

ABSENTEE BALLOTING (REGULATIONS,
PROCEDURE, ETC.) ACT 2001

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO PROVIDE FOR ABSENTEE BALLOTING FOR QUALIFIED AND ELIGIBLE CITIZENS OF NIGERIA RESIDENT IN ANY COUNTRY OR TERRITORY OUTSIDE NIGERIA, AND TO REGULATE THE PROCEDURE FOR THE REGISTRATION OF THE SAID CITIZENS OF NIGERIA TO ENABLE THEM TO VOTE BY ABSENTEE BALLOT IN ANY PRESIDENTIAL OR GUBERNATORIAL ELECTION HELD IN THE FEDERATION, AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

(Proposed by the Nigeria Community in the United States of America)

Sponsor: SENATOR STELLA U, OMU (*Delta South*) Co-

Sponsors: SENATOR M. T, LIMAN (*Katsina South*)

SENATOR MAINA MA'AJI LAWAN (*Borno North*)

1 BE IT ENACTED BY THE NATIONAL ASSEMBLY OF THE FEDERAL REPUBLIC OF NIGERIA

2 AND BY AUTHORITY OF SAME AS FOLLOWS—

3 PART I—ELIGIBILITY, QUALIFICATION, ETC, AND REGISTRATION OF ABSENTEE VOTERS

4 1.—(1) Subject to the Provisions of the Constitution and this Act, a citizen
5 of Nigeria of the age of eighteen years and above, ordinarily resident in a
6 country or territory outside Nigeria (hereafter in this Act referred to as an
7 "absentee voter") shall be eligible to vote by absentee balloting process at any
8 general election for the offices of a President and Vice-President or a Governor
9 and Deputy Governor, held in the Federation ;

10 Provided that such absentee voter is not subject to any legal incapacity to
11 vote, and that he is in compliance with the provisions of this Act as set out
12 hereunder.

13 (2) Accordingly, the Commission shall—

14 (a) issue directives for the arrangement and conduct of the registration of
15 absentee voters to participate, from time to time, in the elections to the offices
16 specified pursuant to Subsection (1) of this section ;

17 (b) issue general directives and guidelines for the compilation, maintenance
18 and revision of a register of absentee voters in any country or territory outside
19 Nigeria, to enable citizens of Nigeria resident therein to cast their vote by absentee

Commence-
ment.

Right of
absentee
citizens of
Nigeria to
vote by
absentee
balloting at
general
elections.

1 ballot process (hereafter in this Act referred to as "absentee balloting") for a
2 candidate of their choice at any election held in the Federation ; and

3 (c) carry out such other activities and duties which are expedient, incidental
4 and supplementary to the provisions specified under this Act.

Delegation of
electoral
functions to
Ambassadors,
High Commis-
sioners, etc.

5 2. Without prejudice to the Electoral Act, and in order to ensure proper
6 discharge of the directives and functions of the Commission contained in Section
7 1 of this Act, an Ambassador or High Commissioner or other Principal
8 Representative of Nigeria in any country or territory outside Nigeria, in which
9 citizens of Nigeria who are eligible to vote at any election in the Federation are
10 resident, shall, notwithstanding his duties in that substantive position, act as
11 the Absentee Chief Electoral Officer for the purpose of overseeing and organising
12 the conduct of absentee balloting in that country or territory outside Nigeria.

Persons
qualified for
registration
and eligible to
vote as
absentee
voters.

13 3.—(1) Subject to the provisions of this Act, a person shall be deemed to
14 be an absentee voter, and be qualified to be registered as such, and be eligible to
15 vote at any election specified under this Act, if he is—

16 (a) a member of the Armed Forces of the Federation posted in active service
17 to a country or territory outside Nigeria, and his spouse and dependants who
18 are citizens of Nigerian;

19 (b) a citizen of Nigeria admitted to receive education or training in any
20 institution of higher learning in any country or territory outside Nigeria, and
21 which period of education or training extends beyond the period prescribed
22 by the Commission as the qualifying date ;

23 (c) a citizen of Nigeria legitimately resident and working in a country or
24 territory outside Nigeria for a period not less than one year or as may be
25 Determined by the Commission.

26 (2) The following persons shall not be qualified for registration or eligible
27 to vote at any absentee balloting, that is to say—

28 (a) the absentee Chief Electoral Officer, the absentee registration officer
29 and the assistant absentee registration officer;

30 (b) the Diplomatic members of staff of Nigerian Embassies, High
31 Commissions, Consulate Offices and other offices of Principal Representatives

1 of Nigeria abroad (hereafter in this Act referred to as "Nigerian Diplomatic
2 Missions Abroad") who have been designated, however, to participate and
3 assist in the discharge of certain duties with respect to absentee balloting
4 under this Act; and

5 (c) persons who are subject to legal incapacity to vote as defined by and
6 under this Act.

7 (3) In this section, the term "*legal incapacity*" in its application to absentee
8 voters include—

9 (a) the acknowledgement of allegiance, obedience or adherence by the
10 personal act of an absentee voter to any foreign power or state ;

11 (A) the imposition of sentence of death, or in respect of an offence involving
12 trafficking in dangerous drugs, dishonesty, of imprisonment (by whatever
13 name called) for a term exceeding six months or such other punishment imposed
14 by the Government of the Federation or of a country or territory outside
15 Nigeria on an absentee voter, and the absentee voter has not, at the date of
16 election specified under this Act, suffered the punishment of received a free
17 pardon ; and

18 (c) disqualification under this Act in respect of corrupt practices, electoral
19 offences or any default in abiding to the instructions contained in this Act.

20 4.—(1) an absentee voter shall be deemed to be ordinarily resident in a
21 country or territory outside Nigeria whether or not he has his meals there or is
22 employed in that country or territory, if—

23 (a) it is the country or territory where he usually lives or sleeps; or

24 (b) he has or usually has his home in that country or territory ; or

25 (c) he intends to return thereto when away from it, within the qualifying date.

26 (2) Where for the purpose of absentee registration or objection to absentee
27 registration, residence or age or legitimacy in that country or territory is a matter
28 of doubt, an absentee revising officer shall decide it on the evidence before him
29 but any absentee citizen of Nigeria affected by that decision may appeal to the
30 Absentee Chief Electoral Officer in that country or territory or the Commission.

31 (3) An absentee voter shall have one of the foregoing places of ordinary

Ordinary
residence of
an absentee
voter.

