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**INDEPENDENT NATIONAL ELECTORAL COMMISSION
(ESTABLISHMENT, ETC.) (AMENDMENT)
DECREE 1998**



Decree No. 33

[5th August 1998] Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby
decrees as follows:-

1. The Independent National Electoral Commission
(Establishment, Etc.) Decree 1998 (in this Decree referred to as
"the principal Decree") is amended as set out in this Decree.

Amendment of
1998 No. 17.

2. Section 4 of the principal Decree is amended -

Amendment of
section 4.

(a) in subsection (1) by substituting for paragraph (a), the
following new paragraph, that is -

"(a) organise, conduct and supervise -

(i) the elections into the office of Chairmen and
Vice-Chairmen of Local Government Councils and
Area Councils, membership of the Local
Government Councils and Area Councils, office of
Governor and Deputy Governor, membership of the
Houses of Assembly of the States, the office of
President and Vice-President and membership of the
Senate and House of Representatives as may be
specified in any enactment or law;

(ii) the elections into such other offices as may be
specified in any enactment or law; and

(iii) all matters pertaining to those elections as may
be provided in any other enactment or law;"

(b) by inserting immediately after subsection (1) the following new subsection (2), that is -

"(2) For the purpose of paragraph (a) of subsection (1) of this section -

"Vice-President" includes such number of Vice-Presidents as may be specified in the Constitution of the Federal Republic of Nigeria for the time being in force.";

(c) by remembering the existing subsection (2) as subsection (3) and substituting therefor the following new subsection, that is -

"(3) Notwithstanding the functions of the Commission specified under subsection (1) of this section, the Commission shall, with the approval of the Provisional Ruling Council, have power to divide -

(a) every State in the Federation, into 3 Senatorial Districts and allot 1 Senatorial District to the Federal Capital Territory, Abuja;

(b) the Federation, including the Federal Capital Territory, Abuja, into 360 Federal Constituencies for the purpose of elections to the House of Representatives;

(c) for the purpose of election to the House of Assembly the area of a State, into 3 or 4 times the number of seats that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population:

Provided a House of Assembly of a State shall consist of not less than 24 and not more than 40 members;

(d) the area of a Local Government Area or Area Council, into such number of wards, not being less than 10 or more than 20, as the circumstances of each Local Government Area or Area Council may require."

3. Section 7 of the principal Decree is amended by substituting therefor the following new section, that is -

Amendment of
section 7.

"7. Notwithstanding anything to the contrary in any enactment or law, a person who holds or has held office as a member of the Commission under this Decree shall not, until after a period of 5 years immediately thereafter, be qualified for any elective office."

4. Immediately after the existing section 10 of the principal Decree there shall be inserted the following new section 10A, that is -

Insertion of
section 10A.

"Savings and
transfer of
liabilities,
staff, etc.

10A.-(1) Accordingly, the statutory functions, rights, interests, obligations and liabilities of the National Electoral Commission of Nigeria, existing before the commencement of this Decree under any contract or instrument, or in law or in equity shall, by virtue of this Decree, be deemed to have been assigned to and vested in the Independent National Electoral Commission established by this Decree.

(2) Any such contract or instrument as is mentioned in subsection (1) of this section, shall be of the same force and effect against or in favour of the Independent National Electoral Commission established by this Decree and shall be enforceable as fully and effectively as if instead of the National Electoral Commission of Nigeria existing before the commencement of this Decree, the Independent National Electoral Commission established by this Decree has been named therein or had been a party thereto.

(3) The Independent National Electoral Commission established by Decree shall be subject to all the obligations and liabilities to which the National Electoral Commission of Nigeria existed before the commencement of this Decree. It was subject immediately before the commencement of this Decree and all other persons shall have the same rights, powers and remedies against the Independent National Electoral Commission established by this Decree as they had against the National Electoral Commission of Nigeria existing before the commencement of this Decree.

(4) Any proceeding or cause of action pending or existing immediately before the commencement of this Decree, brought or against the National Electoral Commission of Nigeria existing before the commencement of this Decree in respect of any right, interest, obligation or liability of the National Electoral Commission of Nigeria existing before the commencement of this Decree may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Independent National Electoral Commission established by this Decree to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the National Electoral Commission of Nigeria existing before the commencement of this Decree.

(5) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Decree, were vested in the National Electoral Commission of Nigeria existing before the commencement of this Decree shall by virtue of this Decree and without further assurance, be vested in the Independent National Electoral Commission established by this Decree.

(6) Any person who immediately before the coming into force of this Decree is the holder of any office in the National Electoral Commission of Nigeria existing before the commencement of this Decree shall, on the commencement of this Decree, continue in office and be deemed to have been appointed to his office by the Independent National Electoral Commission established by this Decree unless the authority by which the person was appointed terminates the appointment."

5. This Decree may be cited as the Independent National Electoral Commission (Establishment, Etc.,) (Amendment) Decree 1998.

Citation.

MADE at Abuja this 1st day of December 1998.

GENERAL ABDULSALAMI ALHAJI ABUBAKAR,
*Head of State, Commander-in-Chief
of the Armed Forces,
Federal Republic of Nigeria.*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is
intended to explain its purport)*

The Decree amends the Independent National Electoral Commission (Establishment, Etc.,) Decree 1998 to provide, among other things, for the savings and transfer of liabilities, staff, etc. of the erstwhile National Electoral Commission of Nigeria to the Independent National Electoral Commission.

TRANSITION TO CIVIL RULE (POLITICAL PROGRAMME) DECREE 1998



Decree No. 34

[11th August 1998]

Commencement.

WHEREAS the Provisional Ruling Council has announced the decision of the Federal Military Government of Nigeria to fully hand over power to a democratically elected civilian Government in May 1999;

AND WHEREAS the Provisional Ruling Council has established an Independent National Electoral Commission (in this Decree referred to as the "Commission") which has formulated a programme of transition to civil rule as specified in the Schedule to this Decree;

NOW THEREFORE, THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:-

1. The programme set out in the Schedule to this Decree shall be implemented from August, 1998 to May, 1999, both months inclusive.

2. The Federal Military Government shall take steps to facilitate the implementation of the political programme as set out in the Schedule to this Decree.

3.-(1) The Commission may make rules and regulations and issue circulars and guidelines with respect to any matter specified in the Schedule to this Decree.

(2) It shall be the duty and responsibility of all organs of government, and of all authorities and persons to conform with, observe and ensure the observance of the political programme as

Political
Programme for
August 1998 to
May 1999
Schedule.
Government
to facilitate
implementation
of political
programme.

