The background of the entire page is a dark green color. In the upper half, there is a faint, semi-transparent image of a hand holding a gavel over a domed building, likely a legislative chamber. The gavel is positioned diagonally from the top right towards the center. The domed building is in the center, with its dome and some architectural details visible. The overall composition is formal and legal in nature.

# **REGULATIONS AND GUIDELINES FOR THE RECALL OF A MEMBER OF THE NATIONAL ASSEMBLY, HOUSE OF ASSEMBLY OF A STATE OR AREA COUNCIL OF THE FEDERAL CAPITAL TERRITORY (2024)**

In exercise of the powers conferred on it by Sections 69, 110 and 160 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), Sections 2(c) and 113 of the Electoral Act, 2022 and all other powers enabling it in that behalf, the Independent National Electoral Commission (“the Commission”) hereby issues the following Regulations and Guidelines for the recall of a Member of the National Assembly, House of Assembly of a State and Area Council of the Federal Capital Territory.

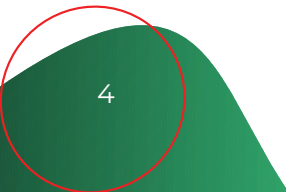
PART I

PETITION

1.	<p>(a) A petition for Recall shall be presented to the Chairman of the Commission by representative(s) of the petitioners.</p> <p>(b) The petition shall be signed by more than one half of the persons (that is, at least one person above half) registered to vote in the constituency of the member sought to be recalled, alleging loss of confidence in that member.</p> <p>(c) Where half of the number of registered voters is not a whole number, the next whole number shall be regarded as one half of the registered voters.</p> <p>(d) The signing of the petition may be by signatures or thumbprints of the petitioners.</p> <p>(e) The names, Voter Identification Numbers (VIN) and signatures of the petitioners shall be arranged according to Polling Units in the constituency of the member sought to be recalled.</p> <p>(f) For ease of communication, the name(s), contact address(es), phone number(s) and e-mail address(es) of the representative(s) of the petitioners should be clearly indicated in the covering letter forwarding the petition to the Commission.</p>	<b>Presentation of Petition</b>
2.	<p>The Commission shall, upon receipt of the petition:</p> <p>(a) Notify the member sought to be recalled, in writing, of the receipt of the petition. Such notification shall be delivered to his/her official address, copied the presiding officer of the applicable legislature and published on the Commission’s website.</p> <p>(b) Ascertain that the petition is signed by more than one half (over 50%) of the registered voters in the member’s constituency. The list of signatories to the petition shall constitute the Register of Petitioners (Form EC41) for the purpose of any activity in this Regulation and Guidelines.</p> <p>(c) Where sub-paragraph 2(b) above is established, issue a public notice or announcement stating the day, time, location and other details for the verification of the petition.</p> <p>(d) Where subparagraph 2(b) above is not established, issue a public notice to that effect and copy the Presiding Officer of the applicable legislature.</p>	<b>Publication of Notice</b>
<p>PART II</p> <p>VERIFICATION</p>		
3.	<p>Verification shall be carried out in the Polling Units at the constituency of the member sought to be recalled.</p>	<b>Location for Verification</b>