	1	residence ; and the country or territory outside Nigeria nominated by him shall
	2	be his place of ordinary residence for the purposes of this section, and shall not
	3	be lost to him—
	4	(a) if at anytime when absent for a period of less than one month he has the
	5	intention to return to that place or residence ; or
	6	(b) until he replaces it by another, outside that country or territory.
Qualifying date.	7	5. The expression "qualifying date" as used in this Act shall be the date
	8	on which the final register of absentee voters as compiled under this Act is
	9	published by the Absentee Chief Electoral Officer or as directed by the
	10	Commission.
Control of registration of absentee voters and balloting by the Commission, etc.	11	6. The registration of absentee voters and the conduct of absentee balloting
	12	in any country or territory outside Nigeria shall be subject to the direction and
	13	supervision of the Commission, and without prejudice thereto shall, except as
	14	Otherwise stated hereunder, be in accordance with the provisions of this Act..
Functions and Powers of the Absentee Chief Electoral Officer.	15	7.—(1) Subject to the provisions of this Act, the Absentee Chief Electoral
	16	Officer shall have the responsibility to perform the functions of the Commission
	17	specified under Section 1 (2) of this Act, and to that effect shall—
	18	(a) designate any public officer, not below of rank of an Assistant Director,
	19	(attached to his substantive office) to act as an absentee registration officer
	20	for the registration of absentee voters in the country or territory where he is
	21	based ; and may designate any Senior Officer (attached to his substantive
	22	office, not below Grade Level 10) to-act as assistant absentee registration
	23	officer, in that country or territory, and subject thereto, any assistant absentee
	24	registration officer so designated in that country or territory shall have and
	25	may exercise the powers and duties of the absentee registration officer in that
	26	country or territory ;
	27	(A) designate such number and category of public officers (attached to his
	28	substantive office, not below Grade Level 08) as he may deem sufficient and
	29	capable to act as—
	30	(/) absentee revising officers ;
	31	(if) assistant absentee revising officers ;

1 (Hi) absentee register update officers ;
2 (/v) absentee verification officers; and
3 (v) Absentee presiding officers.

4 (2) The absentee officers referred to in Subsection (1) of this section and
5 such other members of staff in any Nigerian Diplomatic Mission Abroad
6 (including defence attaches) who are citizens of Nigeria, may be designated,
7 assigned or deployed, as the case may be, by an Absentee Chief Electoral
8 Officer to any part of that country or territory whenever a general registration or
9 update of the absentee voters register, or absentee balloting for any election or
10 general census of eligible absentee voters resident in that country or territory is
11 about to take place and only for such period and on such arrangement or terms
12 as the Commission may determine or direct.

13 (3) an absentee officer designated, assigned or deployed pursuant to
14 Subsection (2) of this section shall perform such functions as are specified by
15 the Absentee Chief Electoral Officer or by the Commission, in accordance with
16 the provisions of this Act.

17 (4) without prejudice to the foregoing provisions of this section of this
18 Act, an Absentee Chief Electoral Officer may, subject to the directives of the
19 Commission, conduct a general census of eligible voters in the country or
20 territories where he is based before embarking on the registration of absentee
21 Voters in that country or territory.

22 (5) The Commission shall have the responsibility to counterbalance all
23 expenses incurred by any Nigerian Diplomatic Mission Abroad with respect to
24 All its activities relating to the provisions of this Act.

25 8—(1) The Absentee Chief Electoral Officer in any country or territory
26 outside Nigeria shall, immediately after the date of the commencement of this
27 Act, and in accordance with the directives of the Commission, cause to be
28 placed in the manner he may deem fit or appropriate, a notice requesting citizens
29 of Nigeria resident in that country or territory to present themselves with relevant
30 information or document (attesting their citizenship of Nigeria and their legitimate
31 stay in that country or territory) at certain designated venues or centres in that

New register
of absentee
voters.

1 country or territory for the purposes of their registration as absentee voters.

2 , (2) A new register of absentee voters shall be compiled from the preliminary
■ 3 list obtained from the registration of all eligible absentee voters at designated
4 venues or centres in any country or territory outside Nigeria and in such other
5 manner as the Absentee Chief Electoral Officer may think fit or as the Commission
6 may direct.

7 (3) An absentee registration officer or an assistant ,absentee registration
8 officer and any person authorised by him in any country or territory outside
9 Nigeria shall, for any purpose connected with the registration of absentee voters,
10 be present at the designated venue or centre for registration of absentee voters
11 between the hours of seven o'clock in the morning and six o'clock in the evening
12 and may make such enquiries as may be deemed necessary for the performance
13 of his duties.

14 (4) any of the persons referred to in Subsection (3) of this section engaged
15 in the registration of absentee voters shall wear and prominently display a badge
16 provided by the Absentee Chief Electoral Officer in that country or territory
17 outside' Nigeria, as an insignia of his authority to register the names of the
18 Absentee voters resident in that country or territory outside Nigeria.

19 (5) every person engaged in the registration of absentee voters shall in
20 respect of his area, in that country or territory outside Nigeria—

21 (a) exercise utmost care and diligence in preparing the list of absentee
22 voters;

23 (b) take all necessary precautions to ensure that the list, when completed
24 contains—

25 (i) the principal names by which an absentee voter is usually or may be
26 known, and in the case of a member of the Armed Forces of the Federation
27 may include his service number or unit or Battalion ;

28 (ii) the absentee voters address in that country or territory outside
29 Nigeria, or in the case of a member of the Armed Forces on peace-keeping
30 mission or other related duties carried on in uncharted parts of any country
31 or territory outside Nigeria, a description of his military base or mission or

- 1 nearest seaport (if on the seas) or other description howsoever made;
- 2 (b) the absentee voters place of origin in Nigeria, that is, his State ,
- 3 Constituency or Local Government area or village or ward, in Nigeria;
- 4 (iv) the absentee voters period of continued residence in that part of
- 5 that country or territory outside Nigeria;
- 6 (v) the date on which the absentee voter contemplates on leaving that
- 7 part of that country or territory outside Nigeria;
- 8 (vi) the serial number and date of issue of the absentee voters Nigerian
- 9 Passport, or Visa or resident permit issued for his continued stay in that
- 10 country or territory;
- 11 (vii) any other relevant information relating to the absentee voter;
- 12 (c) ensure that the list of absentee voters does not contain the name of
- 13 any person who fails to satisfy the information required in paragraph (b) of
- 14 this section.
- 15 (6) every preliminary list of absentee voters under this Act shall be
- 16 displayed in the premises of the respective Nigerian Diplomatic Mission Abroad
- 17 in such a manner as the Absentee Chief Electoral Officer may direct and no
- 18 register of absentee voters shall be printed or used for the purpose of any of the
- 19 elections specified under this Act until all claims and objections have been dealt
- 20 with in the manner prescribed under this Act.
- 21 (7) without prejudice to Subsection (6) of this section, copies of every
- 22 preliminary list of absentee voters shall be made and displayed in the premises
- 23 of the office of each State branch of the Commission and in such a manner, and
- 24 in such other places as the Commission may determine.
- 25 (8) the display of the preliminary list of absentee voters at the venues
- 26 mentioned in Subsections (6) and (7) of this section shall—
- 27 (a) take place on such days and time specifically set aside for that purpose
- 28 and published by the Absentee Chief Electoral Officer (in their respective
- 29 Nigerian Diplomatic Mission Abroad) and the Commission (in each State of
- 30 the Federation);
- 31 (b) be carried out in a manner which affords easy and unimpeded inspection

1 of the list by citizens of Nigeria.

