

ELECTION 101

A Young People's Guide to
Understanding the Electoral Act, 2026



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TABLE OF CONTENTS

About this guide 3

Introduction 4

Can I vote, and how do I register..... 6

What should I expect before elcection day..... 12

What happens when I go to vote?..... 15

What happens after I cast my vote?..... 23

What rules apply to political parties, candidates, and campaigns?..... 28

What electoral conduct is against the law?..... 33

What happens when there is a dispute about an election?..... 37

What does all this mean for me?..... 41



ABOUT THIS GUIDE

Elections are about more than choosing people for public office. They are one of the principal ways through which citizens participate in public decision making and hold public institutions accountable.

Yet election laws can be difficult to read. They are written primarily for legal and electoral administration, not for people encountering the electoral process for the first time.

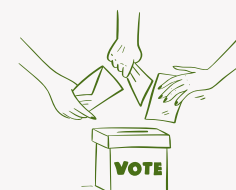
Election 101 is designed to make selected provisions of the Electoral Act, 2026 easier to understand.

The guide does not reproduce the law in the main body of the booklet. Instead, it explains what selected provisions mean in practical terms and answers questions that young people and other members of the public are likely to ask before, during and after an election.

It is intended to help readers participate more confidently in elections, recognise misinformation, ask informed questions and understand the rules governing the electoral process.

The full text of the Electoral Act, 2026 is reproduced as an Appendix at the back of this booklet. Where there is any difference between the explanatory text in this booklet and the wording of the law, the text of the Electoral Act, 2026 is authoritative.

Readers are encouraged to consult the full text of the Act, and to seek appropriate legal advice where a specific legal issue arises.



INTRODUCTION

Why should you understand the Electoral Act, 2026?

You do not have to be a lawyer, politician, election observer or political party member to understand how elections work. If you are eligible to vote, the electoral process concerns you.

You have a right to understand what happens when you register, what happens when you arrive at your polling unit, how your vote is counted and how results move from the polling unit to the final declaration. You also have a right to understand the responsibilities of the institutions and people who administer elections. This is important because democratic participation does not end when you mark a ballot paper. An informed voter should be able to ask questions such as:

- Was the voter properly accredited?
- Was voting conducted according to the law?
- Was the ballot secret?
- Were votes counted in public?
- Was the result recorded correctly?
- Was the result transmitted and collated according to the law?
- Were voters subjected to intimidation or inducement?



- Were political parties and candidates complying with campaign rules?
- What happens if something goes wrong?

Understanding these rules helps you distinguish between a genuine problem, a misunderstanding and a false claim. It also helps you participate in political conversations without having to rely entirely on what a politician, political party, social media account or another person says.

The Electoral Act, 2026 gives the Independent National Electoral Commission (INEC) responsibility for important aspects of voter and civic education and for promoting knowledge of democratic election processes. This guide contributes to that broader civic purpose by translating selected provisions of the Act into accessible language.



PART ONE

CAN I VOTE, AND HOW DO I REGISTER?

The election process begins long before election day. The first step is being properly registered as a voter and ensuring that your information appears correctly on the voters' register.

Who can register to vote?

Under section 12 of the Electoral Act, 2026, a person is qualified to register as a voter if the person:

- is a Nigerian citizen;
- is at least 18 years old;
- is ordinarily resident, works in, or originates from the relevant Local Government, Area Council or Ward covered by the registration centre;
- personally presents themselves for registration; and
- is not subject to a legal incapacity to vote.

The Act also prohibits a person from registering more than once or registering at more than one registration centre.



What does this mean for you?

If you meet the legal requirements, you should be able to register in accordance with the procedures established by INEC. You should not allow another person to register you in their place, and you should not register more than once simply because you want to increase your chances of voting. The law treats electoral registration as an individual responsibility.

What information or documents may I need when registering?

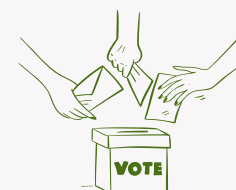
The Act provides for personal attendance at registration. Under section 10, an applicant for registration is required to appear personally at the registration venue with one of the specified forms of identification:

- a Nigerian birth certificate;
- a Nigerian passport; or
- a National Identification Number (NIN).

