



**GUIDELINES FOR THE  
REGISTRATION OF  
NEW POLITICAL PARTIES  
2014**



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## FOREWORD

**G**uidelines for the Registration of Political Parties are intended to set out in unambiguous terms the statutory requirements for registration of New Political Parties.

Registration of Political Parties is one of the main functions of the Commission. Political associations are constitutionally prohibited from functioning as political parties unless they are registered with the Commission as political parties.

Political associations prior to these Guidelines relied on the 1999 constitutional provisions (as amended) without clear understanding of the administrative requirements of the Commission in registering political parties. These Guidelines have in clear terms provided both the statutory and administrative requirements in the Registration of Political Parties.

I am confident this will serve as a reference document for assessing and enforcing compliance with the constitutional and Electoral Act provisions and ensuring neutral and level playing field for political players.

I recommend this document as a guide to Political Associations seeking registration as political parties. It will equally serve as a good reference for all registered political parties and other Stakeholders.

**Prof Attahiru M. Jega, OFR**  
**Chairman,**  
Independent National Electoral Commission.  
March, 2014

## **PREAMBLE**

*In exercise of the power conferred on it by the Constitution of the Federal Republic of Nigeria, 1999 (as amended) the Electoral Act 2010 (as amended), the Independent National Electoral Commission, (in these guidelines referred to as the Commission) hereby issues the following guidelines for the registration of political associations as political parties.*

*The applicable laws are Sections 221, 222, 223 and 224, 225 and 227 of the Constitution, Federal Republic of Nigeria, 1999 (as amended) the Electoral Act 2010 (as amended) Sections 78 and 82. Contents of which are reproduced and attached to these Guidelines.*

### **1. DEFINITION OF A POLITICAL ASSOCIATION**

A political association for the propose of these guidelines is defined as an organization or association of persons seeking registration as a political party in order to participate in an election by meeting all prescribed statutory requirements.

### **2. PROCEDURE FOR FILLING APPLICATION**

A political association intending to register as a political party shall first apply to the Commission for Guidelines and Regulations for the Registration of new political party.

The application for registration as a political party shall be made on the Commission's FORM PAI in 50 copies and shall be accompanied by documents showing the following:-

- a) the name of the proposed party;
- b) the names, signatures and residential addresses of the Chairman and Secretary of the association filling the application;

- c) evidence of payment of the prescribed non-refundable administrative fee of N1,000,000.00 in bank draft to the Commission and
- d) fifty (50) copies each of the association's draft Constitution and Manifesto.

### **3. CONDITION FOR REGISTRATION AS POLITICAL PARTY**

No association by whatever name called shall be registered as a political party unless the association submits to the office of the Chairman of the Commission the following;

- a) the names, residential addresses and States of origin respectively of members of its National and State Executive Committees and the records of proceedings of meeting where these Officers were elected;
- b) the minutes of the meeting of members of National Executive Committee indicating approval and adoption of the Name, Constitution, manifesto and Symbol/Logo of the proposed political party;
- c) the name or acronym of the association which must;-
  - (i) not be the same as the name or acronym of an existing party or any known registered political party or too similar as to create confusion/doubt in the mind of an ordinary voter at an election;
  - ii) not have any ethnic, religious, professional or other sectional connotation;

- iii) not give the appearance that its activities are confined to only a certain part of the country;
- d) a register showing that membership is open to every citizen of Nigeria;
- e) a draft copy each of the association's Constitution and Manifesto which must contain among other things:
  - (i) the association's name, symbol or logo, flag, motto, aims and objectives, the distinctive description and interpretation of the symbol or logo;
  - (ii) provisions for periodic elections on democratic basis of the principal officers and members of the Executive Committee or other governing bodies;
  - (iii) provision of an administrative structure for the association;
  - (iv) a provision that the membership of the National Executive or other governing bodies of the association at the National level reflect the Federal Character Principle of the Constitution of Federal Republic of Nigeria, 1999 (as amended);
  - (v) a provision showing that its Constitution and Manifesto conform with the provisions of the 1999 Constitution (as amended), the Electoral Act 2010(as amended) and these Guidelines;
  - (vi) a provision on the Code of Conduct of members;