2 (9) The register of absentee voters shall contain in respect of every person
3 eligible to vote the particulars enumerated in Section 8 (5) (b) of this Act, but no
4 person shall be registered under a principal name alone being a single name or
5 Without his address.

6 (10) When the claims and objections to a preliminary list of absentee
7 voters have been dealt with a required by the Electoral Act and in consonance
8 with the provisions of this Act, it shall be printed in such number of volumes
9 which shall be bound and paged, with the pages numbered or coded
10 consecutively, as directed by the Commission, and be published as the register
11 of absentee voters in the respective countries and territories outside Nigeria.

Issuance of
absentee
registration
cards.

12 9.—(I) Every Absentee Chief Electoral Officer shall, soon after the claims
13 and objections to a preliminary list of absentee voters under his jurisdiction
14 have been disposed, authorise the issuance of absentee registration cards to
15 persons whose names are included in the register of absentee voters, in the form
16 and manner prescribed by the Commission.

17 (2) An absentee registration card shall contain the following information,
18 that is—

19 (a) the absentee voter's registered principal names, and in the case of a
20 member of the Armed Forces of the Federation, his names, service number,
21 unit or battalion, etc.;

22 (b) the number of the absentee voter's Nigerian Passport;

23 (c) the absentee voter's age and sex ;

24 (4)^t absentee voter's registered number of code ;

25 (e) the name of the State in the Federation which he claim in his application
26 as his place or State of origin ;

27 (f) the name of the Local Government area or council hails from ;

28 (g) the code number of the absentee voter's ward ;

29 (h) the venue or centre in the country or territory outside Nigeria where he
30 was registered as an absentee voter; and

31 (i) the absentee voter's thumb print.

1 10.—(1) Every Nigerian citizen resident in any country or territory outside Nigeria, and qualified by virtue of the provisions of Section 3 (1) of this Act shall be registered as an absentee voter and shall not be denied registration:

Right of registration of qualified and eligible absentee voters.

4 Provided that he has presented himself at the appropriate venue or centre for registration within the period allowed by the Absentee Chief Electoral Officer in that country or territory where he is resident.

7 (2) No person shall be accepted for registration as an absentee voter after the end of the period allowed by the Commission, but registration shall continue until all persons who have presented themselves within the period allowed by The Absentee Chief Electoral Officer are duly registered and issued absentee Voters registration card.

12 (3) No person shall be allowed to register as an absentee voter in more than one venue or centre for registration in any country or territory outside Nigeria or to register more than once, at the same venue or centre for registration in that country or territory outside Nigeria.

16 11.—(1) Every register of absentee voters shall be subject to revision as the Commission may, from time to time, direct before any election specified by and under this Act shall take place.

Revision of register of absentee voters.

19 (2) Subject to the directives of the Commission, every Absentee Chief Electoral Officer shall, in his respective area of jurisdiction, or in the manner which he deems fit and proper, invite applications for inclusion in the register of absentee voters from persons claiming to be entitled because of age, change of place of residence or other sufficient reason :

24 Provided that any application made within the time prescribed in this Act shall include the particulars required under Section 8 (5) (b) of this Act, and has been made in person by the applicant; and if he is illiterate, by any person who is literate.

28 (3) Every Absentee Chief Electoral Officer shall include the names of persons compiled pursuant to Subsection (2) of this section in a list to be known as supplementary list of absentee voters, which shall, with the existing register of absentee voters, comprise a new preliminary list of absentee voters,

1 and the provisions of this Act in that regard shall apply and have effect
2 Accordingly.

3 (4) An Absentee Chief Electoral Officer shall issue new absentee
4 registration cards, as may be designed or prescribed, from time to time, by the
5 Commission, to persons included in the preliminary list of absentee voters
6 compiled as prescribed under this section of this Act, and each of such
7 registration card shall be numbered, bear the stamp of the Absentee registration
8 Officer and other particulars or information specified in Section 9 (2) of this Act.

Right to make
claims and
objections,
etc. to the
preliminary
list of
absentee
voters.

9 12.—(1) any person qualified to be registered as an absentee voter may,
10 if his name is omitted or is incorrectly stated in the preliminary list of absentee
11 voters, claim within twenty-one days of the publication of the aforementioned
12 list by notice in writing to the absentee registration officer or the Commission,
13 in the Form specified and provided for that purpose, to have his name amended.

14 (2) any person qualified to vote as an absentee voter or as a voter in any
15 State of the Federation whose name appears in the preliminary list of absentee
16 voters, or as the case may be, in the preliminary list of voters in any State of the
17 Federation, may, within twenty-one days of the publication of the preliminary
18 list of absentee voters, by notice in writing to the relevant absentee registration
19 officer or the Resident Electoral Commissioner in the State claimed by the
20 absentee voter as his place or State of origin, in the Form prescribed by the
21 Commission, subject to the inclusion of any name appearing in the said list, as
22 Being the name of a person not entitled to be included in that list.

Notification
of death of a
person named
in the register
of absentee
voters.

23 13.—(1) any person qualified by virtue of the provisions of Section
24 12 of this Act may by notice in writing to the Absentee Chief Electoral
25 Officer in any country or territory outside Nigeria or the Commission, in the
26 prescribed Form, report that a person whose name is on any absentee voters
27 Register is dead.

28 (2) If the claim in the foregoing subsection of this section is found to be
29 correct the Absentee Chief Electoral Officer in concert with the Commission
30 shall without any further assurance remove any such name from the said register
31 or absentee voters.

1 14.—(1) The Absentee Chief Electoral Officer may issue directives to Absentee
2 any person designated as an absentee revising officer in his jurisdiction to revising
3 hear and determine claims and objectives to any entry in or omission from officer to
4 the preliminary list of absentee voters in the country or territory where he is hear and
5 based and may direct other persons (who are citizens of Nigeria attached to determine
6 his substantive office) as he thinks necessary to assist the absentee claims, etc.
7 Revising officer.

8 (2) any person designated as an absentee revising officer in any country
9 or territory outside Nigeria shall have the powers of an absentee registration
10 officer and may for the purposes of his duties under this section administer any
11 oath necessary at a hearing,

12 (3) notwithstanding the foregoing provisions of this section, the
13 Commission may give general direction with respect to the conduct of hearing
14 of claims on the preliminary list of absentee voters displayed abroad or in the
15 Federation.