Registration and updating of the voters' register are continuous, subject to the statutory deadline before an election.

What should INEC registration officials do?

Registration officers are responsible for obtaining the information necessary to determine whether an applicant qualifies to register. Where an applicant is illiterate or has a disability, the Act permits the registration officer, at the applicant's request, to assist with completing the application form.



What if I move to another constituency?

People move. You may move because of school, employment, family circumstances or other reasons.

If you are registered in one constituency but become resident in another, section 13 provides a process for transferring your registration. An application must be made at least 90 days before the relevant election.

Where the transfer is approved, the electoral authorities will assign you to a polling station or polling area in the new constituency, issue you with a new voter's card and retrieve the previous card. Your previous electoral record is then removed from the earlier constituency.

Why does this matter?

You should not simply arrive at a different polling unit on election day and expect to vote there. If you have moved, take the necessary steps to transfer your registration before the statutory deadline.

What happens to the voters' register?

The voters' register is the official record of people entitled to vote. INEC is required to maintain and update the register. Before a general election, the Act requires the voters' list to be displayed or published for public scrutiny. This gives members of the public an opportunity to identify errors and raise claims or objections.



What can you do?

Check your information when the register is displayed. If there is an error concerning your registration, use the process provided by INEC to raise an objection or claim within the applicable period. This is one reason civic participation should begin before election day.

What is my voter's card, and who controls it?

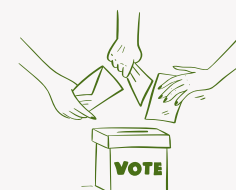
INEC controls the issuance of voters' cards. A voter is not permitted to hold more than one valid voter's card. Your voter's card is important because it is part of the process through which you establish your identity and eligibility to vote. But it is not a political party membership card, and it is not something that should be surrendered to another person for political purposes.

What happens if I lose or damage my voter's card?

Section 18 provides a process for obtaining a replacement where a voter's card has been lost, destroyed, defaced, torn or otherwise damaged. An application must generally be made in person not less than 90 days before polling day. The replacement card is marked "REPLACEMENT." The Act also provides for a downloadable copy of the voter's card.

What should you do?

Do not wait until election day to discover that your voter's card is damaged or missing. Take action within the time prescribed by law.



Can I have more than one voter's card?

No.

Section 16 prohibits a voter from holding more than one valid voter's card. The Act provides a penalty for doing so. The purpose of this rule is to protect the integrity of the voter registration system. Having more than one card does not give you more than one vote.

Can someone buy, sell or use another person's voter's card?

No.

The Electoral Act prohibits various forms of unlawful dealing in voters' cards. This includes giving your voter's card to another person for use at an election, fraudulently using another person's card, possessing multiple cards without lawful excuse, and buying or selling voters' cards. The law provides criminal penalties for these acts. Your vote belongs to you. Your voter's card should not become a commodity.

What happens if there is an error in the voters' register?

The law provides a public process for scrutinising the register. INEC is required to display or publish the voters' list within the statutory period before a general election. Claims and objections may be made within the period prescribed by the Act. A revision officer may hear such claims and objections, and the Act provides a right of appeal to the Resident Electoral Commissioner in the circumstances specified by section 20.



What does this mean for you?

Do not assume that an error in the voters' register can only be corrected after an election. The law provides an opportunity to identify and challenge certain problems before voting takes place.



PART TWO

WHAT SHOULD I EXPECT BEFORE ELECTION DAY?

An election does not begin when voters arrive at a polling unit. Important decisions and preparations take place before election day.

What happens if an election cannot be held as planned?

Section 24 deals with emergencies that may affect an election. Natural disasters, emergencies or serious threats to peace and security may make it impossible to conduct an election as planned. The Act gives INEC powers to postpone or suspend an election in the circumstances provided by law.

Where people have been displaced by an emergency, the law also recognises the need to prevent them from being unfairly disenfranchised.

Section 24 deals with the conduct and postponement of elections in emergencies. Where an emergency affects an election, the Electoral Act 2026 requires the Commission, as far as practicable, to ensure that persons displaced as a result of the emergency are not disenfranchised.