4.	<p>(a) The Commission shall, for the purpose of verification of a petition for Recall, appoint Verification Officers (VOs) as is the case with other types of elections.</p> <p>(b) The Commission shall assign functions and duties to the Verification Officers appointed under sub-paragraph 4(a) of this paragraph.</p> <p>(c) An Electoral Officer, Assistant Electoral Officer or any other officer designated by the Commission shall supervise the Verification Officers appointed under subparagraph 4(a) within the Local Government Area/Area Council of posting.</p> <p>(d) All officers appointed for the verification exercise shall subscribe to the oath of neutrality as prescribed in Section 26 of the Electoral Act 2022.</p>	<b>Verification Officers</b>
5.	<p>(a) A member sought to be recalled may, by notice in writing signed by him/her and addressed to the Resident Electoral Commissioner, appoint Verification Agents, who must be registered voters in the constituency, for each polling unit and collation centre in his/her constituency. The member shall also upload the names and addresses of the Verification Agents, along with their passport-size photographs and sample of signatures, to a dedicated portal established by the Commission for that purpose, not later than one week before the date fixed for the verification.</p> <p>(b) Notwithstanding the requirements of sub-paragraph 5(a) of this paragraph, a member sought to be recalled shall not be precluded from personally representing himself/herself in place of his/her Verification Agent(s) and performing any act or thing for which he/she has appointed a Verification Agent in these Regulations and Guidelines.</p> <p>(c) The Representative(s) of the Petitioners may, by a signed notice in writing addressed to the Resident Electoral Commissioner, appoint Verification Agents, who must be registered voters in the constituency, for each polling unit and collation centre. They/he/she shall also upload the names and addresses of the Verification Agents, along with their passport-size photographs and sample of signatures, to a dedicated portal established by the Commission for that purpose, not later than one week before the date fixed for the verification.</p> <p>(d) The names of Verification Agents shall be arranged according to the Polling Units, Registration Areas/Wards, Local Government Areas/ Area Councils, and Collation Centres where the agents will serve.</p>	<b>Verification Agents</b>
6.	The verification of signatures/thumbprints of the petitioners for the Recall shall be carried out at the Polling Units using the Register of Petitioners (Form EC 41) and the Bimodal Voter Accreditation System (BVAS).	<b>Verification procedure</b>
7.	On the day appointed, the verification exercise shall commence at 8:30am and end at 2:30pm at the Polling Units, provided that all petitioners already on the queue by 2.30pm shall be allowed to be verified. The Commission may extend the period of verification in line with its existing Regulations, Guidelines and Procedures.	

<p><b>8.</b></p>	<p>The designated Verification Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Request for the Permanent Voter’s Card (PVC) of the petitioner seeking to be verified.</li> <li>(b) Ensure that the petitioner is at the correct Polling Unit upon the presentation of his/her PVC, otherwise the petitioner shall be advised to proceed to the appropriate Polling Unit.</li> <li>(c) Check the PVC to confirm that the petitioner’s name and Voter Identification Number (VIN) are as contained in the Register of Petitioners.</li> <li>(d) Authenticate the petitioner by matching his/her fingerprints or face (facial recognition) using the BVAS.</li> <li>(e) Tick against the name of the petitioner in the Register of Petitioners as “Verified”.</li> <li>(f) Request the petitioner to countersign/thumbprint his/her signature/thumbprint against his/her name on the Register of Petitioners (Form EC41).</li> <li>(g) Where a petitioner’s fingerprint or facial recognition cannot be authenticated by the BVAS, and notwithstanding that the details of the petitioner on the Register of Petitioners correspond to those in the BVAS, the petitioner shall NOT be allowed to countersign against his/her signature/thumbprint on the list of signatories to the petition, and shall be regarded as not verified.</li> <li>(h) Where a petitioner fails BVAS authentication or where the PVC he/she presents is not recognised for that Polling Unit, he/she shall politely be asked to leave the polling zone or handed over to the Police or security personnel where there is resistance.</li> <li>(i) Report any case of anomaly to the Electoral Officer.</li> </ul>	
<p><b>9.</b></p>	<p>When all the petitioners on the queue have been verified, the designated Verification Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Obtain the number of verified petitioners from the BVAS, count the number of verified petitioners as ticked and countersigned/thumb printed on the Register of Petitioners (Form EC 41).</li> <li>(b) Compare the number verified on the Register of Petitioners and BVAS and enter the figure into Form EC 41A.</li> <li>(c) Fill the Verification Result Form EC 41A, stamp, sign, date and request Verification Agents present to countersign. The refusal of any agent to sign shall not invalidate the outcome.</li> <li>(d) Announce the outcome of the verification in the Polling Unit.</li> <li>(e) Detach the Election Operations copy of Form EC41A and hand over to the official designated by the Commission for its collection.</li> <li>(f) Distribute the duplicate copies of Form EC41A to the Verification Agents and designated Police or security personnel present and declare the verification closed.</li> <li>(g) Upload Form EC41A to the INEC Result Viewing Portal (IReV).</li> <li>(h) Submit the original of Form EC41A and the BVAS to the RA/ Ward Verification Collation Officer (VCO) appointed by the Commission.</li> </ul>	<p><b>Close of Verification</b></p>