16 15.—(1) Subject to the provisions of the Electoral Act or the directives of Power to
17 the Commission, as the case may be, an Absentee Chief Electoral Officer may a Make rules
18 make rules prescribing the time and place for hearing any claim or objection to hearing
19 any entry or omission in the preliminary list of absentee voters and the procedure of claims, etc.
20 at the hearing.

21 (2) Where a claim is made under this Part of this Act, the absentee revising
22 officer, in any country or territory outside Nigeria, after hearing the applicant
23 and any evidence in support shall, if he is satisfied that the claim has been
24 established, enter the name, address and other relevant particulars in the
25 preliminary list of absentee voters or make such other correction as may be
26 Necessary.

27 (3) Where an objection is made under this Part of this Act, the absentee
28 revising officer concerned shall give notice of the objection in such manner as
29 he thinks fit or appropriate, and if after hearing the parties concerned and any
30 relevant evidence the absentee revising officer is satisfied that the claim or
31 Objection is sustained, he shall amend the entry accordingly.

Completion of Preliminary List of Absentee voters.	1	16.—(1) The Absentee Chief Electoral Officer in any country or territory
	2	outside Nigeria shall, after due approval by the Commission, amend the preliminary
	3	list to—
	4	(a) give effect to a decision of any claim or objection ; or
	5	(b) delete any duplicated entry ; or
	6	(d) delete the names of persons who are dead or disqualified ; or
	7	(d) delete the names of persons found not to have satisfied the requirements
	8	for eligibility specified in Section 3 (1) of this Act or complied with the
	9	Provisions of Section 8 (5) (b) of this same Act.
	10	(2) Where the preliminary list of absentee voters is amended to give
	11	effect to a decision to include the name of a voter, the absentee registration
	12	officer concerned shall at the same time issue to the person whose name is
	13	included in that list an absentee voter registration card in the form prescribed
	14	Under this Act.
	15	(3) If the absentee registration officer or the Absentee Chief Electoral
	16	Officer or the Commission has reasonable cause to believe that an absentee
	17	voter is registered in more than one place either in the country or territory where
	18	he claims to be resident or in different countries outside Nigeria, the absentee
	19	registration officer or the Absentee Chief Electoral Officer or the Commission, as
	20	the case may be, shall without contradiction to their powers in this regard, but,
	21	in consultation with one another, make such alterations or corrections in the
	22	preliminary list of absentee voters as are necessary ; but no correction under
	23	this subsection shall be made without notice to the person affected and the
	24	giving of reasonable time for the receipt of objections to the proposed correction
	25	and, if necessary, for any hearing in respect thereto.
	26	(4) every notice issued under this section shall be in writing, and may be
	27	served upon the person affected by delivering it at or posting it to his address as
	28	Shown in the preliminary list of absentee voters.
Publication of Preliminary List of absentee voters.	29	17.—(1) the absentee registration officer under the supervision of the
	30	Absentee Chief Electoral Officer in any country or territory outside Nigeria shall,
	31	not later than sixty days from the date when the preliminary list of absentee

1 voters was first exhibited or within such extended period as the Commission may
2 allow, make such corrections in the preliminary list of absentee voters as may be
3 necessary, number the names in the said list in such a manner as the Commission
4 may direct, and, after endorsing and signing a certificate of verification on the
5 Said list, he shall forward such list to the Commission at its principal office.

6 (2) the preliminary list of absentee voters referred to in this section shall
7 be printed by any visible modern printing process and published by the
8 Commission on such date as the Commission may deem fit, after considering
9 any alteration or amendment recommended by the appropriate Absentee Chief
10 Electoral Officer.

11 18.—(1) the preliminary list of absentee voters in respect of any country inspection of
12 or territory outside Nigeria when printed and published shall be the register of register of
absentee voters for that country or territory outside Nigeria, and a copy of the absentee
13 publication of the register of absentee voters may be inspected free of charge by voters.
14 citizens of Nigeria at the premises of every Nigerian Diplomatic Mission Abroad
15 and such other places as the Absentee Chief Electoral Officer shall appoint in
16 that country or territory where he is based ; and copies of the said register of
17 absentee voters may be made and sold to members of the public in that country
18 or territory at such price (in foreign currency) as he deems reasonable ; the
19 profits of which sale shall be remitted to the headquarters of the Commission,
20 From time to time.

21 (2) Copies of the absentee register of voters shall be made available by the
22 Commission throughout the States of the Federation and the Federal Capital
23 Territory for sale to members of the public at such price it thinks reasonable.
24

25 19.—(1) Subject to the provisions of this Act and the electoral Act, where Correction of
26 the Commission is satisfied that there is a mistake in the register of absentee Register of
voters, the Commission shall not later than fifteen clear days before the date absentee
27 appointed for an election to which this Act relates give notice in such manner as voters.
28 it thinks fit of its intention to correct the mistake ; and the amendment may be
29 Made accordingly.
30

31 (2) Nothing in this section as to limitation of time or the giving of notice

1 shall apply where the Commission is satisfied that it is in the interest of the
 2 generality of the citizens of Nigeria to make the amendment without waiting for
 3 Any time or giving any notice.

Use of the
 register of
 absentee
 voters.

4 20.—(1) the register of absentee voter shall be used for the purpose of
 5 determining the persons entitled to vote as absentees at every election to the
 6 office of the President and Vice-President of the Federation and the Governor
 7 And Deputy Governor of each State of the Federation.

8 (2) without prejudice to Subsection (1) of this Section, the register of
 9 absentee voters may also be used for the purpose of determining persons entitled
 10 to vote as absentees at a referendum on any matter of national interest.

11 (3) notwithstanding the exclusive nature of the provisions of Subsection
 12 (I) of this section, the Commission may, when it deems it practicable or when
 13 suitably adapted, direct that the register of absentee voters be used for determining
 14 the persons entitled to vote as absentees at any election to other offices specified
 15 in the Constitution.

16 PART 11—PROCEDURE FOR ABSENTEE BALLOTING AND OTHER

17 MATTERS RELATING THERETO

Publication of
 date, venue or
 centre, etc.
 for absentee
 balloting.

18 21.—(1) Subject to the directives of the Commission and the provisions of
 19 this Act, an absentee Chief Electoral Officer in any country or territory outside
 20 Nigeria shall, not later than ninety days before any election to which this Act
 21 relates, publish or cause to be published in the manner he may deem fit, in that
 22 country or territory where he is based, a notice specifying the following matters,
 23 that is to say—

24 (i) the day or hour fixed for the polls ;

25 (ii) the full names, photographs and other particulars of persons nominated
 26 . For election to the position specified under this Act or description of any
 27 matter requiring absentee balloting, as the Commission may determine or
 28 direct; and

29 (c) The venue or centre where absentee balloting will take place.

