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GOVERNORSHIP AND
HOUSE OF ASSEMBLY ELECTIONS
DECEMBER 14, 1991

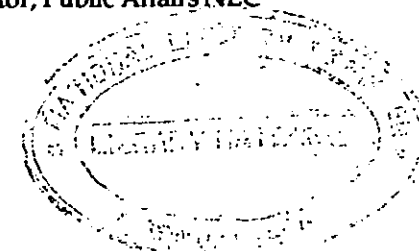
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**YOUR VOTE
IS YOUR POWER
USE IT
WISELY!**

1. NUMBER AND TYPE OF ELECTIONS

In accordance with the Transition to Civil Rule (Political Programme) (Amendment) Decree No. 26, of 1989, elections scheduled for the last quarter of 1991 are two:-

- (a) Election into State Executives - that is, Governorship Election
- (b) Election into State Legislatures - that is, House of Assembly Election.

In the Federal Capital Territory Abuja, the equivalent of a State Executive is the Mayor while a member of the Abuja Mayoral Council is the equivalent of a member of a State Legislature.

2. DATE OF ELECTIONS

The Governorship and House of Assembly elections will hold on the same day, Saturday December 14, 1991. The Mayoralty and Mayoral Council elections will hold at a later date.

3. ORDER OF ELECTIONS

Elections into Houses of Assembly in the 30 States will be conducted first. The Governorship election will follow immediately.

4. WHERE TO VOTE

Voting will take place at the same voting centres used for the local government elections of December 8, 1990, that is, at centres nearest to the residence of the voters.

It is important to emphasize that the recent State creation exercise does NOT affect the locations of polling centres.

5. ELECTORAL CONSTITUENCIES

(a) Assembly Elections.

There are 1,178 seats to be contested in the 30 Houses of Assembly nationwide. This is because in each State, the total number of seats to be contested is twice the number of local government areas in the State. As a result, Houses of Assembly seats in the States are as in the table below:-

STATES	ASSEMBLY SEATS		STATES	ASSEMBLY SEATS
Abia	34		Katsina	52
Adamawa	32		Kebbi	32
Akwa-Ibom	48		Kogi	32
Anambra	32		Kwara	24
Bauchi	46		Lagos	30
Benue	36		Niger	38
Borno	42		Ogun	30
Cross River	28		Ondo	52
Delta	38		Osun	46
Edo	28		Oyo	50
Enugu	38		Plateau	46
Imo	42		Rivers	48
Jigawa	42		Sokoto	58
Kaduna	36		Taraba	24
Kano	68		Yobe	26

(b) **Governorship Election**

There are 30 Governorship positions to be contested. The entire State is the electoral constituency of each Governorship candidate.

6. **PERSONS WHO CAN VOTE**

A voter is any person who is a Nigerian citizen who is not less than 18 years old and whose name was entered in the voters register during the July 1991 revision of the voters' register. Such a person must possess the current NEC voter's card.

None of the following persons can vote at the coming elections.

- (a) All non-Nigerians
- (b) All Nigerians who are below the age of 18 years.

- (c) All Nigerians who do not possess the current NEC Voter's Card obtained during the Revision of the voters Register of July 1991.
- (d) Anyone who does not appear in person at a Voting Centre.
- (e) All persons charged with the conduct of elections. These are:-
 - (i) The Chairman and members of the National Electoral Commission.
 - (ii) The Secretary to the Commission.
 - (iii) Resident Electoral Commissioners.
 - (iv) All Staff of the National Electoral Commission
 - (v) Electoral Officers and Assistant Electoral Officers.
 - (vi) Returning Officers and Assistant Returning Officers.
 - (vii) Presiding Officers and Supervisory Presiding Officers.

7. **VOTER'S CARD**

The possession of a voter's card is the only valid evidence which a citizen has as a proof that he is a registered voter. It is the easiest and quickest means of identifying the voter. Therefore, every voter is enjoined to keep, protect and treasure his voter's card.

A lost voter's card will not be replaced except it can be proved that its loss was due to a major disaster such as fire, flood or accident.

