



WHAT YOU NEED TO KNOW ABOUT NASS CONFERENCE COMMITTEE ON ELECTORAL ACT AMENDMENT BILL 2021

Background

- Nigeria operates a bicameral legislature called the National Assembly. The two Chambers of the National Assembly are called the House of Representatives and the Senate.
- The Electoral Act Amendment Bill 2021, which aims to repeal the Electoral Act 2010 and enact a new law governing elections in Nigeria, was passed by both Chambers of the National Assembly in July 2021.
- However, there were differences between the version of the Bill passed in the House and the version passed in the Senate.
- Having gone through First Reading, Second Reading, the Committee Stage, and Third Reading, the Bill is now at the Joint Conference Committee Stage. This stage involves reconciling the differences between the House Bill and the Senate Bill.

Composition of the Committee

- The National Assembly Conference Committee on Electoral Reform was set up in September 2021 to harmonise the different versions of the Electoral Bill 2021.
- The Committee is made of members of the Senate and the House of Representatives.
- In the Senate, members of the Committee are Senator Yahaya Abdullahi (Leader), Senator Kabiru Gaya, Senator Danjuma Goje, Senator Uche Ekwunife, Senator Sani Mohammed Musa, Senator Ajibola Basiru, and Senator Matthew Urhoghide.¹
- In the House of Representatives, the list of Committee members is yet to be released.

¹ <https://www.vanguardngr.com/2021/09/senate-sets-up-7-member-conference-committee-on-electoral-act-amendment-bill/>; <https://thenationonlineng.net/breaking-senate-constitutes-conference-committee-on-electoral-act/>

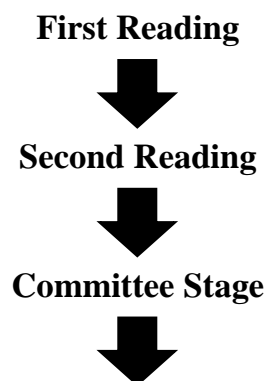
Activities of the Committee

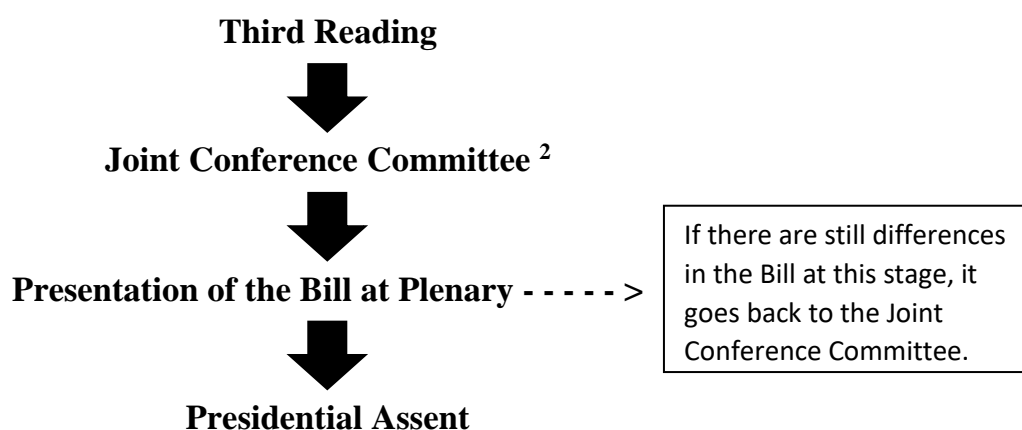
- Members of the Committee in the House of Representatives and the Senate will work hand-in-hand to harmonise the differences between the House Bill and the Senate Bill.
- The Committee will review the areas of divergence in the Bill and compare them to the recommendations made by the House of Representatives and the Senate.
- The Committee cannot make new recommendations. Where there are issues of divergence, the Committee has two options: (a) propose the adoption of the House recommendation; or (b) propose the adoption of the Senate recommendation. The Committee will need to justify why it has proposed the adoption of a particular recommendation.
- One major issue that the Committee will consider is the electronic transmission of results. The House Bill gives INEC the discretion to transmit results electronically where and when practicable, while the Senate Bill states that INEC has to first receive clearance from the Nigerian Communications Commission and the National Assembly before transmitting results electronically.

Adoption by the National Assembly

- After the Committee concludes its review of the Bill, it will present its report to the National Assembly at plenary.
- If the National Assembly accepts the Committee's report, it will incorporate the recommendations into a consolidated Bill, pass it and send it to the President for assent. However, if there are still areas of divergence within the Bill, it goes back to the Committee for further harmonisation before it is again presented to the National Assembly.
- If the President assents to the Bill, it will become the Electoral Act 2021, which will be the new law guiding elections in Nigeria. If the President does not assent, the Bill will go back to the National Assembly for re-drafting.

THE LAW-MAKING PROCESS





About The Electoral Hub

The Electoral Hub is a multidisciplinary strategic think tank committed to strengthening electoral governance, and accountability in Nigeria. The Electoral Hub works to enhance electoral integrity and credibility through research, documentation, electoral education, policy and legal influencing, and impact advocacy.

The main focus of The Electoral Hub’s intervention in the electoral governance process is on complementing the roles and activities of the different institutions, stakeholders and drivers of the electoral process by providing back-end support services to them. Since its establishment, The Electoral Hub has grown into a leading research, knowledge and advocacy hub with the capacity to conduct ground-breaking research and analysis of electoral issues.



² This stage happens if the House of Representatives and the Senate adopt different versions of a Bill. A Joint Conference Committee will be constituted to reconcile the differences. However, at this stage no new item may be introduced into the Bill. If the Committee fails to reach a consensus, that Bill dies