30 (2) For the avoidance of any doubt, the venue or centre for absentee
 31 balloting shall be a built up public place or hall not being a place for religious

1 worship or military base or clubhouse or private premises.

2 22. No political party or nominated candidate for any election to which
3 this Act relates shall organise, sponsor or carry out any campaign rally or activity
4 whatsoever and howsoever in any country or territory outside Nigeria, but
5 Persons registered as absentee voters may make individual arrangements to
6 acquaint themselves with campaign activities conducted or carried on in the
7 Federation with respect to any election.

Political
Party
campaigns or
rallies abroad
prohibited.

8 23.—(1) Every Absentee Chief Electoral Officer shall make adequate
9 arrangement to secure such number of polling venues or centres as are feasible
10 in the country or territory under his jurisdiction and allot absentee voters
11 registered therein to such polling venues or centres as are accessible and
12 Convenient for them to cast their vote at any election.

Polling venues,
etc. to be
accessible to
absentee
voters.

13 (2) notwithstanding the number of registered absentee voters or the
14 expanse of the country or territory outside Nigeria in which absentee balloting is
15 to take place, there shall not be more than ten polling venues or centres for
16 absentee balloting in any such country or territory outside Nigeria.

17 24.—(1) The Commission shall provide specially designed transparent (fibre
18 glass fortified) ballot boxes for the conduct of any election specified under this Act.

Transparent
ballot boxes
for use in
absentee
balloting.

19 (2) accordingly, the Commission shall, not later than three weeks before
20 an election to which this Act relates, cause to be delivered to each Absentee
21 Chief Electoral Officer based in every country or territory outside Nigeria in
22 which absentee voters are registered, such number of ballot boxes as are adequate
23 and proportionate to the number of absentee voters registered in the said country
24 or territory outside Nigeria.

25 25. The ballot boxes described in Subsection (1) of section 24 of this Act
26 shall be sealed and may only be opened by the Commission when returned, after
27 every absentee balloting exercise, to the Commission, as prescribed under this Act.

Ballot boxes
for absentee
balloting to be
sealed.

28 26.—(I) The Commission shall prescribe and print the form of ballot paper
29 to be used for absentee balloting (hereafter in this Act referred to as "absentee
30 Balloting paper") in any country or territory outside Nigeria at any election
7| specified under this Act.

Format of ab-
sentee ballot
paper and
other balloting
materials for
absentee
voting.

- 1 (2) Without prejudice to the voting procedure applied in the Federation or
2 the type of ballot papers used thereof, the Commission shall—
- 3 (a) ensure that absentee ballot papers prescribed and printed by it are not
4 attached in booklets but that they are printed in separate leaflets ;
- 5 (b) print visibly at the top right hand corner of each separate leaflet of
6 absentee ballot paper, the registration or coded number of individual absentee
7 voter, and which number shall be the same as that which is printed on his
8 absentee registration card ;
- 9 (c) include in the absentee ballot paper, the symbol adopted by the political
10 party of each candidate for any election, which symbol shall be placed opposite
11 thereto the candidates' full names in that absentee ballot paper ;
- 12 (d) fold and insert the said absentee ballot paper for each absentee voter
13 in a prepaid envelope of approximately five inches by eight inches size, (which
14 shall be used for the return of the ballot paper after voting by the absentee
15 voter);
- 16 (e) address each prepaid envelope to the appropriate Resident Electoral
17 Commissioner of the State of the Federation or Federal Capital Territory, as
18 the case may be, which the absentee voter claimed in his application for
19 registration as his place of origin ;
- 20 (f) prints across the face of the envelope for each absentee voter supplied
21 for the return of the absentee ballot paper the words "Official Absentee
22 Balloting Material—First Class Mail" (or in any other language which the
23 Commission may specify) in a rectangular box, immediately above the address
24 specified to be written in paragraph (e) of this subsection ;
- 25 (g) prints in the bottom right hand corner of the address side of the prepaid
26 envelope (for the return of the ballot paper) the office being contested, and
27 the Commissions' appropriate code number adopted for that election ;
- 28 (h) print in the upper left corner of the envelope described under the
29 foregoing paragraphs of this subsection, an appropriate inscription or blank
30 spaces for the return address of the absentee voter; and
- 31 (i) print visibly at the top middle part of the envelope, the registration or

1 code number of the absentee voter.

2 (3) A representation of the contemplated format of the prepaid envelope
3 which shall contain the required balloting material for use in voting by an absentee
4 voter, and which shall be used for the return of each individual absentee vote to
5 The Commission, shall be as described in the Schedule to this Act.

6 27. The Commission shall not mail or despatch any balloting material to
7 any country or territory outside Nigeria for use in an absentee balloting in an
8 Election except, in the manner prescribed under Section 26 of this Act.

Commission to adhere to the provisions of Section 26 of this Act.

9 28.—(1) every absentee Chief Electoral Officer shall, not later than seven
10 days before the date fixed for voting at any election to which this Act relates,
11 make proper arrangement, with the relevant postal agency or office in the area
12 where a polling venue or centre is located for absentee balloting, for the presence
13 at any such venue or centre, on the date of voting, of a postal officer.

Post markings to be made on each prepaid envelope after voting by a postal officer.

14 (2) The postal officer referred to in Subsection (1) of this section shall be
15 equipped with the necessary materials required for him to make relevant
16 post markings on each prepaid envelope (for the return of balloting materials)
17 showing the venue or place, date and time of absentee voting (after each absentee
18 voter shall have made his mark on the absentee ballot paper issued to him in the
19 manner prescribed by the Commission, inserted the said absentee ballot paper in
20 The said envelope and sealed it).

21 29. At the hour fixed for opening the poll for absentee balloting and before
22 the commencement of voting, the absentee presiding officer designated under this
23 Act shall display the transparent sealed box to the persons lawfully present at the
24 polling venue or centre and place it on any moderately elevated slab or board on
25 legs (not higher than four feet from the floor) in the full view of all persons present,
26 and the said ballot box shall be so placed until the close of the poll.

Preparation of ballot boxes.

27 30.—(1) every registered absentee voter intending to vote at any polling
28 venue or centre where his name is listed shall present himself to the absentee
29 presiding officer with his absentee registration card and any other thing which
30 Proves his identity such as his Nigerian Passport, etc.

Issue of balloting materials.

31 (2) the absentee presiding officer shall, on being satisfied that the name

1 of the person presenting himself is on the register of absentee voters, issue him
2 the prepaid envelope (containing his ballot paper) on which his registration
3 Number is typed and addressed as prescribed under section 26 of this Act.

