

**EKITI STATE INDEPENDENT
ELECTORAL COMMISSION (THIRD
AMENDMENT) LAW, 2021.**

NO. 13 OF 2021

EKITI STATE OF NIGERIA

**EKITI STATE INDEPENDENT ELECTORAL COMMISSION (THIRD
AMENDMENT) LAW, 2021.**

Arrangement of Sections.

1. Amendment of Ekiti State Independent Electoral Commission Law, CAP E21, Laws of Ekiti State, 2011 (as amended).
2. Amendment of Section 9 (1) (a) of the Principal Law.
3. Amendment of heading of Section 10 of the Principal Law.
4. Amendment of Section 10 of the Principal Law.
5. Insertion of new provision as Section 19 of the Principal Law.
6. Insertion of new provision as Section 20 of the Principal Law.
7. Insertion of new provision as Section 21 of the Principal Law.
8. Insertion of new provision as Section 22 of the Principal Law.
9. Insertion of a Schedule to the Principal Law.
10. Citation.

EKITI STATE INDEPENDENT ELECTORAL COMMISSION (THIRD AMENDMENT) LAW, 2021.

NO. 13 OF 2021

A LAW TO AMEND THE PROVISION FOR THE ESTABLISHMENT OF AN INDEPENDENT ELECTORAL COMMISSION FOR THE STATE, FOR THE PURPOSES OF ORGANISING, CONDUCTING AND SUPERVISING ALL ELECTIONS INTO ALL THE ELECTIVE OFFICES PROVIDED FOR IN THE LOCAL GOVERNMENT LAW, AND FOR OTHER MATTERS INCIDENTAL THERETO.

EKITI STATE OF NIGERIA.

Commencement []

ENACTED BY THE HOUSE OF ASSEMBLY OF EKITI STATE AS FOLLOWS:

Amendment of Ekiti State Independent Electoral Commission Law, Cap E21, Laws of Ekiti State, 2012. **1.** The provisions of the Ekiti State Independent Electoral Commission Law, Cap E21, Laws of Ekiti State, 2012 (as Amended) (in this Law referred to as “the Principal Law”) is amended as set out in this Law.

Functions.

Amendment of Section 9 (1)(a) of the Principal Law **2.** Section 9 (1) (a) of the Principal Law is hereby amended by substituting Section 9 (1) (a) of the Principal Law with a new Section 9 (1) (a) to now read as follows:
Section 9 (1)(a) : *The Commission shall have the duty of-*
(a) (i) *organizing, conducting and supervising all the elections and matters pertaining to elections into all the elective offices in the Local Government Areas and Local Council Development Areas in accordance with the provision of this Law or any other Law(s) enacted by the Ekiti State House of Assembly.*

(ii) in the conduct of elections into the Local Government Areas and Local Council Development Areas in the State, the Commission shall have power to use the existing Voters Register.

(iii) in the conduct of elections into the Local Government Areas and Local Council Development Areas in the State, the Commission shall have power to delimitate additional Wards and/or to re-align Wards where necessary which shall be reviewed on a ten-yearly basis.

Local Government Office.

Amendment of the Heading of Section 10 of Principal Law

3. The Heading of Section 10 of the Principal Law is hereby amended by substituting the heading of Section 10 of the Principal Law with a new heading to now read as follows:

Section 10 - Local Government Office and Local Council Development Office.

Local Government Office and Local Council Development Office.

Amendment of Section 10 of the Principal Law

4. Section 10 of the Principal Law is hereby amended by substituting Section 10 of the Principal Law with a new Section 10 to now read as follows:

Section 10:

(1) There shall be established in each Local Government Area and Local Council Development Area in the State an office of the Commission which shall perform such functions as may be assigned to it, from time to time by the Commission.

(2) There shall be in each Local Government Area and Local Council Development Area, an Electoral Officer who shall be:

(a) a person of unquestionable integrity; and

- (b) not less than 35 years of age*
- (c) appointed by the Commission*

Insertion of a new Section to the Principal Law.

5. The Principal Law is hereby amended by the insertion of a new Section as Section 19 to read as follows:

Section 19: Notice and Date of Election.

