

**OGUN STATE INDEPENDENT ELECTORAL COMMISSION**  
**GUIDELINES FOR THE 2021 LOCAL GOVERNMENT ELECTIONS**  
**MADE PURSUANT TO THE OGUN STATE ELECTORAL**  
**LAW, 2007 (AS AMENDED)**

**1. INTRODUCTION**

Section 197 (1) (b) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides for the establishment of State Independent Electoral Commissions. In furtherance of this provision of the Constitution, the Ogun State House of Assembly enacted the Ogun State Independent Electoral Commission Law, 2001.

**THE FUNCTIONS OF THE COMMISSION INCLUDE:**

- A. organizing, undertaking and supervising all elections to Local Government Councils in the State.
- B. rendering such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of the register of voters for Local Government elections in the State.

The Ogun State House of Assembly, in furtherance of its constitutional duty, also enacted The Ogun State Electoral Law 2007 (as amended) to make provisions for the conduct of elections, for offences and their penalties and the determination of questions relating to the elections. Indeed, Section 41 of the Electoral Law, 2007 (as amended) empowers the State Independent Electoral Commission to provide guidelines for educating the electorate and the public in general on the conduct and procedure guiding the Local Government elections.

**CONDUCT OF ELECTIONS**

**2. PERSONS ELIGIBLE TO VOTE**

A person shall be eligible to vote if:

- (A) He/She is a citizen of Nigeria;
- (B) He/She has attained the age of 18 years;
- (C) He/She is ordinarily resident in the ward or Local Government Area where He/She intends to vote or is an indigene of that ward or Local Government Area; and
- (D) He/She is registered as a voter in the ward where he/she intends to vote.

**NOTE:** "Ordinarily resident" above means a place where a person lives.

**3. PERSONS NOT ELIGIBLE TO VOTE**

The following persons are not eligible to vote in the Local Government elections:

- (A) All persons below the age of 18 years;
- (B) All non-Nigerians;
- (C) All persons who did not register as voters and therefore do not possess Voters Registration Cards and whose names do not appear in the Voters Register.

- (D) All Electoral Officials. These include:
  - (i) The Chairman and members of the Ogun State Independent Electoral Commission;
  - (ii) The Secretary and other officials of the Ogun State Independent Electoral Commission;
  - (iii) The Electoral Officers;
  - (iv) The Returning Officers;
  - (v) The Presiding Officers;
  - (vi) Poll Clerks;
  - (vii) Poll Orderlies.

#### **4. SUBMISSION OF LIST OF CANDIDATES BY POLITICAL PARTIES**

- (A) Every political party shall, not later than the date specified in the time-table, submit to the Commission the list of the candidates the party proposes to sponsor at the elections on the prescribed form CF 002.
- (B) The list shall be accompanied by Personal particulars of the candidates in Form CF 001 and an Affidavit sworn to by each candidate at the High Court of Ogun State indicating that he/she has fulfilled all requirement for election into the office he/she is seeking to be elected.
- (C) Where a candidate is disqualified from contesting the election, the Commission shall permit the political party concerned to provide a substitute for the candidate, provided that the substitution is made within the time specified by the Commission.
- (D) No political party shall sponsor more than one candidate in a ward or constituency for the same election.

#### **5. CANDIDATES ELIGIBLE TO CONTEST ELECTION**

A candidate shall be qualified for election if:

- (A) He/She is a responsible citizen of Nigeria;
- (B) He/She has attained the age of 25 years for Councillor and 30 years for Chairman and Vice Chairman;
- (C) He/She is educated up to at least the School Certificate level or its equivalent;
- (D) He/She is ordinarily resident in the ward or constituency in which he intends to contest the election or is an indigene of that ward or constituency;
- (E) He/She produces evidence of tax exemption or tax payment as and when due for a period of three consecutive years before the election;
- (F) In the case of Councillorship election, he/she is nominated in writing by 10 persons whose names appear in the register of voters for the ward in which he/she intends to contest the election;
- (G) In the case of Chairmanship election, he/she is nominated in writing by 20 persons, from at least two thirds of all the wards in the local government area where he/she intends to contest the election, and whose names appear in the register of voters for their respective wards;
- (H) He/She makes to the Commission a payment of a non-refundable sum to be determined by the Commission;

- (I) He/She has not been unjustifiably dismissed from the Public or Civil Service of the Federation or of a State or local government or from an employment in the private sector;
- (J) He/She has not been found guilty of an offence involving narcotic drugs or any other psychotropic substance by any court or tribunal in Nigeria or in any other country;
- (K) He/She has not been adjudged guilty of treason or treasonable felony by any court or tribunal in Nigeria;
- (L) Under any law in force in any part of Nigeria, he/she has not been adjudged to be a lunatic or otherwise declared to be of unsound mind;
- (M) He/She is registered as a voter in the ward or constituency in which he/she intends to contest the election;
- (N) He/She has not voluntarily acquired the citizenship of another country other than Nigeria;
- (O) He/She is a registered member of a registered political party and is sponsored by that party;
- (P) In the case of a candidate contesting as Chairman, he/she has nominated from a ward other than his/her own another candidate which shall run as his/her associate candidate for the office of Vice-Chairman; and
- (Q) He/She is otherwise not disqualified by any provision of the Local Government Law.