The current and only valid voter's card is the one given to a voter who entered his name in the voters' register during the July 1991 revision of the voters' register. All other types of voter's cards are invalid. The current and only valid NEC voter's card which will be used for all elections during the transition period contains the following information:

- (a) The name of the State
- (b) The name of the local government area
- (c) The name of the Ward
- (d) The Registration area.
- (e) The Registration Unit/Polling Stations;
- (f) The Voter's number;
- (g) The voter's name;
- (h) The voter's sex;
- (i) The voter's age.
- (j) The voter's thumb-print

8. THE CANDIDATE

The voter should know that a person qualified to contest the elections of December 14, 1991 is one who:-

- (a) Is a citizen of Nigeria.
- (b) Does not hold an allegiance or loyalty to another country.
- (c) Is a registered voter in Nigeria.
- (d) Has attained the age of 25 years for a candidate wishing to contest the House of Assembly and 30 years for the State Governorship candidates.
- (e) Is nominated for elections by 10 registered voters in the case of an Assembly Candidate and 20 nominators for Governorship candidates.
- (f) Is not a lunatic.
- (g) Does not belong to a Secret Society
- (h) Has not been convicted and sentenced by any law court for an offence involving dishonesty (by whatever name called) or any narcotics related offence.
- (i) Is not under a sentence of death imposed on him by any court of law in Nigeria.
- (j) Has not been found guilty of contravention of the code of conduct.
- (k) Has not been declared bankrupt under any law in any part of Nigeria or any other country.
- (l) Has been educated up to at least the School Certificate level or its equivalent.
- (m) If a public officer, has resigned his appointment accordingly.
- (n) Is not affected by Decree No. 25 of 1987 as amended.
- (o) Has evidence of tax payments as and when due for 1988, 1989 and 1990.
- (p) Is a registered member of one of the two Political Parties.
- (q) Is being sponsored by his party.
- (r) Has paid a deposit of Five Thousand Naira (N5,000) to contest the House of Assembly Election and Fifteen Thousand Naira (N15,000) for that of Governorship Election.

9. NOMINATION

If a candidate at an election requests a voter to be one of his nominators, such a voter should ensure that:-

- (1) The candidate is qualified to contest the election. That is, that

the candidate meets the requirements stated above at paragraph 8.

- (2) The nomination of the candidate is in writing.
- (3) The voter is satisfied that the particular candidate is the only candidate he intends to nominate for the election. This is important because:-
 - (a) Once a nomination is made, it cannot be withdrawn while the candidate stands nominated and is still in the race.
 - (b) The voter cannot nominate more than one person for the same election.
- (4) There are 9 other registered voters and himself making a total of 10 voters who are willing to nominate the candidate for the House of Assembly Elections. In the case of the Governorship elections, each candidate must have 20 nominators.
- (5) The nomination form to be subscribed to by the candidate and the nominators contain the following information:-
 - (a) The name, address, occupation and other relevant particulars of the candidate.
 - (b) The names, addresses, occupations and other relevant particulars of the nominators.
 - (c) That the candidate certifies that he is willing and qualified to stand for elections.
- (6) The nomination form signed by the candidate and all his nominators is not lodged in more than one constituency.

NOTE

- (i) A candidate obtains a nomination form with a fee of Five Hundred Naira (N500) for House of Assembly Elections and One Thousand Naira (N1,000) for that of Governorship elections.
- (ii) Candidates for the house of Assembly elections are to obtain nomination forms from electoral officers while candidates for the Governorship elections are to obtain theirs from Resident Electoral Commissioners.
- (iii) The relevant NEC official can declare a nomination invalid if any of the conditions stated above is not met.

10. OFFICIALS

On election day, there are certain persons who would normally officiate. It is important for the voter to know and co-operate with them for a successful exercise. The Officials are:-

- (1) The Resident Electoral Commissioner
- (2) The Electoral Officer
- (3) The Returning Officer
- (4) The Supervisory Presiding Officer
- (5) The Presiding Officer
- (6) The Poll Clerk/Teller
- (7) The Poll Orderly.