- (vii) a provision relating to disciplinary procedure of the association stating clearly the method of expelling, replacement, resignation and appointing an ordinary member, party official, political office holder including persons elected into public office on the platform of the association/party;
- (viii) a provision relating to the method of amendment or alteration of the Constitution and
  - (a) any alteration to the registered Constitution of a political party shall not be accepted, unless notice of the meeting at which the alteration was approved is given to the Commission not less than seven days before the meeting;
  - b) every political party shall within 30 days of the alteration, submit the amended Constitution to the Commission;
  - c) fifty (50) copies of all alterations to the Constitution of a political party shall be registered with the Commission;
- ix) a provision stating that the National Headquarters of the association is situated in the Federal Capital Territory;
  - a) a register showing the names, contact addresses, Phone and e-mail of persons in at least 24 states of the Federation and FCT who are members of the association, as listed in Form PAIA;
  - b) maintain a membership register at its National Headquarters, which shall form part of the documents to

be provided for the annual audit by firms appointed by the Commission;

- c) an affidavit sworn to by the Chairman and Secretary of the association to the effect that no member of the National Executive of the association is a member of any other existing party or existing political association.
  
- f) A bank statement indicating the Bank Account into which all income of the proposed political association has been paid and shall continue to be paid and from which all expenses are paid and shall be paid.
  
- g) The address of its Headquarters office in Abuja and the addresses of its offices, list of its staff, list of its operational equipment and furniture in at least 24 States of the Federation as well as:-
  - i) evidence of appointment of each administrative staff listed in Form PA I.
  
  - ii) evidence of lawful/legal occupation of office accommodation.

#### **4. SYMBOL/LOGO/FLAG OF THE ASSOCIATION**

The symbol/Logo or flag of the association must not portray any of the following:-

- i) coat of Arms of the Federation;
  
- ii) coat of Arms of any other country;

- iii) any device or emblem which is normally associated with any of the following:-
  - a) any official Acts of government of Armed Forces of the Federation or Nigeria Police Force or other Uniformed services;
  - b) any tribes or ethnic group; or
  - c) any religion or cult;
  - d) regalia or a Chief etc
- iv) a portrait of any person living or dead;
- v) a symbol/logo which has been registered by another political party in Nigeria or political association or any public organization.

## **5. MEMBERSHIP OF POLITICAL ASSOCIATION SEEKING TO BE REGISTERED AS A POLITICAL PARTY**

A person shall be eligible to be registered as member of political association seeking to be registered as a political party if he/she;

- a) has attained the age of 18 years; and
- b) is not in the Civil Service of the Federation or a State or Local Government Area/Council.
- c) Provided that his membership shall be in his personal capacity and not by reason of being a member of youth club, wing or vanguard etc.

- d) Provided also he is a citizen of Nigeria irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping.

## **6. CONSIDERATION OF APPLICATION FOR REGISTRATION**

On the receipt of the complete documents, (PA 1 and other attached documents) from the political parties wishing to be registered as a political party, the Commission shall consider the application received and verify the claims of the association.

## **7. VERIFICATION OF CLAIMS**

The Commission in verifying the claims of the political association shall among other things:-

- a) check whether the membership contravenes any of the provisions of paragraph 6 of these Guidelines;
- b) ascertain whether:-
  - i) the association has officers in at least 24 States of the Federation and in the Federal Capital Territory as required by paragraph 3 of these Guidelines;
  - ii) the Constitution/ideology and Manifesto of the association comply with the provisions of the Constitution 1999 (as amended) Federal Republic of Nigeria, the Electoral Act 2010(as amended) and these Guidelines;
  - iii) the composition of members of its Executive Committees take into account the Federal Character Principle of the Federation;

- iv) the name, acronym, motto, symbol, or logo do not offend the provisions of the Constitution 1999 FRN (as amended), the Electoral Act 2010 (as amended) and these Guidelines;
- v) the association is structured and committed to the principles of democracy and other social objectives as spelt out in Chapter 2 of the Constitution 1999 FRN (as amended);
- vi) the names and addresses of the National Officers of the association shall be verified and registered by the Commission
- vii) the names and addresses of the National Officers of the association shall be verified and deemed registered when supported with the following documents:-
  - (a) proof of identity of each member with either a valid driver's license, international passport, National Identity Card or Voter's Card.
- viii) indigene certificate confirming that members of the National Executive Committee are indigenes of the States indicated against their names in Form PA I;
  - (b) physical attendance of members of the National Executive Committee during verification;
  - (c) proof of address using a copy of a utility bill bearing the name of the National Officer or Landlord.