The Act also empowers the Commission to postpone an election where a serious breach of peace is likely or where natural disasters or other emergencies make it impossible to conduct the election, provided that the reason for postponement is cogent and verifiable. Where voting has already commenced but is substantially disrupted, or cannot continue because of threats to the peace and security of electoral officials and materials, the Commission is required to suspend the election and appoint another date for its continuation.



What should you look out for?

If an election is postponed or suspended, rely on official information from INEC and other credible sources. Election dates should not be determined by rumours circulating on social media.

Who conducts elections?

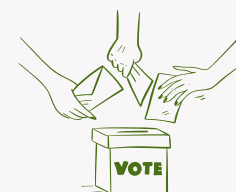
INEC is the principal institution responsible for conducting elections covered by the Act. The Commission appoints election officials and establishes procedures for conducting elections. Polling and collation officials have specific responsibilities. Political parties also appoint polling agents to observe proceedings on their behalf.

What does this mean for you?

As a voter, you should know who is responsible for what. You do not have to accept an instruction merely because someone at a polling unit says it. The proper question is: "What does the law or INEC procedure require?"

Why must election officials be neutral?

Section 26 requires election officials to take an oath of neutrality. Election administration should therefore not become an extension of a political party's campaign. The people responsible for conducting an election are expected to perform their functions according to the law rather than according to personal political preferences.



What should a voter expect?

You should expect election officials to administer the process fairly and according to the law. You should also remember that polling agents represent candidates or political parties. They are not INEC officials.



PART THREE

WHAT HAPPENS WHEN I GO TO VOTE?

This is the part of the electoral process most voters experience directly. Knowing the sequence can make election day less confusing.

Where and when do I vote?

INEC determines the date and time of the poll. A voter may only vote at the polling unit to which the voter is allotted. Section 44 requires INEC to publish information about the day and hours fixed for the poll, the persons entitled to vote and the locations of polling units. Before election day, know your polling unit. Do not assume that you can vote at any polling unit simply because it is closer to you.

What happens before voting begins?

Before accreditation and voting begin, the Presiding Officer must display the empty ballot box or voting device to people lawfully present at the polling unit. The ballot box is then sealed and kept in public view until the poll closes.

Why is this important?

The procedure is designed to allow people present at the polling unit to see that the ballot box begins empty and remains under observation during the poll.



How am I accredited before I vote?

Under section 47, you are to present yourself at your designated polling unit with your Permanent Voter's Card. The Presiding Officer uses BVAS or another technological device prescribed by INEC to verify, confirm or authenticate your particulars as an intending voter.

What should you expect?

You should expect an accreditation process before receiving a ballot. You should not expect to bypass accreditation simply because you know an election official or political party agent.

What happens if the accreditation technology fails?

The law provides for what happens if BVAS or another prescribed technological device fails. Where the equipment fails and another device cannot be deployed, the election at that polling unit is to be cancelled and another election scheduled within 24 hours if INEC is satisfied that the result from that polling unit would substantially affect the final result of the election.

What does this mean?

A technological problem should not simply be treated as an excuse to invent a new voting procedure. The Act provides a legal framework for dealing with technological failure.



Can someone challenge my right to receive a ballot?

Yes.

A candidate or polling agent may challenge a person's right to receive a ballot paper where there are lawful grounds to believe that the person is not entitled to vote, such as being under 18 or suspected of impersonating another voter. The challenge must be raised through the Presiding Officer and handled according to the procedures established by the Electoral Act and INEC. Polling agents cannot personally prevent or punish a voter; their role is to bring suspected irregularities to the attention of the Presiding Officer.

But what does this mean for me?

A challenge is not the same thing as a finding that you have committed an offence. Electoral objections must be dealt with according to the procedures established by law.

What does “secret ballot” mean?

The Act describes voting as an *open secret ballot*.

The voting process takes place in public view in the sense that the polling process itself is observable. But your individual choice must remain secret. You should be able to mark your ballot without another person discovering which candidate you chose. You do not have to prove to a politician, party agent, friend, family member or anyone else that you voted for a particular candidate.



What if I have a disability or need assistance?

Section 54 recognises the right of voters with visual impairments or other disabilities to receive assistance.