The functions of the officials are as follows:-

- (a) *The Resident Electoral Commissioner*
 - (i) To organise and supervise all matters pertaining to elections in a State.
 - (ii) To coordinate the activities of Electoral Officers.
 - (iii) To Handle the nomination forms for Governorship Elections.
 - (iv) To declare results of Governorship Elections.
- (b) *The Electoral Officer*
 - (i) To locate a polling station near the voters allotted to it.
 - (ii) To ensure that not more than 500 electors vote at one polling station.
 - (iii) To ensure the safe custody of all electoral materials.
 - (iv) To indicate the persons entitled to vote at a centre.
 - (v) To inform voters about the day and hours fixed for the poll.
 - (vi) To publish by displaying the full names, addresses and Occupations of all nominated persons by November 30, 1991.
 - (vii) To handle the nomination forms for House of Assembly elections.
 - (viii) To supervise the conduct of elections in a Local Government Area.
- (c) *The Returning Officer:*
 - (i) To collate election results
 - (ii) To deliver all documents relating to the conduct of the election to the Electoral Officer.

- (iii) To send a copy of the statement of the result of election to the Commission.

- (d) *The Supervisory Presiding Officer:*

He oversees the work in 10 polling stations and ensures that materials are available and that everything is correctly done.
- (e) *The Presiding Officer:*
 - (i) To take charge of the conduct of election in one polling station.
 - (ii) To supervise the work of the junior electoral staff.
 - (iii) To check the voters register to ascertain if voters are entitled to vote in that particular centre.
 - (iv) To regulate the admission of voters to the Polling Station.
 - (v) To order the removal of disorderly persons from the polling station.
- (f) *The Poll Clerk/Teller:*
 - (i) To assist in ascertaining poll results.
 - (ii) To deliver materials for elections
 - (iii) To assist in the supervision of the Polling Station.
- (g) *Poll Orderly:*
 - (i) To regulate the movement of voters in and out of polling booths.
 - (ii) To ensure that voters do not cross the line or break into another queue when counting is going on.

11. PARTY AGENTS

Each candidate is entitled to 2 polling agents. Although the agents are not employed or appointed by the electoral Commission, their presence at polling stations helps to prevent electoral malpractices that could mar the entire process.

Polling agents are appointed by the Political Parties and attached to sponsored candidates of the Parties on polling days. Notices of their appointments are usually brought to the attention of NEC not later than TEN (10) days before election day. Such a notice is expected to be given to NEC not later than December 9, 1991 for the forthcoming elections.

The polling agent is not expected to interfere with the conduct of the poll. He is there to observe activities and protect the interest of the candidate he represents. Any misconduct on his part will be checked by the Presiding Officer.

NOTE

Each candidate and his agents are to ensure that large posters (16" x 24") carrying the portraits of the candidate with party symbols are provided in all polling stations.

12. VOTING PROCEDURE

The December 14, 1991 elections will be conducted through the OPEN BALLOT SYSTEM. In order not to keep voters for too long at voting centres, NEC has reduced the period of accreditation by one hour. The following procedure will be in operation:-

(i) Accreditation

- (a) Accreditation in all locations will start at 8.00 a.m. and end at 10.00 a.m.
- (b) All voters cards will be checked, stamped and signed at the back by the Presiding Officer who will record such details as the date, type of election and code number.
- (c) At 10.00 a.m. the Poll Orderly will stand behind the last voter on the queue. Any voter who joins the queue behind the Poll orderly after 10 o'clock will NOT be accredited.
- (d) At each polling station, the following will be entered in words and in figures into the statement of result form titled "Form EC8A."

- (i) The total number of persons registered as voters for the station.
- (ii) The total number of voters who turned up on election day and were accredited.
- (iii) The actual number of persons available at the point of voting. (This is to determine the number of voters, if any, that left the station after accreditation and before voting time).

(ii) Post Accreditation Activities:

- (a) Immediately after accreditation, Voting procedures will be explained by the Presiding officer.

