any political party or person who contravenes any of these provisions is guilty of an offence and liable on conviction in the case of an individual, to a maximum fine of N1 million or imprisonment for the term of 12 months; and in the case of a political party, to a fine of N2 million in the first instance, and N1 million for any subsequent offence.

Any person or group of persons who aids or abets a political party in contravening the provisions is also guilty of an offence and is liable on conviction to a fine of N500,000 or 3 years imprisonment or to both.

No candidate, person or group of persons shall directly or indirectly threaten any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a political party or candidate. Any person or political party that contravenes this provision is guilty of an offence and liable on conviction in the case of an individual, to a maximum fine of N1 million or imprisonment for a term of 12 months; and in the case of a political party, to a fine of N2 million in the first instance, and N500,000 for any subsequent offence.

Q20: What happens to candidates elected on the platform of a political party if the party ceases to exist?

A: Where a political party ceases to exist in accordance with the Constitution and the Electoral Act, a person elected on the platform of Party in an election will remain validly elected, complete his or her tenure, and, for purposes of identification, be regarded as a member of the political party under which he or she was elected.

Q21: When does campaigning begin and end?

A: Under the Electoral Act, the period of campaigning in public by every political party shall commence 90 days before polling day and end 24 hours prior to that day.

Any registered Political Party which through any person acting on its behalf during the 24 hours before polling day advertises on the facilities of any broadcasting undertaking; or procures for publication or acquiesces in the publication of an advertisement in a newspaper, for the purpose of promoting or opposing a particular candidate, is guilty of an offence and upon conviction is liable to a maximum fine of N500,000.

Q22: What is the role of the Media during elections and campaigns?

A: The Electoral Act prohibits the use of state apparatus, including the media, to the advantage or disadvantage of any political party or candidate at any election.

Media time shall be allocated equally among the political parties or candidates at similar hours of the day.

At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees.

At any public print media, equal coverage and conspicuity shall be allotted to all political parties.

Any public media that contravenes these provisions is guilty of offence and on conviction liable to a maximum fine of N500,000 in the first instance and to a maximum fine of N1 million for any subsequent conviction.

A person, print or electronic medium that broadcasts, publishes, advertises or circulates any material for the purpose of promoting or opposing a particular political party or the election of a particular candidate over the radio, television, newspaper, magazine, handbills, or any print or electronic media whatsoever during 24 hours immediately preceding or on polling day is guilty of an offence.

Where the offence is committed by a corporate body, every principal officer of that body is equally guilty of an offence under the Electoral Act. Where any person is convicted of this offence he or she shall be liable in the case of a corporate body to a maximum fine of N1 million and in the case of an individual to a maximum fine of N500,000 or to imprisonment for 12 months.

. Any candidate, person or association who engages in campaigning or broadcasting based on religious, tribal, or sectional reason for the purpose of promoting or opposing a particular political party or the election of a particular candidate, is guilty of an offence and on conviction shall be liable to a maximum fine of N1 million or imprisonment for 12 months or to both.

MEDIA CENTRES - CONTACT DETAILS

S/N	ZONE	CITY	ADDRESS OF CENTRE	PROJECT/ CONTACT OFFICER	LEGAL HOTLINE
1	NORTH - CENTRAL	ABUJA	26 Bamenda Street, Off Abidjan Street, Wuse Zone 3, Abuja.	Valkamiya Ahmadu 08122039820	07052460498 07067356218 07083352222
2	NORTH - EAST	GOMBE	Off Goodluck Jonathan Road, (Behind Deputy Governor's Office) Gombe.	Joshua Lah 08026946151	07037405316 08127687421 08152715391
3	NORTH - WEST	KADUNA	MMI Plaza, Race Course Road, (Next to Afribank and GTB at Murtala Square), Kaduna.	Tolu Olumotin 08023557142	08163693880 07088887395 07054564233
4	SOUTH - EAST	OWERRI	House 1, Road 3, Zone D, Area M, World Bank Housing Estate, New Owerri.	Ifeanyi Anyanwu 08033582275	07081567243 08135985086 08074126134
5	SOUTH - WEST	LAGOS	2, Akin Osiyemi Street, Off Allen Avenue, Ikeja, Lagos.	Daniel Omojola 08033064918	08138245252 08028389161 08050508997
6	SOUTH - SOUTH	PORT- HARCOURT	3A Trans Amadi Road, By Savannah Hotel Annex, Near Rumuobiakani Roundabout Trans-Amadi Road, Rumuobiakani, Port - Harcourt.	Babatunde Adesiyun 07093461218	08068671214 08076142345 08026131415