A voter who requires assistance may be accompanied by a person chosen by the voter, subject to the safeguards in the Act. A candidate, political party agent or party official cannot accompany the voter into the voting compartment. The Act also requires INEC to take reasonable steps to assist persons with disabilities, special needs and vulnerable persons through appropriate means of communication and other arrangements.

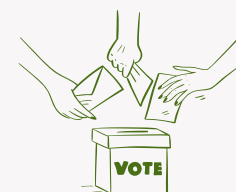
What should you expect?

The electoral process should not unnecessarily prevent a person with a disability from exercising their right to vote.

Can someone vote on my behalf?

Voting is personal.

Section 55 requires a voter to personally attend at the polling unit or voting centre and record their vote in the manner prescribed by INEC. This means that you should not ask another person to cast your vote for you simply because you are unable or unwilling to attend. Where assistance is required because of disability, section 54 provides a specific procedure for assistance.



What if I accidentally spoil my ballot?

Mistakes can happen.

If you accidentally damage or mark your ballot paper in a way that makes it inconvenient to use, section 53 provides a procedure for returning the spoiled ballot to the Presiding Officer. If the Presiding Officer is satisfied that the ballot was spoiled accidentally, another ballot paper may be issued and the spoiled ballot marked “cancelled.”

So, do not panic. If you make a mistake, do not try to secretly replace or alter the ballot yourself. Speak to the Presiding Officer.

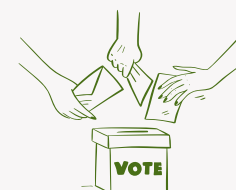
What is over-voting?

Over-voting occurs where the number of votes cast at a polling unit exceeds the number of accredited voters recorded for that polling unit.

Under section 51, the result of that polling unit is cancelled. The Act provides for a further poll in the affected polling unit, subject to the statutory provisions concerning whether the result would substantially affect the overall election.

Why should you care?

Over-voting is not simply a technical issue. It can affect whether a polling-unit result is legally valid.



What does the law say about impersonation?

Impersonation means pretending to be another person for purposes covered by the electoral law. For example, section 123 criminalises conduct such as applying for a ballot paper in another person's name, voting more than once and voting while knowingly unqualified.

This is different from simply looking different from the photograph on a voter's card. The legal question is whether the person is engaging in conduct that amounts to impersonation under the Act.

What does section 57 mean for transgender voters?

Section 57 deals specifically with a situation in which, while a person is applying to vote and before they leave the polling unit, a polling agent, polling unit official or security agent informs the Presiding Officer that there is reasonable cause to believe that the person is under 18 or has committed impersonation. The person making the allegation must give an undertaking on the prescribed form to substantiate the charge in court. The Presiding Officer may then order a police officer to arrest the person. This provision should be understood carefully.

Being transgender is not the same thing as impersonation.

A transgender person may have a gender identity or gender expression that differs from the sex assigned to them at birth. That difference, by itself, does not mean that the person is pretending to be another voter.



For example, a transgender woman who was assigned male at birth may appear at a polling unit presenting as a woman. A transgender man who was assigned female at birth may appear presenting as a man. Neither fact, by itself, means that the person is impersonating someone. The relevant question under the electoral law is whether the person is representing themselves as *another person for electoral purposes*, such as applying for or receiving a ballot in another person's name.

Section 123 reinforces this understanding by identifying conduct such as applying for a ballot paper in another person's name, multiple voting and knowingly voting when unqualified as offences relating to impersonation and unqualified voting.

What if a polling official says a transgender voter is impersonating someone?

The fact that the voter's appearance, gender expression or gender identity does not correspond with the sex assigned to them at birth should not, on its own, be treated as proof of impersonation. A transgender voter who is presenting themselves as themselves, using their own voter registration and complying with the voting process, has not thereby impersonated another person.

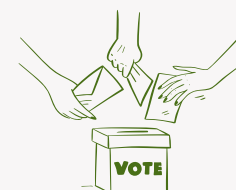
At the same time, the ordinary electoral rules apply to everyone. If any person, including a transgender person, actually attempts to vote in another person's name or otherwise commits the conduct defined as impersonation under the Act, the law applies. The electoral offence of impersonation concerns fraudulent electoral identity or representation of another person. It should not be confused with a person's gender identity or gender expression.