Power of
Commission to
make rules and
regulations, etc.

specified in the Schedule to this Decree or any guidelines relating thereto.

Offences and
penalty.

Schedule.

4.-(1) Any person who organises, plans, encourages, aids, abets, co-operates or conspires with any other person to undermine, prevent or in anyway do anything to forestall or prejudice the realisation of the political programme as set out in the Schedule to this Decree is guilty of an offence punishable under the provisions of subsection (3) of this section.

(2) Any person who does or attempts to do any act which is intended to counsel, persuade, encourage, organise, mobilize, pressurize, threaten another person to join with him or with any other person or persons to misrepresent, accuse or distort the data, facts, implications or purports of any item of the political programme contained in the Schedule to this Decree is guilty of an offence punishable under the provisions of subsection (3) of this section.

(3) Any person who is guilty of an offence under this section is liable on conviction to imprisonment for a term not exceeding five years without an option of fine.

—
Trial of
offences.

5.-(1) An offence committed under this Decree shall be triable in a Magistrate Court of the State where the offence was committed, or of the Federal Capital Territory, Abuja, as the case may be.

(2) A prosecution under this Decree shall be undertaken

(a) the Attorney-General of the State in which the offence was committed or by a Legal Officer in the Ministry of Justice of that State; or

(b) in the case of the Federal Capital Territory, Abuja, the Attorney-General of the Federation or by a Legal Officer in the Federal Ministry of Justice; or

(c) an officer of the Nigeria Police Force.

(3) For the purpose of speedy dispensation of cases, priority shall be accorded all cases brought before the Magistrate Court under this Decree.

6. In this Decree, unless the context otherwise requires - *Interpretation.*

"Commission" means the Independent National Electoral Commission;

"registered" includes provisionally registered.

7. This Decree may be cited as the Transition to Civil Rule (Political Programme) Decree 1998. *Citation.*

SCHEDULE

Section 1

POLITICAL PROGRAMME

3RD QUARTER 1998 - August to September

1. Preparation by the Commission.
2. Release of Guidelines for formation and registration of Political Parties.
3. Release of Guidelines for registration of voters.
4. Submission of applications for registration by Political Associations.
5. Verification of claims of Political Associations by the Commission.

4TH QUARTER 1998 -October to December

1. Verification of claims of Political Associations continues.
2. Registration of voters.
3. Release of names of Political Associations provisionally registered by the Commission.
4. Release of Guidelines for Local Government elections.
5. Local Government Council elections.

6. Chairmanship Run-off elections (if any).
7. Hearing and Determination of election petitions resulting from Local Government Council elections.
8. Release of Guidelines for Governorship and State Houses of Assembly elections.

1ST QUARTER 1999 - *January to March*

1. Governorship and State Houses of Assembly elections.
2. Governorship run-off elections (if any).
3. Hearing and determination of Governorship and State Houses of Assembly election petitions.
4. Release of Guidelines for National Assembly and Presidential elections.
5. National Assembly elections.
6. Presidential election.
7. Presidential run-off election (if any).
8. Hearing and determination of election petitions arising from National Assembly and Presidential elections.

2ND QUARTER 1999 - *April to May*

1. Hearing and determination of election petitions and appeals arising therefrom.
2. Swearing in of President-elect, Governors-elect.

MADE at Abuja this 1st day of December 1998.

GENERAL ABDULSALAMI ALHAJI ABUBAKAR,
*Head of State, Commander-in-Chief of
the Armed Forces,
Federal Republic of Nigeria.*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is
intended to explain its purport).*

This Decree provides, among other things, for the transition to civil rule and the programme of activities by the Commission to implement the programme and the prosecution of offences committed thereunder.

**POLITICAL PARTIES (REGISTRATION AND
ACTIVITIES) DECREE 1998**



Decree No. 35

[11th August 1998] Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby
decrees as follows:-

1.-(1) Notwithstanding anything contained in the Constitution of the Federal Republic of Nigeria 1979, as amended, or in any other enactment or law, the Independent National Electoral Commission (in this Decree referred to as the "Commission") shall have power to -

Powers of the
Commission to
register political
parties.
Cap. 62. LFN.
1993 No. 107.

(a) issue guidelines and makes rules and regulations -

(i) for formation and registration of political parties,

(ii) guiding electioneering campaigns by registered political parties;

(b) monitor and control the activities of the registered political parties; and

(c) dissolve or proscribe any political association if it considers any of the activities of the association as injurious to public interest.

2.-(1) There shall be, in Nigeria, such political parties as may, from time to time, be registered by the Commission.

Registration of
political parties.

(2) Subject to subsection (1) of this section, the Commission may grant provisional registration to any political association seeking registration for the purposes of contesting any particular election.

(3) The decision of the Commission to register or refuse to register a political association as a political party shall be final and binding and not be subject to review by any court.

(4) The Commission may charge a fee not exceeding ₦100,000 for processing the application of a political association seeking registration as a political party under this Decree.

restriction on
membership of
candidates.

3.-(1) No association, other than a political association or a political party registered under this Decree, shall canvass for votes or sponsor any candidate at any election.

(2) Any association which contravenes the provisions of subsection (1) of this section is guilty of an offence under this section and the leaders of the association shall be severally liable on conviction to a fine of not more than ₦250,000 or imprisonment for a term of 5 years or to both such fine and imprisonment.

(3) In this section, "leader of an association", means every person holding an executive position in that association, including, in particular, the chairman, secretary or treasurer of the association and every member of its committee of management, howsoever described.

programmes,
aims and
objectives of a
political party,
First Schedule.

4.-(1) The programmes, aims and objectives of a political party shall be set out in its constitution and manifesto, and shall, in particular, conform with and reflect the fundamental objectives and directive principles of State policy set out in the First Schedule to this Decree.

(2) The Commission may issue such guidelines and make such rules as it may, from time to time, consider necessary, introducing principles and elements likely to enhance democracy and participation of the people in the governance of Nigeria, and it shall be the duty of the political parties to comply with the guidelines or rules.

particulars of
political parties.

5. Subject to the provisions of this Decree, every political party registered by the Commission shall provide the following particulars to the Commission -

(a) the name of the political party, its emblem or motto which shall not contain any ethnic or religious connotation or give the impression that the activities of the political party are confined to a part or section of Nigeria only;

(b) the names and addresses of the national officers of the political party;

(c) a copy of the party's constitution drawn up in compliance with this Decree and with the requirements of the relevant guidelines issued by the Commission;

(d) the headquarters address of the political party in the Federal Capital Territory, Abuja;

(e) the addresses of the branches of the political party in at least 24 States of the Federation, including the Federal Capital Territory, Abuja; and

(f) the location, address and telephone number (if any) of the State and Local Government Area Officers of the political party.