## 8. REGISTRATION BY THE COMMISSION

- I Where the Commission is SATISFIED that the association has FULFILLED ALL the CONDITIONS prescribed for registration by the Constitution 1999, Federal Republic of Nigeria (FRN) (as amended), the Electoral Act 2010 (as amended) and these Guidelines, the Commission SHALL REGISTER such political association as a political party.
  
- ii) Where the Commission is NOT SATISFIED that the political association has fulfilled ALL the CONDITIONS prescribed for registration; it SHALL NOT register such political association as a political party BUT SHALL NOTIFY the political association within seven (7) days out of the thirty (30) working days period for registration of political association as political party.
  
- iii) in NOTIFYING the political association the Commission SHALL state in writing the GROUNDS for its refusal to register such political association;
  
- iv) any false declaration shall result in Non-REGISTRATION of a political association as a political party or the WITHDRAWAL of its Certificate of Registration by the Commission;
  
- v) political association shall comply with all statutory registration requirements within thirty (30) working days period from the date it acknowledges the receipt of Form PA I from the Commission;

- vi) the thirty (30) days working period shall include period within which the association may rectify any defect or non-conformity with the statutory requirements. This shall not attract repayment of fresh administrative fee;
- vii) an association whose application is terminated may re-apply with necessary corrections within the thirty (30) working days period without having to pay afresh the N1million administrative fees.

## **9. TERMINATION OF APPLICATION FOR REGISTRATION**

Application by a political association may be terminated under the following conditions:-

- i) where the association fails to submit all documents supporting its application at the expiration of thirty (30) working days from the date it receives Form PA I from the Commission.
- ii) where the Commission determines that the association has failed to comply with the constitutional conditions for registration within thirty (30) working days from the date it submits complete Form PA I and other supporting documents;

**DATED THIS 6TH DAY OF MARCH, 2014**

**Prof Attahiru M. Jega, OFR**  
**Chairman,**  
Independent National Electoral Commission.

## EXTRACTS OF CONSTITUTIONAL REQUIREMENTS FOR REGISTRATION OF NEW POLITICAL PARTIES

**Section 221.** No association, other than a political party, shall canvass for votes for any candidate at any election or contribute to the funds of any political party or to the election expenses of any candidate at an election.

**Section 222.** No association by whatever name called shall function as a political party unless:-

- (a) the names and addresses of its national officers are registered with the Independent National Electoral Commission;
- (b) the membership of the association is open to every citizen of Nigeria irrespective of his place or origin, circumstance of birth, sex, religion or ethnic grouping;
- (c) a copy of its constitution is registered in the principal office of the Independent National Electoral Commission in such form as may be prescribed by the Independent National Electoral Commission;
- (d) any alternation in its registered constitution is also registered in the principal office of the Independent National Electoral Commission within thirty (30) days of the making of such alternation;
- (e) the name of the association, its symbol or logo does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to a part only of the geographical area of Nigeria; and

- (f) the headquarters of the association is situated in the Federal Capital Territory, Abuja.

**Section 223-**

(I) *The Constitution and rules of a political party shall:*

- a) Provide for the periodical election on a democratic basis of the Principal Officers and members of the Executive Committee or other governing body of the political party; and
- b) Ensure that the members of the Executive Committee or other governing body of the political party reflect the Federal Character of Nigeria.

2. *For the purpose of this Section –*

- a) The election of the Officers or Members of the Executive Committee of a political party shall be deemed to be periodical only if it is made at regular intervals not exceeding four (4) years; and
- b) The members of the Executive Committee or other governing body of the political party shall be deemed to reflect the Federal Character of Nigeria only if the members thereof belong to different States not being less in number than two-thirds of all the States of the Federation and the Federal Capital Territory, Abuja.

**Section 224 –** *The programme as well as the aims and objects of a political party shall conform with the provisions of Chapter II of the 1999 Constitution as amended.*

**Section 225 (1)**– Every political party shall, at such times and in such manner as the Independent National Electoral Commission may require, submit to the Independent National Electoral Commission and publish a statement of its assets and liabilities.