This distinction is particularly important because election officials and security personnel may encounter voters whose appearance does not conform to assumptions based on sex or gender.

What happens when voting closes?

At the prescribed closing time, the Presiding Officer closes the poll. No new person may be admitted after the prescribed closing time, but people already inside the polling unit may be allowed to vote. The process then moves from voting to counting.



PART FOUR

WHAT HAPPENS AFTER I CAST MY VOTE?

Casting your ballot is not the end of the process. The votes must be counted, recorded, transmitted, collated and eventually used to determine the result.

How are votes counted?

After voting closes, the Presiding Officer counts the votes at the polling unit. The votes scored by each candidate are entered on the prescribed result form. The result form is signed and stamped by the Presiding Officer and countersigned by candidates or polling agents where available. The result is then announced at the polling unit.

Why does this matter?

The polling unit is the starting point of the official result trail. The numbers announced at later stages should be traceable back to the results recorded at polling units.

Can a recount be requested?

Yes.

Where a candidate or polling agent is present when counting is completed, they may demand a recount. The Presiding Officer is required to conduct the recount once.



For you as a voter

You may not personally control a recount, but you can understand why one may occur. A recount is part of the legal process for addressing a dispute about the count at the polling unit.

How are polling unit results transmitted?

Section 60 requires the Presiding Officer to electronically transmit polling unit results to the IREV portal after the prescribed Form EC8A has been signed and stamped and, where available, countersigned by candidates or polling agents. If electronic transmission fails because of communication failure, the signed and stamped Form EC8A remains the primary source for collation and declaration of the result.

What happens at the collation stage?

Collation officers and returning officers do not simply add numbers without checking them. Section 62 requires verification of the number of accredited voters and the votes recorded and transmitted from polling units.

Where a result is disputed, the Act provides specified sources of information that can be used to determine the correct result. If a returning or collation officer intentionally collates or announces a false result, the Act provides a serious criminal penalty.



What happens to rejected ballots?

The Act provides rules for determining whether a ballot paper should be counted. For example, a ballot paper without the prescribed official mark will generally not be counted, subject to the exception in section 63 where the Returning Officer is satisfied that the ballot came from the official ballot booklet supplied to the polling unit.

Where a ballot is rejected, the prescribed endorsement must be made. A candidate or polling agent may object to the rejection, and that objection is recorded.

Who declares the winner?

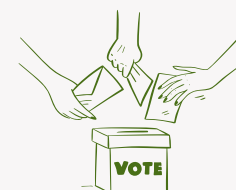
The appropriate Returning Officer formally declares the result after the votes have been counted, collated and verified in accordance with the law. The Act also provides different constitutional and electoral rules depending on the particular office being contested.

What does this mean for you?

You may hear several numbers on election day. A number announced at a polling unit is not necessarily the final result of the entire election. The final declaration comes from the officer legally authorised to make it.

What happens if two candidates have the same number of votes?

If two or more candidates receive exactly the same highest number of votes, the Returning Officer does not simply choose one. Section 67 provides for a fresh election between the candidates who recorded the equal highest vote. The date is to be appointed by INEC.



Where can the public see election results?

INEC is required to cause a notice to be posted on its notice board and website showing the candidates, their scores and the person declared elected or returned. This supports public access to official election information.

What happens to election documents?

Election documents, including statements of results and ballot papers returned by Returning Officers, are placed in the official custody of INEC. This matters because election disputes may depend on documentary evidence. An election is therefore not simply remembered through what people say happened. The law requires records to be created and preserved.

What is a Certificate of Return?

A Certificate of Return is the formal document issued to a candidate who has been returned as elected. Section 72 provides for the issuance of the certificate within the statutory period.

Where a court later nullifies a certificate of return, the Act provides a mechanism for the Commission to issue a valid certificate to the successful candidate in accordance with the court's order.



Can members of the public obtain election documents?

The Act creates mechanisms for obtaining certified true copies of election results and other election documents. Section 62 allows a person or political party to obtain certified true copies of election results contained in the National Electronic Register of Election Results, subject to payment of the prescribed fee.