6.-(1) The constitution and rules of the political party hall, among other things, provide for -

Content of constitution and rules of political parties.

(a) periodic election on a democratic basis of the principal officers and members of the Executive Committee or other governing body of the political party;

(b) a system which allows membership of the Executive Committee or other governing body of the political party to reflect, at all times, the Federal character of Nigeria and take account of ethnic, geographical and cultural differences at States and Local Government levels;

(c) the disciplinary procedure of the political party, stating clearly the method of expelling an ordinary member, party or political office holder including a member of legislative house;

(d) the method of amendment or alteration of the constitution or manifesto of the political party;

(e) the political party's ideology, programme and method of zoning and rotating principal political offices among the different zones of the Federation;

(f) the principles of equitable power sharing among the three tiers of government in the Federation;

(g) the strategy for achieving functional democracy and economic development in Nigeria;

(h) election on democratic basis of its principal officers and members of the Executive Committees or other governing bodies, periodically and in any case, not later than 4 years from the previous elections.

(2) The constitution and manifesto produced pursuant to subsection (1) of this section and any amendments or alterations made thereto shall -

(a) be deposited with the Commission; and

(b) at all times be in compliance with this Decree and the relevant guidelines of the Commission.

(3) No amendment or alteration of the constitution or manifesto of a political party shall be valid unless the Commission is notified within 30 days from the date of making the amendment or alteration.

Political parties
to be bodies
corporate.

7. Every political party registered under this Decree shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its registered name.

8.-(1) Subject to subsection (2) of this section, membership of a political party shall be open to every citizen of Nigeria irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping.

Membership of political parties.

(2) A person shall not be eligible to be registered as a member of a political party if he -

- (a) has not attained the age of eighteen years; or
- (b) is a traditional ruler; or
- (c) is a member of the Armed Forces of the Federation, the Nigeria Police, security agencies or para-military organs of the Government or the public service or civil service of the Federation, State or Local Government; or
- (d) is a non-citizen of Nigeria.

9.-(1) No political party shall establish, operate, retain, train or equip any person or group of persons, or maintain any wing, arm or vanguard, in whatever form or manner and in whatever name called, to function in whatever way in aid of the political party or in propagation of its goals.

Prohibition of quasi-political associations.

(2) No youth club or any form of registered association or wing shall form part of a political party.

(3) Any political party which contravenes the provisions of subsection (1) or (2) of this section is guilty of an offence and liable on conviction to a fine of -

- (a) ₦10,000 for a first offence; and
- (b) ₦20,000 for any subsequent offence.

10. The Commission may monitor and attend any convention, congress, conference or meeting which is convened by a political party for the purpose of -

Power of Commission to monitor convention.

- (a) electing members of its executive committees, convention or other governing body; or

(b) nominating candidates for an election at any level

with or without prior notification to the political party.

Constitution to
be approved by
the National
Convention, etc.

11.-(1) No constitution of a political party or amendment thereto shall be accepted by the Commission unless it has been approved by the National Convention of the political party.

(2) No amendment or alteration of the constitution of a political party shall be valid unless the amendment or alteration has been approved by the Commission.

Change of name
of political
party.

12. A political party registered under this Decree shall not change its registered name but no change shall be valid until it has been approved by the Commission.

Political
party symbol.

13.-(1) The Commission shall accept and register for each political party a distinct symbol or logo chosen by the political party for use at elections.

(2) The National Chairman or the Secretary of a political party shall notify the Commission of any change in the symbol or logo of the political party.

(3) The Commission shall not accept or register the symbol or logo of a political party or any change to the symbol or logo unless it is satisfied that -

(a) the symbol or logo is distinct from any other symbol or logo already registered by the Commission for any political party; and

(b) the use of the symbol or logo by the political party is not offensive or otherwise objectionable to any other political party, person, body or organisation.

(4) Nothing in this section shall be construed to permit the use or registration of a symbol or logo or material part of a symbol or logo, if it -

(a) resembles the Coat of Arms of the Federal Republic of Nigeria; or

(b) resembles the Coat of Arms of any other country or part of that country; or

(c) gives the impression of an official act or design of Government; or

(d) resembles the insignia of the Nigerian Army, Nigerian Navy, Nigerian Airforce, Nigeria Police Force or other security agencies or uniformed service; or

(e) resembles the sign or symbol of any religion, cult or society or insignia of a royalty;

(5) A symbol or logo of a political party registered by the Commission under this section shall be allotted to any candidate of the political party contesting an election.

14.-(1) A political party shall, at such times and in such manner as the Commission may require, submit to the Commission and publish a statement of its assets and liabilities.

Submission
of assets
and liabilities
to Commission,
etc.

(2) A political party shall submit to the Commission a detailed annual statement and analysis of its sources of funds and other assets, together with a statement of its expenditure in such form as the Commission may, from time to time, require.

(3) No political party shall -

(a) hold or possess any funds or other assets outside Nigeria; or

(b) be entitled to retain any funds or assets remitted or sent to it from outside Nigeria.

(4) Any funds or other assets sent or remitted to a political party from outside Nigeria shall be paid over or transferred to the Commission within 21 days of its receipt with such information as may adequately describe the fund or asset, as the case may be, or as the Commission may require.

(5) The Commission shall have power to give directive political parties, regarding the books or records of financial transactions which they shall keep and, from time to time examine all those books and records.

(6) The powers conferred on the Commission under subsection (5) of this section may be exercised by it, through a member of its staff or any person who is an auditor by profession and who is not a member of a political party.

(7) A political party which contravenes the provisions of subsection (3) or (4) of this section is guilty of an offence and liable on conviction to a fine of ₦100,000, and -

(a) every principal officer of the political party at headquarters, is also guilty of the same offence and liable on conviction to a fine of ₦20,000 or imprisonment for a term of 2 years or to both such fine and imprisonment;

(b) any other person who aids or abets a political party in the commission of the offence is also guilty of the offence and liable on conviction to a fine of ₦20,000 or imprisonment for a term of 1 year or to both such fine and imprisonment.