<p><b>10.</b></p>	<p>The RA Verification Collation Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Verify that the number of petitioners verified on Form EC 41A corresponds with those on the BVAS.</li> <li>(b) If the numbers correspond, collate the result in Form EC 41A into Form EC 41B in a manner specified by the Commission.</li> <li>(c) If the numbers do not correspond, resolve the discrepancy in line with the provisions of the Regulations and Guidelines for the Conduct of Elections in force at the time of the verification, or in any other manner directed by the Commission.</li> <li>(d) Stamp, sign, date and request the verification agents present to countersign Form EC 41B. The refusal of any agent to sign shall not invalidate the outcome.</li> <li>(e) Announce the outcome of the verification at the RA/Ward.</li> <li>(f) Detach the Election Operations copy of Form EC 41B and hand over to the official designated by the Commission for its collection.</li> <li>(g) Distribute copies of Form EC 41B to the Verification Collation Agents and designated Police or security personnel present.</li> <li>(h) Submit the Form EC 41B to the Local Government/Area Council Verification Collation Officer in a manner specified by the Commission.</li> </ul>	<p><b>Collation of Verification at RA/Ward</b></p>
<p><b>11.</b></p>	<p>The Local Government/Area Council Verification Collation Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Collate the result in Form EC 41B into Form EC 41C.</li> <li>(b) Stamp, sign, date and request Verification Collation Agents present to countersign. The refusal of any agent to sign shall not invalidate the outcome.</li> <li>(c) Announce the outcome of the verification in the LGA/Area Council Verification Collation Centre.</li> <li>(d) Detach the Election Operations copy of Form EC 41C and hand over to the official designated by the Commission for its collection.</li> <li>(e) Distribute copies of Form EC 41C to the Verification Collation Agents and designated Police or security personnel present.</li> <li>(f) Submit the completed Form EC 41C to the Constituency Verification Collation Officer in a manner specified by the Commission.</li> </ul>	<p><b>Collation of Verification at the LGA Level</b></p>
<p><b>12.</b></p>	<p>The Constituency Verification Collation/Declaration Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Collate the result in Form EC 41C into Form EC 41D.</li> <li>(b) Stamp, sign, date and request Verification Collation Agent present to countersign. The refusal of any agent to sign shall not invalidate the outcome.</li> <li>(c) Announce the final outcome of the verification exercise by stating the total number of verified petitioners in the Constituency.</li> <li>(d) Declare the outcome of the verification in Form EC 41E. The petition shall be declared valid for a referendum where the number of petitioners verified is more than one half (50%) of the registered voters in the Constituency.</li> <li>(e) Detach the Election Operations copy of Form EC 41E and hand over to the official designated by the Commission for its collection.</li> <li>(f) Distribute copies of Form EC41E to the Verification Collation/Declaration Agents and designated Police or security personnel present.</li> </ul>	<p><b>Collation/ Declaration of Verification</b></p>