- (b) - Introduction of candidates and/or their posters and symbols will be made. All electoral officials including party agents are also to be introduced.
 - (c) All activities that constitute electoral offences within the Polling Zone including penalties for committing such offences will be explained.
 - (d) Posters bearing portraits of candidates must be well displayed before the commencement of voting.
 - (e) There will be a roll call of All Accredited Voters.
- (iii) Voting:
- (a) Voting shall commence at 11.00 a.m. nationwide. As soon as the announcement of the commencement of voting is made, the accredited voters will be requested to line up in front of the posters carrying the Portraits of the candidates of their choice.
 - (b) Counting the number of accredited voters in the queue for each candidate one at a time would be made Lowly.
 - (c) Crossing the line or breaking into another queue when counting is going on is a punishable electoral offence.
 - (d) Election to Houses of Assembly will be conducted first to be followed immediately by the Governorship Election.
 - (e) In areas of the country where culture does not allow men and women mingling in a queue, separate queues shall be allowed for men and women.
 - (f) The result of the poll at each Polling Station shall be signed by the Presiding Officers and the polling Agents. The refusal of the Polling Agents to sign the results will however not invalidate the result of the Poll.

13. COLLATION OF FIGURES

- (a) Election into the Legislature
The collation of election results for the House of Assembly

elections will be at three levels.

- (i) The polling Station.
- (ii) The ward
- (iii) The Local Government Area

Procedure

*The votes scored by each candidate in every polling station will be entered into form EC8A (1).

*The votes scored by a candidate in each polling station will be added to get the total votes scored by the candidate in the ward to which the polling stations belong. This will be entered into form EC8B (1).

*Finally, the total votes scored by the candidate in the election is obtained by adding the votes scored in all the wards that make-up the State Constituency. This will be entered into Form EC8C(1).

*The declaration of election result Form EC8E(1) will be completed to declare the winner of the election.

(b) Election into the State Executive

The collation of election results for the Governorship elections will be at FOUR levels.

- (i) The Polling Station
- (ii) The ward
- (iii) The Local Government Area
- (iv) The State

Procedure

*Votes scored by each candidate in every polling station will be entered into Form EC8A.

*To arrive at the votes scored by each candidate in all the polling stations in one ward, the votes scored in all the stations already entered in form EC8A will be collated into Form EC8B.

*To arrive at the votes scored by each candidate in a Local government area all the votes scored by the candidate in all the wards in the area will be collated into form EC8C.

*Finally the total votes scored by each candidate in the State will be arrived at by collating into Form EC8D the total number of votes scored by each candidate in the local government area .

*The declaration of election result Form EC8E will be completed to declare the winner of the election.

14. ANNOUNCEMENT OF RESULTS

The old practice where the media announced different versions of the results of the same election is no longer allowed. The present position of the law is that only the Chief Electoral Officer of the Federation or his delegate can declare election results.

The Chief Electoral Officer of the federation is the Chairman of NEC. He has delegated the power to declare the results of the December 14, 1991 elections to the following officials.

- (a) Electoral Officers - in the case of elections into a State House of Assembly.
- (b) Resident Electoral Commissioners - in the case of Governorship elections.

Only the election results declared by the above named delegates of the Chief Electoral Officer can be published or announced. It is an offence for any person or medium to publish or announce any other result.

15. VIOLENCE IN POLITICS:

In the new dispensation, electoral violence is outlawed. The voter should familiarise himself with the rules against violence so that he does not breach them. A voter must ensure that he is not present at illegal rallies.

In this regard, the voter should note the following:-

- (1) That a political rally is illegal if the party organising it does not possess a permit authorising the rally to hold.
- (2) That a party must be issued with a licence which authorises it to hold a rally at least 24 hours before the take-off time of the rally.

To obtain a licence for a political rally or procession, a party has to:-

- (a) Submit an application to the Commissioner of Police of the State in which the rally or procession is to take place.
- (b) The application is to indicate the date, time, venue, and the names of persons scheduled to speak at the occasion.