(8) Every principal national officer of the political party shall -

(a) within 30 days after the coming into force of this Decree; and

(b) immediately thereafter at the end of his term of office

submit to the Commission a written declaration of all his properties, assets and liabilities and those of his unmarried child under the age of 18 years.

Report on accounts
of political parties.

15.-(1) The Commission shall in every year prepare and submit to the Federal Government a report on the accounts and balance sheet of every political party registered under this Decree.

(2) The Commission shall, in preparing the report under subsection (1) of this section, carry out such investigation as may enable it to form an opinion as to whether proper books of account and record of items of income and expenditure have been kept by each political party, and accordingly, report as to its findings.

(3) The Commission, any of its officers or agents -

(a) shall have the right at all times to look into the books of accounts of a political party and all other documents relating to those accounts; and

(b) may demand such information as may be necessary for the performance of the duties of the Commission under this Decree, and report any difficulty encountered in obtaining the information.

(4) A political party which refuses to allow the Commission access to its books of account or to give the Commission any information it may demand in that respect is guilty of an offence and liable on conviction to a fine of ₦50,000 payable jointly by the National Chairman, Secretary and Treasurer of the political party.

16.-(1) Every registered political party shall -

Renewal of
registration.

(a) renew its registration on or before 31st December following every Presidential election; and

(b) pay a fee of ₦20,000 for every such renewal.

(2) Where a political party fails to renew its registration as provided under subsection (1) of this section after 3 calendar months from the date the renewal becomes due, the Commission may withhold all rights and privileges due to the political party.

(3) If the Commission withholds the rights and privileges of a political party pursuant to subsection (2) of this section, no person shall -

(a) summon a meeting of members or officers of the political party; or

(b) attend a meeting of the political party as a member or officer of the party; or

(c) do or cause to be done any act whatsoever in the name or on behalf of the political party.

(4) The Commission shall revoke the registration of political party if, after 3 months of withholding the rights and privileges of the political party under subsection (2) of this section the political party continues to default in renewing the registration.

(5) A person who contravenes the provisions of subsection (3) of this section is guilty of an offence and liable on conviction to a fine of ₦50,000 or imprisonment for a term of 1 year or both such fine and imprisonment.

Merger of political associations with political party.

17.-(1) Subject to subsections (2) and (3) of this section any political association which has applied to the Commission for registration, or which has been provisionally registered, may merge with a registered political party upon giving to the Commission 30 days notice of intention to do so.

(2) The merger of a political association with a political party under subsection (1) of this section shall not be valid unless it has been approved by the respective National Executive Committees of the political association and the political party which are merging.

(3) The notice of intention to merge under subsection (1) of this section shall contain the respective resolutions of the National Executive Committees of the political association and the political party approving the merger.

Monitoring of political parties.

18.-(1) The Commission shall monitor and keep records of the activities of all the registered political parties.

(2) The Commission may query any registered political party in connection with any activity of the political party which may be contrary to the provisions of this Decree or any other law, guidelines, rules or regulations pertaining to the formation, registration or activities of political parties.

(3) The Commission may direct the query provided for under subsection (2) of this section to the Chairman or Secretary of the political party at the National, State, Local Government Area, Area Council or Ward level, as the case may be.

(4) A political party which fails to answer a query issued under subsection (2) of this section or to carry out any lawful directive given by the Commission in consequence of a query is guilty of an offence and liable on conviction to a fine of ₦20,000, payable jointly by the Chairman, Secretary and Treasurer of the political party at the National, State, Local Government Area, Area Council or Ward level, as the case may be.

19.-(1) For the purpose of the proper and peaceful conduct of political rallies and processions, the Commissioner of Police of each State and the Federal Capital Territory, Abuja are hereby empowered to control political rallies and processions in the State or the Federal Capital Territory, Abuja, as the case may be.

Conduct of
political
rallies,
processions,
etc.

(2) Pursuant to subsection (1) of this section, a political party or member of a political party who wishes to conduct a political rally or procession shall first apply to the Commissioner of Police concerned not less than 72 hours before the proposed rally or procession, indicating the date, time and venue of the rally or procession.

(3) If the Commissioner of Police -

(a) is satisfied with the application, he shall, not later than 24 hours from the receipt of the application, issue a permit or licence specifying the name of the political party, date

and venue of the rally or procession and any condition he may give for the conduct of the rally or procession; and

(b) is not satisfied with the application, he shall convey his refusal to the applicant within the time specified in paragraph (a) of this subsection.

(4) The Commissioner of Police may delegate his powers under this section to any senior police officer at the State, Local Government Area or Area Council level.

Power of police to stop rallies and processions. 20.-(1) A police officer not below the rank of Inspector may stop a political rally or procession for which no permit or licence has been issued or which violates any condition given by the appropriate authority, and may order the rally or procession to disperse forthwith.

(2) In this section.-

"appropriate authority" means the Commissioner of Police empowered to control rallies and processions under section 19 of this Decree or any senior police officer to whom that power is delegated.

Unlawful assembly. 21.-(1) A political rally or procession which -

(a) takes place without a permit or licence issued by the appropriate authority under this section; or

(b) violates any condition given by the appropriate authority; or

(c) neglects to obey any order given by an authorised person,

shall be deemed to be an unlawful assembly, and all persons taking part in the rally or procession, including the conveners of the rally or procession are guilty of an offence and liable on conviction to a fine of ₦1,000 or imprisonment for a term of 6 months or to both such fine and imprisonment.

(2) In this section -

"appropriate authority" has the same meaning as in section 20(2) of this Decree.

Prohibition of offensive weapon at political rallies, etc. 22.-(1) A person who, while present at a political rally or procession, has with him any offensive weapon or missile, otherwise than in pursuance of lawful duty, is guilty of an offence and liable on conviction to a fine of ₦2,000 or imprisonment for a term of 1 year or to both such fine and imprisonment.

(2) For the purpose of subsection (1) of this section, a person shall not be deemed to be acting in pursuance of lawful duty unless he is acting in his capacity as a police officer or as a member of a security agency authorised to carry arms and is specially posted to be present at the political rally or procession.

(3) In this section -

"offensive weapon or missile" includes any cannon, gun, rifle, carbine, revolver, pistol or any other firearm (whether whole or detached pieces), bow and arrow, spear, cutlass, knife, dagger, axe, cudgel, horse whip or any other thing capable of being used as an offensive weapon or missile, including tear gas, acid and inflammable substance capable of injuring a person.

23.-(1) No political campaign or slogan shall be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings.

Prohibition of certain conducts, etc. at political campaigns.