Section 74 also provides for access to certified true copies of election documents through the Resident Electoral Commissioner, within the statutory period after payment of the prescribed fee.

Why does this matter?

Access to records helps make elections more transparent and allows evidence-based discussions about what happened.



PART FIVE

WHAT RULES APPLY TO POLITICAL PARTIES, CANDIDATES AND CAMPAIGNS?

The electoral process is not only about voters. Political parties and candidates also operate within legal rules. These rules are important because political competition can involve money, media, rallies, public messaging and the mobilisation of supporters.

What does the law say about political parties?

The Electoral Act regulates political parties and prohibits certain conduct. Section 78, for example, addresses contraventions of section 227 of the Constitution concerning prohibited quasi-military or similar structures associated with political parties or associations.

For voters

You do not have to be a member of a political party to understand these rules. They help explain the legal boundaries within which political organisations are expected to operate.

How much money can a candidate spend?

Section 92 establishes maximum election expenses. The statutory limits include:



Election

Presidential
Governorship
Senate
House of Representatives
State Assembly
Area Council Chairmanship
Area Council Councillorship

Maximum election expenses

₦10 billion
₦3 billion
₦500 million
₦250 million
₦100 million
₦100 million
₦10 million

The Act also provides that an individual or other entity must not donate more than ₦500 million to a candidate. These are statutory limits. They are not suggestions.

What should political parties disclose about election spending?

Political parties must submit audited returns concerning election expenses within the period prescribed by the Act. The returns are to contain information about election expenditure and are subject to publication and public inspection requirements.

Why should voters care?

Money affects political campaigns. Knowing that the law regulates election spending allows members of the public to ask legitimate questions about campaign finance without relying only on speculation.



Can political parties receive anonymous donations?

No.

Section 94 prohibits political parties from accepting or keeping anonymous monetary or other contributions, gifts or property. Political parties are required to maintain records of contributions and to identify persons or entities making contributions above the statutory threshold. Transparency about political money is part of electoral accountability.

What are the rules for political rallies and processions?

Political parties and candidates have a right to organise political activities subject to the law. Section 95 requires security agencies to provide adequate security for peaceful political rallies and processions. Security agencies are expected to perform a security function rather than prevent lawful political participation.

What conduct is prohibited during campaigns?

Section 96 prohibits certain campaign conduct, including abusive, slanderous or inflammatory language directed at religious, ethnic or tribal sentiments. The section also addresses the use of places such as places of worship, police stations and public offices for campaigning and prohibits certain forms of private security or political vanguard activity.

Should politicians use threats or violence to gain political support?

No.



Section 97 prohibits threats or the use of force or violence during political campaigns to compel political support. The electoral process depends on people being able to make political choices freely. A person's political choice should not be extracted through fear.

When can political parties campaign?

Section 98 provides a statutory campaign period. Public campaigning begins 150 days before polling day and ends 24 hours before polling day. The 24 hour period immediately before polling is therefore not simply a period when campaign activity becomes quieter. It is a statutory restriction.

What are the rules about media coverage?

Section 99 provides rules intended to prevent the use of state apparatus, including state media, to advantage or disadvantage a political party or candidate. The section requires equal allocation of media time among political parties or candidates at similar hours, equal prime-time airtime on public electronic media subject to appropriate fees, and equal coverage and visibility on public print media.

Why should young people care?

Political information increasingly reaches voters through television, radio, newspapers, websites and social media. Understanding the principle of fair access to public media can help you ask better questions about whether political communication is being conducted within the legal framework.



Can political campaigns be based on religion or tribe?

Section 101 prohibits campaigns or broadcasts based on religious, tribal or sectional sentiments. The rule reflects the need to prevent electoral competition from becoming a vehicle for incitement or exclusion based on identity.

For voters, this means that political disagreement should focus on issues, policies, records and candidates rather than appeals designed to divide people along prohibited lines.



PART SIX

WHAT ELECTORAL CONDUCT IS AGAINST THE LAW?

An electoral offence is conduct that the Electoral Act makes punishable. Electoral offences are not limited to political candidates. Depending on the provision, they may involve voters, political parties, polling agents, election officials, security personnel or other persons.

What are electoral offences?