(2) Every political party shall submit to the Independent National Electoral Commission a detailed annual statement and analysis of its sources of funds and other assets together with a similar statement of its expenditure in such form as the Commission may 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 remitted or sent to a political party from outside Nigeria shall be paid over or transferred to the Commission within twenty-one days of its receipt with such information as the Commission may require.

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

(6) The powers conferred on the Commission under subsection (4) of this section may be exercised by it through any member of its staff or any person who is an auditor by profession, and who is not a member of a political party.

**Section 226 -**

(1) The Independent National Electoral Commission, shall in every year prepare and submit to the national Assembly a report on the accounts and balance sheet of every political party.

(2) It shall be the duty of the Commission, in preparing its report under this section, to carry out such investigations as will enable it to form an opinion as to whether proper books of accounts and proper records have been kept by any political party, and if the Commission is of the opinion that proper books of accounts have not been kept by a political party, the Commission shall so report.

(3) Every member of the Commission or its duly authorized agent shall –

(a) have a right of access at all times to the books and accounts and vouchers of all political parties; and

(b) be entitled to require from the Officers of the political party such information and explanation which to the best of his knowledge and belief are necessary for the purpose of the investigation, the Commission shall state that fact in its report.

**Section 227** – *No association shall retain, organize, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display of physical force or coercion in promoting any political objective or interest or in such manner as to arouse reasonable apprehension that they are organized and trained or equipped for that purpose.*

## ELECTORAL ACT 2010 (AS AMENDED)

### Section 78. –

(1) “A political association that complies with the provisions of the of the Constitution and this Act for the purposes of registration shall be registered as a political party. **Provided** that such application for registration as a political party shall be duly submitted to the Commission not later than 6 months before a general election”.

(2) “The Commission shall, on receipt of the documents in fulfillment of the conditions stipulated by the Constitution, immediately issue the applicant with a letter of acknowledgment stating that all necessary documents have been submitted to the Commission”

(3) “If the Association has not fulfilled all the conditions under this section, the Commission shall within 30 days from the receipt of its application notify the association in writing stating the reasons for non-registration”.

(4) “A political association that meets the conditions stipulated in the Constitution and this Act shall be registered by the Commission as a political party within 30 days from the date of receipt of the application, and if after the 30 days such association is not registered by the Commission unless the Commission informs the association to the contrary it shall be deemed to have been registered”.

(5) “An association which, through the submission of false or misleading information pursuant to the provisions of this section, procures a certificate of registration shall have such certificate cancelled”

- (6) “An application for registration as a political party shall not be processed unless there is evidence of payment of administrative fee as may be fixed from time to time by the Commission”.
- (7) “The Commission shall have power to de-register political parties on the following grounds –
- (i) breach of any of the requirements for registration; and
  - (ii) for failure to win a seat in the National or State Assembly election”.

## Section 82

- (1) The Commission shall keep a register of symbols for use at elections.
- (2) The Commission shall register the symbols of a political party if it is satisfied that –
- (a) another symbol of the same design is not registered;
  - (b) the symbol is distinctive from any other symbol already registered; and
  - (c) its use will not be offensive or otherwise objectionable.
- (3) The Commission shall remove a symbol from the register of symbols if –
- (a) the political party in whose name it is registered requests the removal; or
  - (b) the Commission is of the opinion that the political party or independent candidate in whose name the symbol is registered has ceased to exist or to use the symbol.
- (4) Nothing in this section shall authorized the allotment or registration for use at any election of a symbol or materials as symbol of a party, if it portrays –

- (a) the Coat of Arms of the Federation;
- (b) the Coat of Arms of any other country;
- (c) a device or emblem which in the opinion of the Commission is normally associated with –
  - (i) the official acts of Government;
  - (ii) any of the Armed Forces of the Federation or the Nigeria Police Force or other uninformed service;
  - (iii) the regalia of a Chief;
  - (iv) any tribe or ethnic group;
  - (v) any religion or cult;
  - (vi) any portrait of a person living or dead, or
- (d) any symbol or part of a symbol which under the provision of this section continues to be registered by another political party.
- (5) Subject to the provisions of this section, the symbol allotted to a political party and in use immediately before the coming into force of this Act shall continue to be available to, and be used by, that political party without payment of the fee.









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