## PART III

## REFERENDUM

13.	<p>The Commission shall:</p> <p>(a) Decline to conduct a referendum for the recall of the member if the result of the verification shows that not more than one half of the persons registered to vote in that member's Constituency (that is, at least one person above one half) endorsed the petition.</p> <p>(b) Where half of the number of registered voters is not a whole number, the next whole number shall be regarded as one half of the registered voters.</p> <p>(c) Conduct a referendum for the recall of the member where it has verified that more than one half of the persons registered to vote in that member's Constituency have endorsed the petition, which shall take place not later than 90 days from the date of receipt of the petition for Recall.</p> <p>(d) Issue a public notice or announcement stating the day, time, location and details for the Referendum.</p> <p>(e) Where the signatures of the petitioners verified is not more than one half of the registered voters, the Commission shall issue a public notice or announcement to that effect.</p>	<b>Conduct of Referendum</b>
14.	The conduct of Referendum for Recall shall be carried out in all the Polling Units in the constituency of the member sought to be recalled.	
15.	<p>(a) The Commission shall, for the purpose of a Referendum for Recall, appoint Referendum Officers (ROffs).</p> <p>(b) The Commission shall assign functions and duties to Referendum Officers appointed under sub-paragraph 15(a) of this paragraph.</p> <p>(c) An Electoral Officer, Assistant Electoral Officer of the Commission or any other official designated by the Commission shall supervise the officials appointed under sub paragraph 15(a) of this paragraph within the Local Government Area/Area Council of posting.</p> <p>(d) All officers appointed for the verification exercise shall subscribe to the oath of neutrality as prescribed in Section 26 of the Electoral Act 2022.</p>	<b>Referendum Officers</b>
16.	A person shall be qualified to vote at a Referendum for Recall if he/she is registered as a voter in the Constituency and is verified after presenting his/her PVC to the designated Referendum Officer at the PU on the day of the Referendum.	<b>Qualification to vote at the Referendum</b>
17.	<p>(a) Voting at a Referendum for Recall shall be by Open Secret Ballot and in accordance with the procedure specified in the Commission's Regulations and Guidelines for the conduct of Elections in force at the time of the Referendum.</p> <p>(b) There shall be continuous accreditation and voting.</p> <p>(c) Voting shall take place at designated polling units on the same day between the hours of 8:30am and 2:30pm in the Constituency, provided that all voters on the queue at 2.30pm are allowed to vote.</p> <p>(d) The Commission may extend the period of voting as it deems fit, in line with its existing Regulations, Guidelines and Procedures.</p>	<b>Voting by open secret ballot</b>

<p><b>18.</b></p>	<p>(a) A member sought to be recalled may by notice in writing signed by him/her and addressed to the Resident Electoral Commissioner appoint Polling Agents, who must be registered voters in the Constituency, for each polling unit in the constituency. He/she shall also upload the names and addresses of the Polling Agents, along with their passport-size photographs and sample of signatures, to a dedicated portal established by the Commission for that purpose, not later than one week before the date fixed for the referendum.</p> <p>(b) Notwithstanding the requirement of sub-paragraph 18(a) of this paragraph, the member sought to be recalled shall not be precluded from personally representing himself/herself in place of his/her agent and performing any act or thing for which he/she has appointed a Polling Agent in these Regulations and Guidelines.</p> <p>(c) The Representative(s) of the Petitioners may, by notice in writing signed by him/her/them and addressed to the Resident Electoral Commissioner, appoint Polling Agents, who must be registered voters in the Constituency, for each Polling Unit. He/she/they shall also upload the names and addresses of the Polling Agents, along with their passport-size photographs and sample of signatures, to a dedicated portal established by the Commission for that purpose, not later than one week before the date fixed for the referendum.</p> <p>(d) The names of the Polling Agents shall be arranged according to polling units, registration area/wards, Local government areas/ Area council, and Collation centre where the agents will serve.</p>	
<p><b>19.</b></p>	<p>At the opening of Referendum, the Referendum Officer shall:</p> <p>(a) Introduce himself/herself and announce the time and procedure for accreditation and voting.</p> <p>(b) Give details on the use of BVAS for the authentication and verification of voters.</p> <p>(c) Address the voters on voting procedure such as the selection of YES or NO marks on the ballot paper by the use of thumbprint and not any other mark.</p> <p>(d) Issue general instructions on orderliness and good conduct at the poll.</p> <p>(e) Place the ballot box in the full view of all present, which shall be so maintained until the close of poll.</p>	<p><b>Opening of Referendum</b></p>
<p><b>20.</b></p>	<p>Accreditation and voting in a Referendum for the purpose of a Recall, shall be the same for voting in an election, as specified in the Electoral Act and the Commission's Regulations and Guidelines for the Conduct of Elections that are in force at the time of the Referendum.</p>	<p><b>Accreditation and Voting in a Referendum for Recall</b></p>
<p><b>21.</b></p>	<p>(a) No person shall be permitted to vote at any Polling Unit other than the one in which he/she is registered.</p> <p>(b) The designated Referendum Officer shall regulate the admission of voters to the Polling Unit and shall exclude all other persons except the member sought to be recalled, polling agents, accredited observers and any other person who in his/her opinion can be admitted in accordance with the extant Regulations and Guidelines of the Commission.</p>	