- (c) The application is to reach the Commissioner of Police 72 hours before the take off time of the event.
- (3) That a voter must not be in possession of any offensive weapon or missile at a rally. Offensive weapons and missiles include:-
 - (a) Gun, Rifle, Cannon, Carbine, Machine gun, Cap gun, Flint - lock gun, Revolver, Pistol, Airgun, Air pistol or other firearms (whether whole or in detached pieces).
 - (b) Bow and arrow, spear, cutlass, matchet, knife, dagger, axe, cudgel, horse whip, wood, metal, stone, tear-gas, corrosives, inflammable substances or any other thing that is capable of inflicting injury.
- (4) That it is an offence to threaten or cajole any person at a rally or procession.
- (5) That a rally cannot hold at any place designated for religious worship and that any rally with religious, sectional or ethnic undertone is illegal.
- (6) That it is an offence to hire persons for the purposes of providing security or protection as bodyguards at political rallies and processions.
- (7) That masquerade shall not be employed or used by any political party or person during political campaigns or for any political purpose or occasion.
- (8) That no abusive, intemperate, slanderous or base languages should be used at rallies.
- (9) That banned and disqualified persons cannot address rallies or processions. In addition:-
 - (a) the use of photographs or portraits of banned or disqualified persons at a rally is unauthorised.
 - (b) No reference should be made to them during campaigns.
- (10) That a police officer of the rank of Inspector and above or its equivalent in the State Security Service can stop a rally which violates the necessary conditions for its peaceful conduct.

16. ELECTORAL OFFENCES:

In order that a voter does not breach any of the rules and regulations in the electoral laws, it is important to understand those activities that constitute electoral offences. Among others, the following are very important offences that a voter should not commit:-

(A) PERSONATION:

- (1) No person shall vote or attempt to vote if his name is not in the register of voters for the Polling Station.
- (2) No person shall bring into the polling station, a card belonging to another person, whether or not that other person is living, dead or fictitious.
- (3) No person shall alter or erase any information on the voter's card or sign more than one nomination form for a candidate in one or more constituencies.

(B) TREATING

No person shall give or accept food, drink or gifts with the intention to influence another person on how to cast his vote.

(C) UNDUE INFLUENCE:

- (1) No person shall use threat, intimidation or violence to restrain or refrain a person from casting his vote.
- (2) No person shall by the use of thugs or any other means such as induction, duress or any fraudulent device or contrivance, induce or prevail upon a voter either to vote or refrain from voting at an election.

(D) BRIBERY AND CORRUPTION.

- (a) No person shall corruptly give, lend or agree to give or lend any money or valuable consideration to or for a voter.
- (b) No person shall either by himself or on his behalf receive, agree or contract for money, loans, office, place, or employment for himself or for any other person so as to vote or not to vote during the election.

POLLING DAY OFFENCES:

No person shall on the day in which election is held do any of the following acts or things in a polling station or within a distance of 200 metres of a polling station:-

- (1) Canvass for votes.
- (2) Solicit the vote of any voter.
- (3) Persuade any voter not to vote for any particular candidate.
- (4) Persuade any voter not to vote at the election.
- (5) Shout slogans concerning the election.
- (6) Be in possession of any offensive weapon or wear any dress or have any facial or other decoration which in any event is calculated to intimidate voters.

- (7) Exhibit, wear or tender any notice, symbol, sign, token, photograph or party card referring to the election.
- (8) Use any vehicle bearing the colour or symbol of a political party by any means whatsoever.
- (9) Loiter without lawful excuse after voting or after having been refused to vote.
- (10) Convene or hold or attend any public meeting or unless appointed under the law operate any megaphone, amplifier or public address apparatus for the purpose of making announcements, concerning the election.
- (11) Wear or carry any badge, poster, banner, flag or symbol relating to a political party to the election.

17. ELECTION TRIBUNALS

A voter who is dissatisfied with either the conduct of an election or with the result of the election needs not resort to violence. Violence can never on its own alter an election result. The voter should therefore take the right step by lodging his complaints at the appropriate quarters.