(2) Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions shall not be employed or used in political campaigns.

(3) Places designed for religious worship, palaces of traditional rulers, army formations or barracks, police stations, public offices and educational institutions shall not be used -

(a) for political campaigns, rallies and processions; or

(b) to promote, propagate or attack political parties, candidates or their programmes or ideologies.

(4) Masquerades shall not be employed or used by any political party, candidate or person during political campaigns or for any other political purpose.

(5) No political party or member of a political party shall retain, organise, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display

or physical force or coercion in promoting any political objective or interests, or in such manner as to arouse reasonable apprehension that they are organised, trained or equipped for that purpose.

(6) No political party, person or candidate shall keep or use private security organisation, vanguard or any other group or individual by whatever name called for the purpose of providing security, assisting or aiding the political party or candidate in whatever manner during campaigns, rallies, processions or elections.

(7) A political party or person who contravenes a provision of this section is guilty of an offence and liable on conviction -

(a) in the case of an individual, to a fine of ₦1,000 or imprisonment for a term of 6 months; and

(b) in the case of a political party, to a fine of ₦1,000 in the first instance, and ₦1,500 for any subsequent offence, payable jointly by the Chairman, Secretary and Treasurer of the political party at the National, State, Local Government Area, Area Council or Ward level, as the case may be.

Prohibition of
corrupt practices.

24.-(1) No candidate, person or group of persons shall directly or indirectly offer or aid in offering inducement in any form whatsoever to a person at a political campaign for the purpose of corruptly influencing that person or any other person to support or refrain from supporting a political party or candidate.

(2) No candidate, person or group of persons shall directly or indirectly give or offer to give any money or valuable consideration to any person during a political campaign in order to induce that person or any other person to support or refrain from supporting a political party or candidate.

(3) No candidate, person or group of persons shall directly or indirectly threaten any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a political party or candidate.

(4) No person or group of persons shall accept any inducement, money or valuable consideration from any person, candidate or political party in order to support or refrain from supporting a political party or candidate.

(5) Any person who or political party which contravenes the provisions of this section is guilty of an offence and liable on conviction -

(a) in the case of an individual, to a fine of ₦2,000 or imprisonment for a term of 1 year; and

(b) in the case of a political party, to a fine of ₦5,000 in the first instance, and ₦10,000 for any subsequent offence, payable jointly by the Chairman, Secretary and Treasurer of the political party at the National, State, Local Government Area, Area Council or Ward level, as the case may be.

25.-(1) An offence committed under this Decree shall be triable summarily by a Magistrate Court or any other court or tribunal which may be conferred with the necessary jurisdiction by any other Decree.

Jurisdiction to try offences under this Decree.

(2) A Magistrate shall have the power to impose the sentences or fines prescribed under this Decree, notwithstanding any provision to the contrary in any enactment or law.

(3) Trials under this Decree shall be given accelerated hearing, and take precedence over all other criminal matters which may be pending in the appropriate court.

26. A prosecution under this Decree shall be undertaken by the police or the Attorney-General of the State in which the offence is committed or any of his Legal Officers, or by any legal practitioner authorised by the Attorney-General in the case of the Federal Capital Territory, Abuja, by the Attorney-General of the Federation or by any of his Legal Officers.

Prosecution.

27.-(1) The Commission shall keep records of convictions in respect of prosecutions under this Decree, and shall, in

Records of convictions.

particular, keep records of names, addresses and other relevant personal particulars of persons convicted of offences under this Decree.

(2) The Registrar of a court convicting persons under this Decree shall send to the Commission records of all convictions in the court within 3 months from the date of judgments.

Campaigns through
the media.

Second Schedule.

28. All political parties, candidates, agents and supporters of political parties shall conform with the provisions of this Decree on political rallies and processions and the Guidelines on Political Campaigns through the electronic media as set out in the Second Schedule to this Decree.

Interpretation.

29. In this Decree -

"candidate" means a member of a registered political party nominated by the political party and accepted by the Commission to contest an election organised by the Commission;

"Commission" means the Independent National Electoral Commission established by the Independent National Electoral Commission (Establishment, etc.) Decree 1998;

1998 No. 17.

"election" means an election organised and conducted by the Commission under any law for the time being in force in Nigeria;

"election campaign" means a campaign by a registered political party or any other person, canvassing for votes or support for the political party or its candidate, and includes lectures, radio and television talks, meetings, conferences, rallies, processions or bazaars organised directly or indirectly by the political party or a member or agent of the political party;

"every principal national officer of a political party" means the national officers of a political party elected to run the affairs of a political party;

"Executive Committee" means the Executive Committee of a political party constituted under this Decree at the Ward, Local Government Area, Area Council, State or National level;

"National Convention" means the National Convention of a political party constituted under section 10 of this Decree;

"party" or "political party" means any body of persons or association registered by the Commission as a political party under this Decree, and includes associations granted provisional registration to contest any particular election;

"political association" means any body of persons involved in any form of political activity and includes an association seeking the Commission's registration as a political party;

"State" includes the Federal Capital Territory, Abuja;

"symbol" means any device with which a political party or its candidates at an election are identified or recognised and includes a logo, sign, colour or emblem of the political party.

Citation.

30. This Decree may be cited as the Political Parties Registration and Activities) Decree 1998.

SCHEDULES**FIRST SCHEDULE***Section 4(1)***FUNDAMENTAL OBJECTIVES AND DIRECTIVE
PRINCIPLES OF STATE POLICY**

Fundamental
obligations of
Government, etc.

1. It shall be the duty and responsibility of all organs of Government and of all authorities and persons, exercising legislative, executive or judicial powers to conform to, observe and apply the provisions of this Schedule.

The Government
and the people.

2.-(1) The Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice.

(2) It is hereby, accordingly, declared that -

(a) sovereignty belongs to the people of Nigeria from whom government through this Decree derives all its powers and authority;

(b) the security and welfare of the people shall be the primary purpose and responsibility of government;

(c) the participation by the people in their government shall be ensured in accordance with the provisions of this Decree.

(3) The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the Federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that government or in any of its agencies.

(4) The composition of the Government of a State, a Local Government or any of the agencies of such Governments, and the conduct of the affairs of the Governments or such agencies shall be carried out in such manner as to recognise the diversity of the

people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the Federation.

3.-(1) The motto of the Federal Republic of Nigeria shall be Unity and Faith, Peace and Progress.

(2) Accordingly, national integration shall be actively promoted whilst discrimination on the grounds of place of origin, circumstance of birth, sex, religion, status, ethnic or linguistic association or ties shall be prohibited.