## **6. NOMINATION OF CANDIDATES**

- (A) Nomination of candidates:
  - (i) shall be in writing; and
  - (ii) shall be in the prescribed form EC4C for Chairmanship candidates and EC4D for Councillorship candidates.
- (B) In the case of Chairman, persons nominating must be from different parts of the Local Government Area.
- (C) The Commission shall make available to candidates the prescribed forms EC4C and EC4D upon presentation to the Commission evidence of payment of the fee prescribed by the Commission for the exercise. (D)
- The names of voters or persons nominating must appear on the Register of voters in the Local Government Area.
- (E) Persons nominating can only nominate a candidate for a particular post.

## **7. CAMPAIGN**

Candidates and their political parties shall campaign for elections in accordance with the following guidelines and any other guidelines that may be issued by the Ogun State Independent Electoral Commission from time to time or according to the provisions of any law regulating the conduct of campaigns, rally and processions:

- (A) There shall be orderly and peaceful conduct of campaign and procession;
- (B) Campaigns shall be within the constituency in which a candidate intends to contest i.e. Councillorship candidates shall limit their campaigns to their wards while Chairmanship candidates' campaigns shall be within their Local Government Area;
- (C) Campaigns shall come to an end at 12 midnight on the day preceding the date of election;
- (D) Campaigns shall be based on issues that outline what the candidates intend to accomplish for their constituency;
- (E) Campaigns shall not be carried out in religious places of worship such as churches, mosques etc;
- (F) Campaigns shall not be in public places such as police barracks or stations, public offices, schools or any other places that the Commission may forbid from time to time;
- (G) Abusive, derogatory, offensive or insulting language shall not be used during campaigns;
- (H) Not more than one political party shall hold a rally or procession at one location at the same time;
- (I) A candidate who contravenes any of these guidelines issued by the Commission or the provisions of any enactment relating to campaign may be disqualified from contesting the election by the Commission.

## **8. ELECTORAL OFFENCES**

In order that a voter does not breach any of the rules and regulations in the Electoral Law, it is important to understand those activities that constitute electoral offences that a voter should not commit.

### **(A) CORRUPT OFFENCES**

- (i) No person shall corruptly give, lend or agree to give or lend any money or valuables to any voter in order to earn his/her vote;
- (ii) No person shall either by himself or on his behalf receive, agree or contract for money from persons so as to vote or not to vote during the election;
- (iii) No person shall treat, buy, directly give food, drink or entertainment to any person for the purpose of influencing a person to vote or not to vote during the election;
- (iv) Corrupt practices shall also include the following:
  - (a) Impersonation
  - (b) Aiding and Abetting
  - (c) Counseling or persuading any person to vote or not to vote (Indeed voters may be required to leave the polling area immediately their vote is cast.)

- (v) No person shall threaten another person, make use of force, violence, intimidation or fraudulently induce or restrain any person from voting for any candidate of his or her choice;
- (vi) No person shall accept directly or indirectly any gift, offer, promise or enter into any other agreement in order to vote or not to vote.

**(B) POLLING DAY OFFENCES**

No person shall on the day of an election do any of the following acts within or outside a Polling Station;

- (i) canvass for votes;
- (ii) solicit the votes of any voter for himself or any other candidate;
- (iii) persuade any voter not to vote for any particular candidate;
- (iv) shout slogans of any political party;
- (v) Be in possession of any offensive weapons or instruments such as knives, cutlasses, canes etc.;
- (vi) be in possession of any decorations, symbols, dresses, or facial mark of any political party;
- (vii) exhibit, wear, or tender any notice, symbol, sign, token, flag, banner, photograph or card referring to any political party;
- (viii) use any vehicle bearing the colour or symbol of a political party;
- (ix) loiter without lawful excuse after voting or after having been barred from voting;
- (x) convene, hold or attend any public meeting unless authorized by the Commission and other agencies vested with such power of approval;
- (xi) forge, deface, destroy or tear any of the following:
  - (a) Official badges
  - (b) Electoral forms or any other instrument or property for the conduct of an Election;
- (xii) without due authority take, carry, or interfere with ballot boxes or any property, document or instrument relating to an election;
- (xiii) bring into or consume in a polling station or any other place being used for counting and collation of votes any alcoholic drink or any narcotic drug or any other psychotropic substances.

