

S. I. 28 of 1982

ELECTORAL ACT 1982

(1982 No. 8)

Registration of Voters (Hearing of Claims and Objections)
Rules 1982*Commencement : 25th November 1982*

In exercise of the powers conferred by section 13 of the Electoral Act 1982, and of all other powers enabling it in that behalf, the Federal Electoral Commission hereby makes the following rules :—

1.—(1) There shall be for each Federal constituency (as specified in section 65 (b) of the Constitution) a revising officer, to be appointed by the Commission, to hear and determine claims and objections to entries in the preliminary list of voters as provided in section 11 of the Act.

Appoint-
ment of
revising
officers, etc.

(2) There shall also be appointed by the Commission the following persons, that is to say—

(a) an assistant revising officer for each State constituency (as specified in section 104 of the Constitution) to assist the revising officer in the discharge of his functions under these rules ; and

(b) a claims and objections officer for each registration centre who shall be responsible for issuing claims and objections forms (Forms EC. 2 and EC. 3) to persons who apply for them to the registration officer and for collecting the completed forms back from such persons.

2.—(1) Any person (hereinafter called "the applicant") who is qualified to be registered as a voter, but whose name is omitted in the preliminary list or is incorrectly stated therein, who wishes to have the error rectified, shall within 21 days of the publication of the preliminary list apply in Form EC. 2 to the registration officer assigned to the Federal constituency in which his residence is situated, to have his name and address inserted in the preliminary list or to have any such entry amended. The application in the completed Form EC. 2 addressed to the registration officer shall be delivered to the claims and objections officer at the registration centre situated in the area of his residence not later than the aforementioned period of 21 days.

Procedure
for lodging
claims and
objections.

(2) Where any person qualified to vote whose name appears in the preliminary list objects to the inclusion of the name of a person appearing therein, such person (hereinafter called "the objector") may within 21 days of the publication of the preliminary list file his objection to such inclusion in Form EC. 3 addressed to the registration officer assigned to that Federal constituency. The completed form shall be delivered by the objector to the claims and objections officer assigned to the registration centre to which the list relates not later than the aforementioned period of 21 days.

(3) After the claims and objections officers have received all the claims and objections forms from the applicants and objectors they shall immediately hand them over to the registration officer assigned to the Federal constituency in which their registration centres are situated.

Transmission of claims and objections to revising officer.

3. When the claims and objections have been received by a registration officer in conformity with the foregoing rules, he shall forthwith hand over the forms containing the claims and objections to the appropriate revising officer not later than 26 days after the publication of the preliminary list.

Hearing of claims and objections.

4.—(1) The revising officer shall, not later than 28 days from the date of receipt of the claims and objections referred to him for hearing, hear and determine all such claims and objections.

(2) Oral evidence may be taken at the hearing and where the revising officer thinks it necessary he may administer an oath or affirmation to any witness testifying before him.

(3) Documentary evidence may be adduced at the hearing of claims and objections under these rules but any such documentary evidence shall be duly supported by an affidavit deposed to before a Commissioner for Oaths in accordance with the Oaths Act 1963 or any law relating to the oaths and affirmations in force in any of the States of the Federation.

(4) The revising officer shall sit at any suitable place or places within the Federal constituency to which he is assigned to hear claims and objections under these rules and the proceedings relating to the hearing (including the announcement of the decision of the revising officer) shall be held in public.

(5) A party to any proceedings under these rules may, if he so wishes, be represented by a legal practitioner of his choice.

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

(2) Where objection is made under these rules, the revising officer shall give notice of the objection in such manner as he thinks fit to all parties concerned and if, after hearing the parties concerned and any relevant evidence, the revising officer is satisfied that the objection is sustained, he shall amend the entry accordingly and in any other case shall dismiss the objection.

6. The revising officer shall, on the completion of hearing and determining all the claims and objections before him in accordance with these rules, hand over all his records of proceedings at the hearing of the claims and objections and the preliminary list of voters as amended or, as the case may be, the unaltered preliminary list where no amendment is necessary, to the registration officer in the Federal constituency to which he is assigned for further action by the said registration officer in accordance with the provisions of the Act.

1963 No. 23.

Verdict.

Custody of records.

7. These rules may be cited as the Registration of Voters (Hearing of Claims and Objections) Rules 1982. Citation.

MADE at Lagos this 25th day of November 1982.

V. E. OVIE-WHISKEY,
Chairman

Z. DAMBATA,
Member

EXPLANATORY NOTE

(This note does not form part of the above Rules but is intended to explain the purport thereof)

The Rules lay down the procedure to be followed by the parties concerned where either—

(a) the name of a person who claims that he is qualified to be registered is omitted from the preliminary list of voters or is incorrectly spelt therein ; or

(b) a registered voter objects to the inclusion of a name on the preliminary list of voters appearing to him to be that of a person not qualified to be registered.