(3) For the purpose of promoting national integration it shall be the duty of the State to -

(a) provide adequate facilities for, and encourage free mobility of people, goods and services throughout the Federation;

(b) secure full residence rights for every citizen in all parts of the Federation;

(c) encourage inter-marriage among persons from different places of origin, or of different religious, ethnic or linguistic association or ties; and

(d) promote or encourage the formation of associations that cut across ethnic, linguistic, religious or other sectional barriers.

(4) The State shall foster a feeling of belonging and of involvement among the various people of the Federation, to the end that loyalty to the nation shall override sectional loyalties.

(5) The State shall eradicate all corrupt practices and abuse of power

(6) The State shall protect and defend the liberty of the individual, enforce the rule of law and ensure the efficient functioning of government services.

Economic
objectives.

4.-(1) The State shall, within the context of the ideals and objectives for which provisions are made under this Decree -

(a) harness the resources of the nation and promote national prosperity and an efficient, dynamic and self-reliant economy;

(b) manage and control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity;

(c) without prejudice to its rights to operate or participate in areas of the economy, other than the major sectors of the economy, manage and operate the major sector of the economy;

(d) without prejudice to the right of any person to participate in areas of economy within the major sectors of the economy, protect the right of every citizen to engage in any economic activities outside the major sectors of the economy;

(e) in recognition of the role of science and technology as an indispensable agent of a sustainable economic development, direct its policy towards the urgent development, maintenance and continuous updating of an appropriate, effective and productive national science and engineering infrastructure.

(2) The State shall direct its policy towards ensuring -

(a) the promotion of a planned and balanced economic development, including the diversification of industries and dispersal of industrial projects and infrastructural facilities throughout the Federation;

(b) that the material resources of the community are harnessed and distributed equitably and judiciously to serve the common good of all the people;

(c) that the economic system is not operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals or of a group;

(d) that suitable and adequate shelter, food, water supply, reasonable national minimum living wage, old age care and pensions, unemployment and sick benefits and welfare for the disabled are provided for all citizens.

(3) A body shall be set up by an Act of the National Assembly which shall have power -

(a) to review, from time to time, the ownership and control of business enterprises operating in Nigeria and make recommendations to the Head of the State, Commander-in-Chief of Armed Forces on the same; and

(b) to administer any law for the regulation of ownership and control of such enterprises.

(4) For the purposes of subsection (1) of this section -

(a) reference to the "major sectors of the economy" shall be construed as a reference to such economic activities as may, from time to time, be declared by the Federal Government to be managed and operated exclusively by the Government of the Federation; and until a declaration to the contrary is made by the Federal Government, economic activities being operated exclusively by the Government of the Federation on the date immediately preceding the day when this section comes into force, whether directly or through the agencies of a statutory or other corporation or company, shall be deemed to be major sector of the economy;

(b) "economic activities" includes activities directly concerned with the production, distribution and exchange of wealth or of goods and services;

(c) "participate" includes the rendering of services and supplying of goods.

social
objectives.

5.-(1) The State social order is founded on ideals of Freedom, Equality and Justice.

(2) In furtherance of the social order -

(a) every citizen shall have equality of rights, obligations and opportunities before the law;

(b) the sanctity of the human person shall be recognised and human dignity shall be maintained and enhanced;

(c) the State shall promote the protection, conservation and development of the natural resources and environment of Nigeria for the use and benefit of the people, and accordingly the exploitation of human and natural resources in any form whatsoever for reasons other than the good of the community shall be prevented;

(d) the independence, impartiality and the integrity of courts of law, and easy accessibility thereto shall be secured and maintained.

(3) The State shall direct its policy towards ensuring that -

(a) all citizens without discrimination on any ground whatsoever shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment;

(b) conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life;

(c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused;

(d) there are adequate medical and health care facilities for all persons;

(e) there is equal pay for equal work without discrimination on account of sex, or any other ground whatsoever;

(f) children, young persons, the aged, and the disabled are protected against any exploitation whatsoever and against moral and material neglect;

(g) provision is made for public assistance in deserving cases or other conditions of needs;

(h) the evolution and promotion of family life is encouraged.

6.-(1) Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.

Educational
objectives.

(2) Government shall promote science and technology.

(3) Government shall strive to eradicate illiteracy and to this end, Government shall as and when practicable provide -

(a) free, compulsory and universal primary education;

(b) free secondary education;

(c) free university education; and

(d) free adult literacy education.

(4) Government shall promote the learning of indigenous languages.

7. The foreign policy objectives shall be -

Foreign policy
objectives.

(a) promotion and protection of the national interest;

(b) promotion of the total liberation of Africa and support of African unity;

(c) promotion of international co-operation for the consolidation of a universal peace and mutual respect among all nations and elimination of racial discrimination in all its manifestations;

(d) respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiations, mediation, conciliation, arbitration and adjudication; and

(e) promotion of a just world economic order.

Directive on
Nigerian culture.

8. The State shall -

(a) protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives as provided in this Schedule;

(b) encourage development of technological and scientific studies which enhance cultural values.

Obligations of
the mass media.

9. The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Schedule and uphold the responsibility and accountability of the Government to the people.

National ethic.

10. The National ethic shall be Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance, Self-Reliance and Patriotism.

Duties of the
citizen.

11. It shall be the duty of every citizen -

(a) to abide by this Decree, respect its ideals and its institutions, the National Flag, the National Anthem, the National Pledge and legitimate and properly constituted authorities;

(b) to protect and preserve public property, and fight against misappropriation and squandering of public funds;

(c) to help to enhance the power, prestige and good name of the country and to defend the country and render national services as may be required;

(d) to respect the dignity and religion of other citizens and the rights and legitimate interests of others and to live in unity, harmony and in the spirit of brotherhood;

(e) to make positive and useful contributions to the advancement, progress and well being of the community where he resides, to work conscientiously in his lawful and chosen occupation and to abstain from any activity detrimental to the general welfare of other citizens or to the country;

(g) to ensure the proper upbringing of his children;

(h) to participate in and defend all democratic processes and practices;

(i) to render assistance to appropriate and lawful agencies in the maintenance of law and order; and

(j) to declare his income honestly to appropriate and lawful agencies and to pay his tax promptly.

SECOND SCHEDULE

Section 28

**GUIDELINES ON POLITICAL CAMPAIGNS THROUGH
ELECTRONIC MEDIA**

Meaning of
political
programmes.