4 (3) the absentee presiding officer shall upon issuing the prepaid envelope
5 to the person (absentee voter) presenting himself before him, make a mark against
6 that absentee voter's name in the register before him, and request the absentee
7 voter to crosscheck his absentee balloting materials. to ensure that the number
8 on his absentee registration card tallies with those on the prepaid envelope and
9 the absentee ballot paper presented to him.

10 (4) In the event of the code number typed on the absentee ballot paper
11 being different from the number typed on the prepaid envelope and registration
12 card, the absentee presiding officer shall cancel the incorrect number on the
13 absentee ballot paper thereof, and print therefore under his hand, the
correct

14 code number contained in the absentee voter's registration card, under the
15 cancelled number thereof, and endorse his name opposite thereto the corrected
16 number thereon,

17 (5) The absentee presiding officer shall, upon issuing the prepaid
18 enveloped to an absentee voter, be required to issue a note of caution to the
19 absentee voter to handle his ballot paper with utmost care as no other absentee
20 ballot paper shall be issued to him if any accident occurs such that his absentee
21 ballot paper is spoiled.

Process of
Absentee
Minting at
polling venue
or centre
abroad.

22 31.—(1) upon receipt of the prepaid envelope containing an absentee
23 ballot paper and after ensuring that the code numbers on the prepaid envelope
24 and absentee ballot paper issued to him are the same, the absentee voter shall—

25 (a) proceed to mark the absentee ballot paper in an enclosed section at the
26 polling venue or centre, in the manner prescribed by the Commission;

27 (b) neatly fold and insert the marked absentee ballot paper in the prepaid
28 envelopes provided for the return of each absentee ballot paper;

29 (f) seal the envelope in the manner prescribed by the Commission ;

30 (d) print his name and address under his handwriting on the blank spaces
31 provided in the upper left corner of the prepaid envelope.

1 (e) tender the sealed envelope to the postal officer present at the venue or
2 centre of the voting, who shall stamp a clear postmark on the upper right
3 corner of the envelope where the words "Nigeria Postage Paid" are printed,
4 and on any other part of side of the prepaid envelope, as the Commission may
5 direct;

6 (f) deposit the sealed postmarked prepaid envelope in the transparent
7 absentee ballot box placed at the venue or centre for absentee balloting; and

8 (g) make an endorsement, opposite thereto the marking made against his
9 name by the polling clerk in the register of absentee voters, as having received
10 his balloting materials and voted accordingly.

11 (2) every absentee voter shall, soon after his fulfilment of the absentee
12 balloting procedure specified in Subsection (1) of this section, be required to
13 Leave the premises of the polling venue or centre where he cast his vote.

14 32.—(1) In the event of a ballot box being completely filled with-absentee
15 ballots at any venue or centre for absentee balloting, and there being no other
16 ballot box thereof to contain the, absentee balloting materials of other absentee
17 voters at any such polling venue or centre, the absentee presiding officer shall
18 make an endorsement on the rear side of any such prepaid envelope, or any
19 other markings as may be prescribed by the Commission, after the said prepaid
20 envelope shall have been sealed by the absentee voter and postmarked as
21 specified under this Act, and ensure the prompt mailing thereof of the prepaid
22 envelope at the postal agency or office nearest to that polling venue or centre, or
23 through the diplomatic mailing bag of the relevant Nigerian Diplomatic Mission
24 Abroad.

Procedure for
mailing
absentee
ballots not
contained in
an absentee

25 (2) If the unboxed envelope containing already marked absentee ballot
26 paper bear no prepaid postage mark, the absentee presiding officer shall so
27 indicate in the register of absentee voters before him at the polling venue or
28 centre, soon after the stamping of a postmark on any such envelope, and make
29 adequate arrangement to deposit the unboxed envelope in the diplomatic mailing
30 bag of the relevant Nigerian Diplomatic Mission Abroad, for prompt delivery to
31 The principal office of the Commission.

	1	(3) An absentee presiding officer at any polling venue or centre where the
	2	circumstances contemplated in the foregoing provisions of this section occurs,
	3	shall make proper notes in his register of absentee voters indicating the individual
	4	absentee voter affected by the circumstances thereof, and inserting the list of
	5	absentee voters used for voting at that polling venue of centre in the appropriate
	6	Absentee ballot box.
Absentee voters to vote for one candidate in any absentee ballot paper.	7	33. No absentee voter shall vote for more than one candidate or record
	8	more than one vote in favour of any candidate in any absentee ballot paper
	9	contained in the prepaid envelope supplied to him at the polling venue or centre
	10	for absentee balloting.
Voting at appropriate polling venue or centre.	11	34. No absentee voter shall be permitted to vote at any polling venue or
Political Party agents barred from polling venues or centres for absentee balloting.	12	centre other than the one to which he is allotted.
	13	35. No political party agent or like persons shall be recognised at any
	14	absentee balloting exercise in any country or territory outside Nigeria, and any
	15	such persons posing as such shall not be allowed to remain at any polling venue
	16	or centre for absentee balloting other than for the purpose of casting their vote
	17	in accordance with the provisions of this Act.
Defence Attaches to maintain peace and order at polling venues or centres for absentee balloting.	18	36.—(1) The Defence Attaches to every Nigerian Diplomatic Mission
	19	Abroad shall, in respect of the country or territory outside Nigeria where they
	20	are based, be assigned by the relevant Absentee Chief Electoral Officer to act as
	21	absentee security officers during any absentee balloting exercise in that country
	22	or territory outside Nigeria.
	23	(2) A Defence Attaché assigned pursuant to Subsection (1) of this section
	24	shall have the responsibility of ensuring the maintenance of peace and order at
	25	the venue or centre for absentee balloting and may, with the consent of the
	26	Absentee Chief Electoral Officer, solicit the attendance at any such polling venue
	27	or centre of the local security personnel in that country or territory to assist him
	28	With regard to his assignment.
	29	(3) an absentee presiding officer may authorise the removal of a person
	30	from a polling venue or centre for absentee balloting, who behaves in a disorderly
	31	Manner or fails to obey a lawful order.

1 37.—(1) at the prescribed hour for the close of the poll for absentee
2 balloting, the absentee presiding officer shall declare the poll closed and no
3 Other person shall be admitted into the polling venue or centre.

Closing time
of absentee
balloting.

4 (2) without prejudice to Subsection (I) of this section, an absentee voter
5 already admitted inside the polling venue or centre before the prescribed hour
6 for the close of the polls for absentee balloting shall be allowed to vote.