For efficient and quick dispensation of justice in election matters, election tribunals now exist. In the case of the December 14, 1991 elections, "Governorship and legislative Houses Elections Tribunals" are to be set up.

The voter should rely on the tribunals because:-

- (a) Each tribunal is to be made up of a chairman and 4 other members who are persons of unquestionable integrity and who have not been involved in politics.
- (b) The chairman shall be a person who has held the office of a Justice of the Court of Appeal or is qualified to hold such office.
- (c) 2 of the other 4 members shall be persons who have held or are qualified to hold the office of a judge of a high court while the other 2 members shall be non-members of the legal profession.
- (d) The chairman and members of the tribunal are to be appointed ONLY by the President of the Court of Appeal.

18. PROGRAMME OF EVENTS

(a) Before Election

- (i) On November 18, 1991 NEC will call for the list of candidates the parties propose to sponsor for the elections.
- (ii) The candidates will be screened and the approved list returned to the Parties on November 25, 1991. Notice of election will be published on the same day.
- (iii) Between November 26 - 29, 1991 approved candidates will collect, complete and return nomination forms in duplicate.
- (iv) Electioneering campaigns will commence on November 29, 1991.
- (v) The submission of lists of Polling Agents to NEC by the parties must be done NOT later than December 9, 1991.
- (vi) Electioneering campaigns will end on December 13, 1991.
- (vii) December 14, 1991 is Election Day.

(b) Coming Events

- (i) Elections into Federal Legislatures (1st and 2nd Quarters - 1992).
- (ii) Presidential Elections (3rd and 4th Quarters - 1992).

SOME HINTS

1. PARTY PRIMARIES

- The two political parties organised primaries on Saturday October 19, 1991 to select their flag bearers for the Governorship elections fixed for December 14, 1991. All other elections will similarly be preceded by primaries.

Party primaries are designed to give opportunity for party members and not only party executives to determine the candidates to be sponsored by each party for an election.

The event is organised by the Parties and not by NEC. It is different from elections organised by NEC.

- It is therefore necessary to emphasize that the December 14 1991, elections into state executives and legislatures are for all Nigerians who are not less than 18 years old and who are registered voters whether or not they are members of any of the two political parties.

The elections will be conducted in 220,000 polling stations nation wide and no polling station will have more than 500 voters. The polling stations are different from the venues which the parties used for their primaries.

2. CONSTITUENCIES FOR ALL ELECTIONS

A. Local Government Elections

- (i) Councilorship elections - there are six thousand nine hundred and twenty seven wards (6,927) through out the nation.
- (ii) Local government chairmanship elections - A local government area is the constituency of each chairmanship candidate. There are Five hundred and eighty-nine (589) such constituencies nationwide.

- B. House of Assembly elections - Each House of Assembly Candidate has half of a local government area as his constituency. In other words there are two House of Assembly seats in one local government. There are a total of One thousand, One hundred and seventy-eight (1178) Houses of Assembly seats in all the States of the federation.
- C. Governorship election - A State is the constituency of each Governorship candidate. There are thirty (30) constituencies in the Country.
- D. Elections into the federal legislatures
 - (i) The senate - there are 3 senatorial districts in each state of the federation.
 - (ii) The house of representatives - there are five hundred and eighty nine seats because the Constituencies for the Houses of Assembly in the States are twice the total number of federal constituencies.
- E. Presidential Elections - The entire Federal Republic of Nigeria is the Constituency of every Presidential Candidate.

THE NIGERIAN
GOVERNMENT

EDITOR'S NOTE

This pamphlet is the third in the series of voter-education documents designed by NEC to simplify the laws and materials on electoral activities. Although the contents of this edition cover many areas on State executives and legislative elections, they are not exhaustive. Therefore the electorate should in addition to this pamphlet refer to:-

- (a) The Nigerian Constitution
- (b) The Electoral Act
- (c) The Transition to Civil Rule Decrees particularly the States Government (Basic Constitutional and Transitional Provisions) Decree 1991.
- (d) Guides to Election Participants Nos. 1-6 issued by NEC.

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NOTE