<p><b>22.</b></p>	<p>The designated Referendum Officer shall, at the close of voting:</p> <ul style="list-style-type: none"> <li>(a) Count the votes in the presence of all persons present.</li> <li>(b) Enter the YES and NO votes in Form EC 42A, stamp, sign, date and request polling agents present to countersign. The refusal of any agent to sign shall not invalidate the result.</li> <li>(c) Announce loudly the number of YES and NO votes counted.</li> <li>(d) Take a picture of the completed Form EC 42A with the BVAS and upload it to the INEC Results Viewing portal (IReV) for purposes of public information.</li> <li>(e) Detach the Electoral Operations copy of Form EC 42A and hand over to the official designated by the Commission for its collection.</li> <li>(f) Issue copies of Form EC 42A to the Collation Agents and designated security agent present.</li> <li>(g) Complete Form RF (R) and paste at the polling unit.</li> <li>(h) Submit the completed original copy of Form EC 42A to the RA/Ward Referendum Collation Officer in a manner specified by the Commission.</li> </ul>	<p><b>Close of voting at Referendum</b></p>
<p><b>23.</b></p>	<p>The RA/Ward Referendum Collation Officer shall:</p> <ul style="list-style-type: none"> <li>(a) Take delivery of all Forms EC 42A from the designated Referendum Officers.</li> <li>(b) Collate the result in Form EC 42A into Form EC 42B as directed by the Commission, stamp, sign, date and request collation agents present to countersign. The refusal of any agent to sign shall not invalidate the result.</li> <li>(c) Announce the result of the Referendum in the RA/Ward.</li> <li>(d) Detach the Electoral Operations copy of Form EC 42B and hand over to the official designated by the Commission to collect it.</li> <li>(e) Issue copies of Form EC 42B to the Collation Agents and designated Police or security personnel present.</li> <li>(f) Complete Form RF (R) and paste at the RA/Ward Referendum Collation Centre.</li> <li>(g) Submit Form EC 42B to the Local Government/Area Council Referendum Collation Officer.</li> </ul>	<p><b>Collation of Referendum at RA/Ward</b></p>