The Electoral Act contains a dedicated Part on electoral offences. The offences cover conduct occurring before, during and after voting.

They include offences relating to:

- voter registration;
- nomination materials;
- voters' cards;
- impersonation;
- election officials' duties;
- bribery;
- secrecy of voting;
- wrongful voting;
- disorderly conduct;
- election-day conduct;
- undue influence; and
- threats.



Knowing these rules helps voters understand the difference between ordinary political disagreement and conduct that the law treats as an offence.

What does the law say about voter registration offences?

Section 118 addresses offences relating to registration. The provision deals with fraudulent conduct affecting voter registration and registration materials. You are advised not to provide false information or participate in fraudulent registration activity.

What is improper use of a voter's card?

Section 121 prohibits conduct such as:

- giving your voter's card to another person for use at an election;
- fraudulently using another person's voter's card;
- possessing more than one voter's card without lawful excuse; and
- buying or selling voter's cards.

The Act provides criminal penalties for these acts.

Who must protect the secrecy of my vote?

Section 126 creates offences relating to breaches of voting secrecy. People at a polling unit must not interfere with a voter in order to discover the candidate for whom the voter intends to vote or has voted. This protection matters because a free vote requires freedom from pressure to reveal one's choice.



What activities are prohibited around a polling unit on election day?

Section 130 restricts a range of activities in a polling unit and within 300 metres of a polling unit on election day. These include:

- canvassing for votes;
- soliciting votes;
- persuading voters not to vote for a particular candidate;
- persuading voters not to vote;
- shouting election slogans;
- carrying offensive weapons;
- wearing clothing or decorations calculated to intimidate voters;
- displaying party symbols or cards referring to the election;
- using party-coloured or party-branded vehicles in the prohibited circumstances; and
- certain forms of loitering and interference with election materials.



What does this mean for you?

Election day is different from campaign day. Even if you have been actively campaigning before election day, the law imposes restrictions on political activity around polling units on the day of the poll.

What is undue influence?

Section 131 prohibits corruptly giving or receiving money or other inducements intended to influence voting or to reward a person for voting or refraining from voting. The law therefore addresses both sides of the transaction.

What does the law say about threats and force?

Section 132 prohibits the use or threatened use of force, violence, restraint, injury, damage or other forms of coercion to influence voting. It also addresses conduct that prevents the free use of the vote or interferes with political participation.

Can I be forced to reveal who I voted for?

Section 146 protects the secrecy of the ballot. A voter cannot be required in legal proceedings to disclose for whom they voted. This is an important protection for voter autonomy.



PART SEVEN

WHAT HAPPENS WHEN THERE IS A DISPUTE ABOUT AN ELECTION?

Most voters will never file an election petition. That does not mean election petitions are irrelevant to them. Understanding the basic process helps the public understand what happens when the validity of an election is challenged.

What is an election petition?

An election petition is the legal mechanism through which an election or return is formally challenged under the Act. An election cannot simply be cancelled because people are unhappy with the result. A challenge must be brought through the legal procedure established by the Act.

Who can challenge an election?

Section 137 limits the persons entitled to present an election petition. Generally, the right belongs to:

- a candidate who participated in the election; or
- a political party that sponsored a candidate in that election.
-

Where a complaint concerns INEC officers, the Commission is to be made a respondent as provided by the Act.



Where are election petitions filed?

Section 134 establishes the basic jurisdictional structure. A petition concerning a presidential election is heard by the Court of Appeal. Other elections are heard by the relevant election tribunal established under the Electoral Act. The Act also provides a separate tribunal and appeal structure for Federal Capital Territory Area Council elections.

On what grounds can an election be challenged?

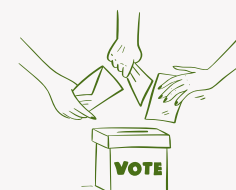
Section 138 identifies the principal grounds for challenging an election. These include allegations that:

1. the election was invalid because of corrupt practices or non-compliance with the Act;
or
2. the person returned was not duly elected by a majority of lawful votes cast.

This means that not every complaint about an election is legally sufficient to overturn it. The person challenging an election must bring the case within the grounds recognised by law and prove the case through the applicable legal process.

Does every mistake automatically cancel an election?