**9. WHERE TO VOTE**

Voters shall vote at the polling stations where they registered and obtained their Voter's Registration Card.

**10. VOTING PROCEDURE**

Voting shall be by open secret ballot. The Chairmanship and Councillorship Elections shall be conducted simultaneously.

**STEP 1:**

Voters are expected to arrive by 8.00 am on Election Day.

The accreditation of voters and voting shall commence at 8.00 am simultaneously.

- (A) A voter shall present himself/herself to the Presiding Officer for accreditation;
- (B) The Presiding Officer shall request the Voter's Registration Card from the voter;
- (C) The Presiding Officer shall check the left thumb of the voter to ascertain that it has not been previously marked for the same election;
- (D) The photograph on the Voter's Registration Card shall be checked to confirm that it is the person presenting the card. If the photograph is not that of the person presenting the card, the person shall not be accredited;
- (E) The voter's name shall be checked from the Voters' Register to confirm that the person's name is in the Register;
- (F) If the voter's name is found in the Register, the Presiding Officer shall mark the name of the voter in the Register with biro;
- (G) The Presiding Officer shall mark the left thumb of the voter with indelible ink;
- (H) The Presiding Officer shall:
  - (a) explain the voting procedure to be followed to the voters;
  - (b) introduce the candidates or their posters and party symbols, the poll clerk and party agents;
  - (c) explain all activities which constitute election offences within the polling zone, including penalties for committing each;
- (I) The card shall be returned to the voter and he/she shall be allowed to cast his/her vote immediately.

**STEP II:**

At each polling station, the Presiding Officer shall record:

- (a) the votes cast by each candidate in Forms EC8A and EC8A(1) for Chairmanship and Councillorship elections respectively;
- (b) the total number of voters that turned up at the polling station;
- (c) the actual number of people that voted; and
- (d) the number of invalid votes.

**11. PARTY AGENTS**

- (A) Each candidate may appoint agents to represent him/her at the polling station for the purpose of ensuring that his/her interests are protected;
- (B) The names and addresses of each party agent and the polling stations to which they are assigned must be given to the Commission by the candidate not later than 24 hours before the election;
- (C) A candidate shall be entitled to change his party agent and appoint a substitute not later than 24 hours before the election;
- (D) The party agent shall give his/her assent to the result by signing Forms EC8A and EC8A(1). However the refusal of the party agent to sign the above mentioned forms does not invalidate the vote at the particular polling station.

**12. COLLATION OF RESULTS OF LOCAL GOVERNMENT ELECTIONS**

- A. The Ward Returning Officer shall:
- (i) take delivery of all Forms EC8A and EC8A(1) for Chairmanship and Councillorship elections respectively from the Presiding Officer;
  - (ii) collate the votes entered in Form EC8A in the case of Chairmanship and EC8A(1) in the case of Councillorship election, using Form EC8B and EC8B(1) as the case may be;
  - (iii) enter the votes in both words and figures in the appropriate space in Form EC8B(1) in the case of Councillorship election, sign the form and request the polling agents to sign as well;
  - (iv) cross check the figures in Form EC8B(1) once again and give copies to the polling agents, the police and the SSS (where available) at the ward Collation Centre;
  - (v) transfer the result from Form EC8B(1) to EC8E(1) and declare the Councilor for his/her ward;
  - (vi) take the result in Form EC8B (Chairmanship election) to the Local Government Collation Centre.
- B. The Local Government Electoral Officer shall :
- (i) take delivery of Forms EC8B and EC8B(1) for Chairmanship and Councillorship elections respectively from the Ward Returning Officers;
  - (ii) collate the votes entered in Forms EC8B into Form EC8C for Chairmanship election;
  - (iii) enter the votes in both words and figures in the appropriate space in Form EC8C in the case of Chairmanship election, sign the form and request the polling agents to sign as well. Refusal of any agent to sign the forms does not in any way invalidate result so collated;
  - (iv) transfer the result from Form EC8C to Form EC8E and declare the result;
  - (v) proceed with the result immediately to the Ogun State Independent Electoral Commission headquarters for onward submission to the Chairman.

**13. ELECTORAL COURTS**

A voter who is dissatisfied with either the manner of election or with the result of the election should not resort to violence. The aggrieved voter should rather take his/her complaints to the Election Petition Tribunal set up by the State Electoral Law.

**DATED AT ABEOKUTA THIS 12TH DAY OF MAY, 2021.**

**Mr. Babatunde Osibodu**  
Chairman  
Ogun State Independent Electoral  
Commission (OGSIEC)  
May, 2021