1. Political programmes shall be those programmes that have bearing on policy-making in Nigeria, whether at the National, State or Local Government level and include political programme materials derived largely from persons or organisations engaged in the quest for power for the purpose of policy-making in general public life.

Objectives of
political
materials on
radio and
television.

2.-(1) It shall be the function of radio and television to assist members of the public to partake of all ideas, ideals and experiences that -

(a) help them live in a society that is humane and democratic;

(b) have the influence to make them live in a society in an orderly and disciplined manner.

(2) The objective of politics on radio and television shall essentially, therefore, be to sensitize the public on the significant nature of their decision so that they make the right choice in giving Nigeria the government it desires.

(3) In pursuance of this, radio and television programmes shall endeavour to -

(a) foster political awareness amongst the political parties in Nigeria;

(b) enlighten the public on the political provisions of the Constitution of the Federal Republic of Nigeria;

(c) promote public interest and consciousness in participatory politics;

(d) educate Nigerians on their rights and political duties;

(e) encourage the evolution of broad political fronts based on national ideals and choices rather than on ethnic or other prejudices;

(f) assist members of the public to -

(i) make free political decisions, as much as possible,

(ii) give allegiance to the political party that would fulfil their pledge towards national unity and aspirations,

(iii) cast their votes for the political party that would serve the national interest;

(g) encourage face-to-face dialogue between political opponents to ensure that there shall be less of rancour and bitterness;

(h) maintain dialogue between the government and the governed; and

(i) provide a forum for competing ideas and ideals to be traded freely and publicly.

3.-(1) Political programmes on radio and television shall rest on the recognised power of radio and television to influence people to make political choice of allegiance and more importantly, in the manner in which they vote, and in order, therefore, that Nigerian radio and television may not be open to charges of wittingly, or otherwise utilising this power in support of one side against another and to ensure that the rules and guidelines set out in this Schedule and in particular in this paragraph shall be observed.

Power of
radio and
television.

(2) Radio and television shall observe that -

(a) political programmes lie in the equal presentation of alternative or opposing points of views or interests;

(b) can be achieved within a programme or within a series of programmes;

(c) within a programme is to be preferred since it is unlikely that in a series of programmes, the same people exposed to one point of view shall have had the chance of being exposed to the other point of view;

(d) within a series of programmes to become obtainable it is necessary that the series shall be well planned and shall be subject to revision in order to meet protests whenever such protests arise; and

(e) can be fair when the contexts are similar, the representative or exponents are equally matched.

(3) In order to promote integration as well as the evolution of a democratic process based on national rather than narrower loyalties, the following guidelines shall be observed by radio and television in sharing time and opportunity among political parties -

(a) time shall, whenever practicable, be allotted equally in quantity among the political parties registered in the relevant State, or in the country, as the case may be;

(b) the time allocated to the different parties shall have, as much as possible, the same premium; for this purpose, the commercial grading of time shall be a guide;

(c) a log shall be kept by each station's News Division at a level not below Controller, showing the allocation of time to each party, with dates, title of programme and other

information as may be required by the Commission to ensure fairness.

(4) The subject of a political broadcast shall preferably, be similar as between one political party and another, except where the subject has been chosen by the respective political party.

(5) Persons nominated to put across the various view points of the political parties shall, generally, be of comparable status in their parties; in this wise, party representatives shall be persons named by the political parties concerned.

(6) Where, however, a political party cleverly tries to veto a broadcast series by refusing to name its representative in the expectation that stations would, thereby, be unable to undertake the broadcasts, a radio or television station shall ensure that no political party achieves any such veto.

(7) Where a right of reply is upheld, the aggrieved party shall be given an equal time and opportunity to reply in the same format of the programme that led to the complaint.

(8) Where the first right of reply leads to another upheld complaint, a debate or discussion programme shall be arranged.

4.-(1) The general guide shall apply to practically all party political broadcasts, particularly those undertaken in collaboration with political parties.

Procedure and
time-table for
broadcast.

(2) A meeting shall be held with all the registered political parties to share out available time among them and fashion out an agreeable time-table, with dates, for broadcasts.

(3) The rules governing the broadcasts, including such details as dresses that are preferred and other measures to ensure decency and decorum, shall be explained to the political parties.

(4) All agreements shall be made known to Programmes or News Managers, as appropriate, and to the General Manager or Director, as the case may be.

(5) Party political broadcasts shall not exceed one hour per week per station, at pre-election times, or thirty minutes per week at other times.

(6) One party representative shall speak in a straight talk to viewers on subject or range of policies, he may make an appeal, but there shall be no interviewers, moderators or questions.

(7) The duration of a party talk shall be about ten minutes, and preferably not more than fifteen minutes.

News broadcast.

5.-(1) Stations shall use great judgment to ensure that the party political information included in news broadcasts is truly newsworthy, that is, new, fresh, interesting, and relevant, like other material competing to be broadcast in the news.

(2) Party political material may take any form, from a politician speaking, party press conference, party statement, to election campaigns; and as much as possible only issues arising from such materials shall be carried in brief and shall be free of commentary.

(3) Stations shall exercise care to ensure that party politicians do not gratuitously or deliberate partial exposure on Nigerian radio and television; and towards this end, stations shall endeavour to discourage politicians wishing to attract radio and television coverage by continually issuing press statements or undertaking such publicity activities as normally deserve radio and television coverage, such as donating to charity, appearing at sports meetings and public gatherings that may attract coverage.

(4) Stations shall be aware that politics is a ready material for news broadcasts and shall avoid making inflammatory and divisive matter in its provocative form.

(5) The inclusion of party political material and personality in the news shall be decided at a level not below that of a Manager.

Political discussion.

6.-(1) A political discussion shall consist of a moderator and one representative each of the political parties discussing a subject or related subjects.

(2) Each party spokesman shall be asked to indicate in one or two minutes what, in the opinion of his party, is the issue on the subject and what position or stand his party holds on the subject and during the discussion, time should be allowed to the discussants equitably.

(3) A variant of the simple panel discussion is one in which an audience may be present in the studio to ask questions or

contribute to the discussion; and such audience may represent a specific age group or groups, or other selected relevant interests but not ethnic or religious groups.

(4) In order to provide a certain balance within the audience-

(a) each of the political parties may be invited to bring not more than six party supporters;

(b) the party supporters shall be seated separately to enable the moderator to use them judiciously.

(5) The moderator shall not attempt to summarise or make conclusions at the end of the programme, or even in the course of it.