7 (3) For the avoidance of any doubt the timings for the hour of commence-
8 ment of absentee balloting and closing of the polls shall be in accordance with
9 the timing of any particular country or territory in which absentee balloting is
10 scheduled to take place, but the time for absentee voting and closing thereof
11 shall not be before or after the date specified by the Commission for any such
12 Absentee balloting.

13 38.—(1) Every absentee presiding officer at any polling venue or centre in
14 a country or territory outside Nigeria shall make proper arrangement to deliver
15 every absentee ballot box and its contents, together with unboxed envelopes (if
16 any) to the principal office of the Nigerian Diplomatic Mission if that country or
17 territory immediately after the close of the polls.

Delivery of
absentee
ballot boxes
to Nigerian
Diplomatic
Mission at
the close of
absentee
balloting.

18 (2) The Defence Attaché in that country or territory outside Nigeria shall
19 be responsible for providing necessary security for every absentee presiding
20 officer while conveying the absentee ballot boxes and its-contents to the principal
21 office of the Nigerian Diplomatic Mission in that country or territory outside
22 Nigeria.

23 (3) At the close of polls, all prepaid envelopes containing absentee ballot
24 papers not voted upon by registered absentee voters shall be returned to the
25 Commission in a separate and distinctly marked package as "un-voted ballot
26 materials."

27 39.—(1) Upon receiving the ballot boxes containing absentee bal lots and
28 other unboxable envelopes containing absentee ballots, and un-voted ballot
29 materials, the Absentee Chief Electoral Officer in that country or territory shall
30 make prompt and adequate arrangements to despatch all the aforementioned
31 items under this section to the principal office of the Commission, not later than

Despatch of
ballot boxes,
etc. to the
Commission.

1 twenty-four hours after the time of the close of the polls or absentee balloting in
2 That country or territory outside Nigeria.

3 (2) every despatch made by an Absentee Chief Electoral Officer pursuant
4 to Subsection (1) of this Section, shall be accompanied by a report describing
5 the conduct of absentee balloting in that country and territory, and the report
6 thereof may contain recommendations or suggestions for the improvement of
7 any such absentee balloting exercise.

8 PART III—MISCELLANEOUS AND SUPPLEMENTARY

Deadline for
the receipt of
absentee
ballot boxes,
etc.

9 40. Every absentee ballot box containing absentee votes cast in an election
10 held in accordance with the provisions or Part II of this Act, and the prepaid
11 envelopes despatched pursuant to Section 32 thereof shall reach the Commission
12 at its principal office not later than 10 days from the date of any such election to
13 Which this Act relates.

Procedure
upon receipt
of absentee
ballot boxes,
ele.

14 41.—(I) upon the receipt by the commission of the absentee ballot boxes,
15 etc on or before the period referred to in section 40 of this Act, the Commission
16 shall immediately proceed to—

17 (a) open each absentee ballot box, one after the other, with the appropriate
18 keys in its custody;

19 (b) crosscheck the contents of each absentee ballot box to ensure that the
20 number of prepaid envelopes containing absentee ballots and enclosed therein
21 tally with the entry and endorsements made in the register of absentee voters
22 Accompanying the absentee ballot box.

23 (c) examine and ensure that each prepaid envelope contained in each
24 absentee ballot box, and those despatched individually as prescribed, bear
25 the required postmarking specified to be made on them in accordance with
26 the provisions of Section 31 (I)(e)of this Act;

27 (d)-sort out, classify or arrange and package each postmarked prepaid
28 envelope in accordance with the address printed on them to the respective
29 Resident Electoral Commissioners of the State of the Federation and Federal
30 Capital Territory, as the case may be ; and \

31 (e) despatch the packaged prepaid envelopes (which shall remain

1 unopened) which have been crosschecked, examined,- sorted out, etc. in
2 accordance with the provisions of this subsection of this Act, to the respective
3 Resident Electoral Commissioners of the States of the Federation and Federal
4 Capital Territory, not later than three days after the date specified for their
5 Receipt in Section 40 of this Act.

6 (2) in carrying out its duties with regard to the foregoing provisions of this
7 Part of this Act, the Commission shall have powers to—

8 (a) reject and decline to open or crosscheck or examine or sort out the
9 contents of an absentee ballot box or entertain individual prepaid envelopes
10 received after the period specified in Section 40 of this Act; and

11 (b) reject any prepaid envelope containing absentee ballot which does not
12 bear the required postmarking as specified under this Act.

13 42. Every Resident Electoral Commissioner in each State of the Federation
14 and Federal Capital Territory shall, upon the receipt of the package containing
15 prepaid envelopes despatched to his office pursuant to section 41 (1) (e) of
16 this Act, make necessary arrangement for the prompt counting of the votes
17 (absentee ballots) contained in each prepaid envelope in accordance with the
18 directives which the Commission-may, from time to time, issue with regard to
19 The counting and collation of absentee ballots.

Resident
Electoral
Commission
to count and
collate
absentee
ballots.

20 43.—(1) for the purposes of ensuring the inclusion of absentee votes to
21 the overall votes cast in an election to which this Act relates, any return or
22 declaration made by the Returning Officer of a candidate or the Commission with
23 regard to the winner of any such election shall by the provisions of this section
24 of this Act be regarded as a temporary return or declaration and shall remain as
25 such until all absentee votes received by the Resident Electoral Commissioners
26 (within the period specified under this Part of this Act) have been counted,
27 Collated and added thereon to the overall votes cast in that election.

Declaration
of winner of
n election to

28 (2) notwithstanding the provisions of Subsection (1) of this section, the
29 temporary nature of a declaration made in respect of any election thereof shall
30 cease to be of any effect at the expiration of 21 days from the date of that
31 election, and any prior declaration made by a Returning Officer of a candidate in

Application
of the
provisions of
the Electoral
Act.

1 respect thereto an election to which this Act relates shall, subject to the addition
2 of absentee ballots to the total votes cast at that election and any subsequent
3 declaration that may be made by the said Returning Officer or the Commission
4 with regard to the effect of any such addition of absentee ballots to that election,
5 be a conclusive declaration by the Returning Officer or the Commission.

6 44.—(1) The electoral offences and penalties contained in the Electoral
7 Act (as amended, etc.) shall where appropriate and practicable be applicable to
8 the provisions of this Act, especially with regard to—

9 (a) the registration of absentee voters;

10 (b) derelictions of official duties conferred under this Act on members
of

11 Nigerian Diplomatic Missions Abroad ;

12 (c) improper use of registration cards ;

13 (d) personating and voting when not required ;

14 (e) corrupt practice, bribery, etc.; and

15 (f) disorderly conduct at election.