No.



Section 139 recognises the principle that an election will not necessarily be invalidated merely because there was some non compliance with the law. The question may include whether the election was conducted substantially in accordance with the principles of the Act and whether the non compliance substantially affected the result.

Why does this matter?

It helps explain why a court may recognise that something went wrong without necessarily ordering that the entire election be cancelled.

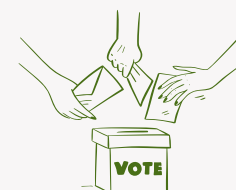
What can a tribunal or court do if an election is invalid?

Section 140 provides for remedies where a tribunal or court finds that a returned candidate was not validly elected. Depending on the legal basis for the decision, the court or tribunal may order a fresh election or make the declaration permitted by the Act. The remedy depends on the facts and the legal ground established.

When you hear that a court has “cancelled an election,” look beyond the headline. The legal reason for the decision matters because the remedy depends on what the court finds.

What happens while an appeal is pending?

Section 141 addresses the position of a person who has been elected where an election has been nullified but an appeal has been filed within the prescribed period. The Act provides for the person to remain in office pending determination of the appeal, subject to the law. This is one of the reasons election litigation can continue after a person has already assumed office.



Why should I understand election petitions if I am not a candidate?

Because election results affect everyone. The people elected to public office make decisions about laws, public resources, education, healthcare, security, infrastructure and many other issues.

You do not need to be a candidate to understand how the system for resolving electoral disputes works. Knowing the process helps you have informed conversations about elections rather than relying on rumours about what courts, tribunals, candidates or INEC can or cannot do.



PART EIGHT

WHAT DOES ALL THIS MEAN FOR ME?

The Electoral Act can look complicated when read as legislation. Its practical meaning for a voter can be summarised more simply.

Your rights at a glance

As a voter, you should understand that the law provides for:

- registration of eligible voters;
- processes for transferring voter registration;
- public scrutiny of the voters' register;
- personal voting;
- accreditation before voting;
- secret voting;
- assistance for voters with disabilities;
- counting of votes at the polling unit;
- recording and transmission of results;
- access to certain election documents;
- protection against bribery, intimidation and interference; and
- legal processes for resolving electoral disputes.

These rights operate within the conditions and procedures established by the Electoral Act and regulations made under it.



Your responsibilities as a voter

Your rights come with responsibilities.

You should:

- register only once;
- provide truthful information;
- protect your voter's card;
- vote only where you are legally entitled to vote;
- vote personally;
- avoid impersonation;
- avoid buying or selling votes;
- avoid violence and disorder;
- respect the secrecy of your own vote and the votes of others;
- verify important election information before sharing it; and
- report serious electoral concerns through appropriate channels.

Democratic participation is not only about asking government to do the right thing. It is also about each of us understanding and respecting the rules that make participation possible.



A SIMPLE ELECTION-DAY CHECKLIST

Before leaving home:

- ☐ Know your polling unit.
- ☐ Confirm the relevant election information from an official or reliable source.
- ☐ Take your voter's card and any other information required by INEC.

At the polling unit:

- ☐ Follow the accreditation process.
- ☐ Wait for your turn.
- ☐ Ask questions respectfully if you do not understand a lawful procedure.
- ☐ Protect the secrecy of your vote.
- ☐ Vote personally.
- ☐ Do not buy or sell votes.
- ☐ Do not intimidate other voters.
- ☐ Do not campaign or engage in prohibited election-day activity around the polling unit.

After voting:

- ☐ Leave the polling unit peacefully unless you have a lawful reason to remain.
- ☐ Do not interfere with the counting process.
- ☐ Be cautious about unverified results circulating online.
- ☐ Look for official information about the results.



ABOUT MINORITY WATCH

Minority Watch is a non governmental organisation of lawyers and paralegals committed to the promotion of the rule of law by protecting the rights of LGBTQI persons, people living with HIV, vulnerable women and girls in Nigeria through legal research, legal aid, legal advocacy, strategic litigation and stakeholder engagement. Minority Watch uses the law to protect communities historically discriminated against and excluded in Nigeria.

APPENDIX

FULL TEXT OF THE ELECTORAL ACT 2026