7. Stations are free to sell air time for the purpose of political campaigns, subject to the following rules and guidelines -

Sales of
air time.

(a) all messages shall be in form of spot announcements or jingles not exceeding sixty seconds;

(b) no station shall be involved in the production of announcements or jingles;

(c) no voices of members of staff shall be used in political jingles;

(d) all jingles shall conform to the standards of decency, taste, morality and truth.

8.-(1) Politics may be mentioned in different ordinary programmes, such as in passing motions or in public enlightenment and public affairs programmes, or in programmes for special audiences.

Ordinary
programmes.

(2) Political material in ordinary programmes shall best be confined to being educative and only when explaining rights and duties, or laws.

(3) Stations shall only be concerned with party politics during special political programmes.

(4) Stations shall take care to prevent identified politicians and party men and women from appearing as panelists, chairmen, moderators, presenters, in any ordinary programme and shall ensure at the same time that staff who moderate, compare or present any programme shall, on no account, be identified with any political party.

responsibilities
parties.

9.-(1) The parties shall ensure that they name their representatives and that these representatives attend briefing and recording sessions as agreed with radio and television stations.

(2) A political party shall not seek to veto a broadcast or series of broadcasts by failure of its representatives to attend and take up their places as agreed with the stations.

(3) Where a political party fails to take its offer of broadcast time, stations shall inform members of the public.

(4) Parties and their representatives shall refrain from making libellous, seditious or profane utterances whenever they are appearing and discussing on the air.

(5) It shall be the duty of broadcasting stations to ensure that libellous, seditious or profane utterances are not permitted on the air.

(6) Appeals and protests may only be entertained within twenty-eight days of first broadcast.

party
political
broadcast.

10.-(1) All party political broadcasts shall be pre-recorded.

(2) A re-recording shall only be ordered on the grounds of technical quality, in which case the decision may only be taken by an officer at a grade not below that of a Manager who shall inform his chief executive of such a decision.

(3) A re-broadcast of an existing recording may be permissible in place of a fresh recording but the decision shall be with the consent of the party concerned: provided that the broadcast has not previously resulted in a right of reply.

(4) Where a station is satisfied that a broadcast has been marred by technical problems during play-back, or by a widespread power cut in the community, a repeat broadcast may be permissible, with the approval of the chief executive.

(5) All tapes containing political broadcasts shall not be wiped out for at least forty-five days after the first broadcast.

11.-(1) All stations shall set up a Complaints Committee to examine all complaints and appeals from political parties and the general public (on political broadcasts) and make appropriate decisions, including the granting of right of reply.

Complaints
and appeals.

(2) The Complaints Committee shall comprise the following or their representatives at the State or Station level -

- (a) the General Manager or Chief Executive as Chairman;
- (b) the Resident Electoral Commissioner;
- (c) the State Director of the National Orientation Agency;
- (d) the Manager of Programmes;
- (e) the Manager, Administration, who shall also be Secretary to the Committee.

(3) At the National or Network level, the Complaints Committee shall comprise (at the least) the following or their representatives -

- (a) the Director-General as Chairman;
- (b) a National Electoral Commissioner;
- (c) the National Director of the National Orientation Agency;
- (d) the Director of News;
- (e) the Director of Programmes;

(f) the Secretary to the Authority or Corporation, who shall also be Secretary to the Committee.

(4) In the case of Federal Radio Corporation of Nigeria Stations and the Nigerian Television Authority Production Centres, copy of proceedings of the Complaints Committees shall be transmitted to the relevant Director-General within twenty-four hours after a decision has been taken on whether or not to grant the right of reply.

(5) Where a right of reply has not been granted by the Station or Production Centre, the Complaints Committee shall review the complaint within forty-eight hours of receipt.

(6) In all cases the General Manager or Chief Executive shall transmit the proceedings of the Station or Production Centre to the relevant Director-General.

(7) The following shall, among others, constitute grounds for up-holding the right of reply -

(a) a charge against integrity; and

(b) breach of the balance and fairness rules in paragraph 3(2) of this Schedule.

(8) The composition of a Complaints Committee shall not be sufficient ground for invalidating its decision.

Guide to
programme.

12. The following guidelines shall be observed in the conduct of political programmes on Nigerian radio and television -

(a) the purpose of a Press Conference is to enable a party or politician put forward a point of view and subject it to the examination of representatives of the Press or public;

(b) the panel shall not exceed three in number;

(c) the Chairman shall be a staff of the Station concerned and shall have adequate seniority, maturity and judgement;

(d) stations shall ensure, whenever possible, that the same panel and Chairman participate in all similar Press Conferences;

(e) a Press Conference shall have a specific subject, even if broad, chosen as theme by the political party concerned;

(f) questions shall not be submitted before hand, and the Chairman shall not allow questions that stray too far from the theme;

(g) duration of a programme shall not exceed one hour nominally; and

(h) at least seven days notice shall be given before a recording, unless the political party concerned is willing to accept a shorter notice.

13.-(1) The Station shall ensure that every debate is representative of opposing points of view or political parties are brought to argue on controversial subjects.

Debates.

(2) The preferred form shall comprise one representative of the points of view or political parties equally matched.

(3) A staff of the Station of acceptable seniority shall be the host or witness and shall avoid interfering with the debates, unless he has need to return debaters to the subject, or clear points of a libellous nature or restore decorum.

(4) No summarisation shall be permitted and debaters shall be nominated by the parties concerned.

(5) The subject chosen shall be agreed by the political parties.

(6) The maximum duration shall be one hour and the parties concerned shall have at least seven days prior notice.

(7) The name of one debater shall be known to the other debater or party at least seven days before the recording.

(8) Before there is the need to substitute another person for a nominated participant, the other opponent and sponsoring party shall be notified and invited to make a corresponding change, if it wishes.

(9) Where debaters have not been chosen by political parties, the appropriate Manager shall ensure that the debaters are matched in intellect, and possibly also in temperament.

(10) Political talks shall only be permissible during electioneering campaigns.

(11) A political talk shall elaborate on a party's policy on a matter or matters contained in the party's manifesto.

MADE at Abuja this 1st day of December 1998.

GENERAL ABDULSALAMI ALHAJI ABUBAKAR,
*Head of State, Commander-in-Chief
of the Armed Forces,
Federal Republic of Nigeria.*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is
intended to explain its purport)*

The Decree, among other things, makes provisions for the registration and activities of political parties, together with provisions for election campaigns, supervision of the parties by the Commission and prosecution of offences created therein.