16 (2) Subject to the provisions of this Act and without subjugation or
17 derogation whatsoever or howsoever to the provisions contained thereof, relevant
18 provisions of the Electoral Act (as amended, etc.) shall be applicable to this Act,
19 where appropriate or pertinent or suitable, as the case may be, for the purpose of
20 ensuring the proper harmonisation and discharge of the functions conferred
21 thereof on the respective personnel of Nigerian Diplomatic Missions Abroad,
22 Through the Absentee Chief Electoral Officer.

23 (3) notwithstanding the foregoing provisions of this section of this Act, it
24 shall be an offence for any person employed or previously employed by the
25 Commission or in the service of a Nigerian Diplomatic Mission Abroad or any
26 other person in the Federation to disclose the identity of any absentee voter in
27 relation to his registration or coded number on his ballot paper or prepaid envelope
28 and the manner in which the absentee voter cast his vote at any election.

29 (4) A person found guilty by a court or tribunal of an offence in relation to
30 Subsection (3) of this section shall on conviction be liable to a fine not less than
31 N250,000 or to imprisonment for a term not less than three years or to both such

1 fine and imprisonment.

2 45.—(1) The Commission shall be responsible for the payment and the Financial
3 offsetting or counterbalancing, as the case may be, of all expenditure incurred or Provisions.
4 made by each Nigerian Diplomatic Mission Abroad, with regard to the discharge
5 of their functions under this Act.

6 (2) Every Absentee Chief Electoral Officer shall have the responsibility
7 for controlling and disbursing funds made available to him for the purposes of
8 this Act, and shall, in regard to that responsibility, keep and maintain proper
9 accounts and record of all monies made available to him for the purposes thereof.

10 46.—(1) Subject to the provisions of this Act, the Commission may make Regulations.
11 regulations on any matter or thing falling to be made for the purpose of giving
12 Effect to the provisions of this Act.

13 (2) without prejudice to the generality of Subsection (1) of this section
14 and the foregoing provisions of this Act, the Commission may make regulations
15 for—

16 (a) prescribing the Form for Application for registration of absentee voters;

17 (b) prescribing the format of registration card for absentee voters ;

18 (c) prescribing the format of the register of absentee voters ;

19 (d) prescribing the Forms for claims for the correction or insertion of, and
20 objectives to, names contained in the preliminary list of absentee voters;

21 (e) prescribing the Form for notification of death of a person named in the
22 register of absentee voters ;

23 (f) prescribing the format of an absentee ballot paper; and

24 (g) prescribing such other matters as may give full effect to the provisions
25 of this Act.

26 47.—(1) In this Act, unless the context otherwise requires—

Interpretation,
etc.

27 "absentee ballot(s)" means the vote(s) cast by citizens of Nigeria resident
28 abroad in an election to which this Act relates and "absentee balloting" shall
29 be construed as the process thereof ;

30 "absentee chief electoral officer" means the Ambassador or High
31 Commissioner or other Representatives of Nigeria in any country or territory

- 1 outside Nigeria, appointed to act in that capacity by Section 2 of this Act;
- 2 "absentee registration officer" means the absentee registration officer
- 3 and assistant absentee registration officer in accordance with Section 7 (1) (a)
- 4 of this Act;
- 5 "absentee voter" includes an absentee citizen of Nigeria resident in a
- 6 j) country or territory outside Nigeria, qualified and eligible to vote at an election,
- 7 by virtue of Section 3 (1) of the Act;
- 8 "Commission" means the Independent National Electoral Commission
- 9 established by Section 153 (1) (/) of the Constitution ;
- 10 "Constitution" means the Constitution of the Federal Republic of Nigeria
- 11 1999;
- 12 "general election" means an election held in the Federation or any part thereof
- 13 to select officers to serve in various capacities in the Government of the Federation
- 14 after the expiration of the tenure of office of their predecessors;
- 15 "Electoral Act" means the Electoral Act 1982 (as amended, etc.);
- 16 "Federation" means the Federal Republic of Nigeria;
- 17 "function" includes power and duty ;
- 18 "Nigerian Diplomatic Mission Abroad" refers to the Embassies, High
- 19 Commissions, Consulate Offices and other offices of Principal Represen-
- 20 tatives of Nigeria abroad and as specified in Section 3 (2) of this Act;
- 21 "office" means any of the political offices the appointment to which is by
- 22 election under this Act;
- 23 "political party" includes any association of person whose activities include
- 24 canvassing for votes in support of a candidate for election under this Act
- 25 and registered by the Commission ;
- 26 "polling venue or centre" mean the place or house at which absentee
- 27 balloting takes place under this Act;
- 28 "postmark or postmarking" means the mark stamped upon the prepaid
- 29 envelope provided for use under this Act, and which mark on the said prepaid
- 30 envelope shows the date, time and venue or place of expedition as specified
- 31 and directed in accordance with Section 28 (2) of this Act:

1 "power" includes function and duty ;

2 "preliminary list" means the preliminary list of absentee voters compiled in
3 consonances with the provisions of Part 1 of this Act;

4 "prepaid envelope" means the prepaid envelope whose postage have
5 been post-paid and which encloses the absentee balloting material, as
0 described in Section 26 (2) (d) of this Act and in the Schedule to this Act;

7 "register of absentee voters" means the register of absentee voters
g compiled and published in accordance with Section 8 of this Act;

9 "Resident Electoral Commissioner" means the Commissioner deployed
10 for the time being to a State of the Federation and the Federal Capital Territory,
11 Abuja, as prescribed in Sub-paragraph (2) of paragraph 14 of item F of Part 1
12 of the Third Schedule to the Constitution ; and

13 "Returning Officer" means the Returning Officer appointed and authorised
14 by the Commission to declare a candidate in an election under the Electoral
15 Act as being the winner of the election.

16 (2) The Interpretation Act shall apply for the purposes of interpreting the Cap 192
17 provisions of this Act.

18 48.—(1) This Act may be cited as Absentee Balloting (Regulations, Citation, etc.
19 Procedure, etc.) Act 2001.

20 (2) the provisions of this Act are in addition to and not in derogation of
21 any law or regulation or guideline relating to the procedure of election in the
22 Federation.

EXPLANATORY NOTE

This Bill seeks to actuate the voting rights of citizens of Nigeria legitimately resident in any country or territory outside Nigeria, who are qualified and eligible to vote at any election specified in this Act.

Name and Complete Address
of Absentee Voter

Registration or Code number of
Absentee Voter

NIGERIA
POSTAGE PAID

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL—FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THENIGER1 AN DIPLOMATIC MAIL

OFFICE OF THE RESIDENT ELECTORAL COMMISSIONER,
INDEPENDENT NATIONAL ELECTORAL COMMISSION

GUSAU, ZAMFARA STATE
FEDERAL REPUBLIC OF NIGERIA

OFFICIAL CODEJ<0.

CONTEST FOR OFFICE OF THE PRESIDENT!