<p><b>24.</b></p>	<p>The Local Government/Area Council Referendum Collation/Declaration Officer, in the case of a Constituency made up of one Local Government/Area Council shall:</p> <ul style="list-style-type: none"> <li>(a) Take delivery of all Form EC 42B from the RA/Ward Referendum Collation Officers along with other election materials and reports (if any) pertaining to the Referendum.</li> <li>(b) Collate the result of the Referendum by entering the scores in the Form EC 42B into Form EC 42C, crosscheck the figures, stamp, sign, date and request collation agent present to countersign. The refusal of any agent to sign shall not invalidate the result.</li> <li>(c) Detach the Election Operations copy of Form EC 42C and hand over to the official designated by the Commission for its collection.</li> <li>(d) Distribute copies of the Form EC 42C to Collation Agents and designated Police or security personnel at the Local Government/Area Council Referendum Collation Centre.</li> <li>(e) Enter the scores into the Declaration of Result Form EC 42E for the Referendum.</li> <li>(f) Declare the result of the Referendum.</li> <li>(g) Detach the Electoral Operations copy of Form EC 42E and hand over to the official designated by the Commission to collect it.</li> <li>(h) Distribute copies of the Form EC 42E to the Collation Agents and designated Police or security personnel present.</li> <li>(i) Complete Form RF (R) and paste at the Local Government/Area Council Referendum Collation Centre.</li> </ul>	<p><b>Collation of Referendum at Constituency with one Local Government Area/Area Council</b></p>
<p><b>25.</b></p>	<p>The Local Government Referendum Collation Officer, in the case of a constituency made up of more than one Local Government Area or Area Council shall:</p> <ul style="list-style-type: none"> <li>(a) Take delivery of all Forms EC 42B from the RA/Ward Referendum Collation Officers with other election materials and reports (if any) pertaining to the Referendum.</li> <li>(b) Collate the result of the Referendum by entering the scores in the Form EC 42B into Form EC 42C, crosscheck the figures, stamp, sign, date and request collation agent present to countersign. The refusal of any agent to sign shall not invalidate the result.</li> <li>(c) Announce the result of the Referendum at the LGA/Area Council Collation Centre.</li> <li>(d) Detach the Electoral Operations copy of Form EC 42C and hand over to the official designated by the Commission to collect it.</li> <li>(e) Distribute copies of the Form EC 42C to collation agents and designated Police or security personnel at the Local Government/Area Council Referendum Collation Centre.</li> <li>(f) Submit Form EC42C to the Referendum Constituency Collation/Declaration Officer along with other materials relating to the Referendum.</li> </ul>	<p><b>Collation of Referendum at Constituency with more than one Local Government Area/Area Council</b></p>

26.	<p>The Referendum Constituency Collation/Declaration Officer shall:</p> <p>(a) Collate the scores in the Form EC 42C into Form EC42D.</p> <p>(b) Crosscheck the figures, stamp, sign, date and request the Constituency Collation Agent present to countersign. The refusal of any agent to sign shall not invalidate the result.</p> <p>(c) Enter the scores in the Declaration of result Form EC 42E.</p> <p>(d) Declare the result of the Referendum.</p> <p>(e) Detach the Electoral Operations copies of Forms EC 42D and EC42E and hand them over to the official designated by the Commission to collect them.</p> <p>(f) Distribute copies of Forms EC42D and EC42E to the Constituency Collation Agents and designated Police or security personnel at the Collation Centre.</p> <p>(g) The control of, and procedures at, any Collation Centre shall be the same as specified by the Commission in its Regulations and Guidelines for the Conduct of Elections that is in force at the time of the Referendum.</p>	<b>Collation/ Declaration of Referendum at Constituency Level</b>
<b>PART IV MISCELLANEOUS</b>		
27.	<p>Notwithstanding the provisions for collation, the Commission may designate or redesignate Collation Centres for the purposes of a Referendum as it deems fit</p> <p><b>PROVIDED</b> that the redesignation shall be within the constituency in question as is the case with regular election</p>	<b>Relocation of Collation/ Declaration Centre</b>
28.	<p>Where in these Regulations and Guidelines an act or a thing is required to be done by, or in the presence of, an agent, the non-attendance of such an agent at the time and place appointed for the act or thing or refusal by the agent to perform the act or thing shall not invalidate the verification or referendum.</p>	
29.	<p>Notwithstanding the provisions of these Regulations and Guidelines, the power to control and supervise a Referendum for Recall of a members of legislative houses or Area Councils in the FCT shall be vested in the Commission and any rules, regulations, circulars, directives and instructions given by the Commission regarding the exercise shall be binding on all persons concerned.</p>	
30.	<p>The Commission may accredit observers to observe the processes of verification and referendum for recall, as it deems fit.</p>	<b>Observers</b>

Dated in Abuja, this *19<sup>th</sup>* day of *September* 20 *24*

**Professor Mahmood Yakubu**

Chairman

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