- (1) A Ninety (90) Days' Notice of Election shall be issued to the General Public.*
- (2) Election into all Local Government Areas and Local Council Development Areas positions shall be held on the same day as the Commission may have directed above.*
- (3) By-election(s) arising from the General Election shall be held within 14 days from the day of the General Election.*
- (4) The notice shall be published in each ward in respect of which an election or bye-election is to be held.*

Insertion of a new Section to the Principal Law.

6. The Principal Law is hereby amended by the insertion of a new Section as Section 20 to read as follows:

Section 20: Filling of Vacancies.

Election shall be held to fill any vacancy at the Local Government Areas and Local Council Development Areas within 45 days of the declaration of such vacancy by the State Independent Electoral Commission in accordance with this Law.

Insertion of a new Section to the Principal Law.

7. The Principal Law is hereby amended by the insertion of a new Section as Section 21 to read as follows:

Section 21: Death of a Chairmanship or Vice Chairmanship Candidate.

- (1) Where a candidate of a Chairmanship ticket dies during the hours of election or before swearing-in, the surviving candidate shall be allowed to*

complete the process and inherit the electoral result of the joint ticket.

(2) The surviving candidate standing as the Chairmanship Candidate shall, consequent upon victory, nominate a Vice Chairman subject to the approval of the Local Government Area or Local Council Development Area Legislative Arm to fill the vacancy so created.

(3) Where an elected Councilor was nominated and approved as the Vice Chairman, the Commission shall conduct election to fill the vacancy so created in accordance with Section 20 above.

Insertion of a new Section to the Principal Law.

8. The Principal Law is hereby amended by the insertion of a new Section as Section 22 to read as follows:

Section 22: Tenure of Office of Chairmen and Vice Chairmen.

(1) The tenure of office of officials so elected under this Law shall be two years and not more than two (2) terms under any circumstances.

(2) Any candidate so elected under this Law through Bye-election and/or Election tribunal Judgement shall regardless of the date of swearing-in only complete the existing two (2) years' tenure of office.

Insertion of a Schedule to the Principal Law.

9. The Principal Law is hereby amended by adding a Schedule listing the Local Government Areas and Local Council Development Areas as follows:

LOCAL GOVERNMENT AREAS AND LOCAL COUNCIL DEVELOPMENT AREAS, EKITI STATE, NIGERIA

S/N	LOCAL GOVERNMENT	HEADQUARTERS
1.	Ado-Ekiti Local Government	Ayisola-Igirigiri
2.	Ado Central Local Council Development Area	Ijigbo

3.	Ado North Local Council Development Area	Oke-Ila
4.	Ado west Local Council Development Area	Okesha
5.	Ayekire Local Government	Ode-Ekiti
6.	Ajoni Local Council Development Area	Ayedun Ekiti
7.	Araromi Local Council Development Area	Iyin Ekiti
8.	Efon Local Government	Efon-Alaye Ekiti
9.	Ekameta Local Council Development Area	Erinjiyan-Ekiti
10.	Ekiti East Local Government	Omuo-Ekiti
11.	Ekiti South East Local Council Development Area	Isaya Ekiti
12.	Ekiti South West Local Government	Ilawe-Ekiti
13.	Ekiti West Local Government	Aramoko-Ekiti
14.	Emure Local Government	Emure Ekiti
15.	Ero Local Council Development Area	Igogo Ekiti
16.	Gbonyin Local Council Development Area	Aisegba-Ekiti
17.	Ido/osi Local Government	Ido-Ekiti
18.	Ifedara Local Council Development Area	Igbemo-Ekiti
19.	Ifelaju Local Council Development Area	Ilupeju-Ekiti
20.	Ifesowapo Local Council Development Area	Isan Ekiti.
21.	Igara-Odo/Ogotun Local Council Development Area	Oke-Agbe
22.	Ijero Local Government	Ijero-Ekiti

23.	Ikere Ekiti Local Government	Irokin
24.	Ikere West Local Development Area	Anaye
25.	Ikole Local Government	Ikole-Ekiti
26.	Ikole West Local Council Development Area	Ijesa Isu Ekiti
27.	Ilejemeje Local Government	Eda-Oniyo Ekiti
28.	Irede Local Council Development Area	Ipoti-Ekiti
29.	Irepodun/Ifelodun Local Government	Igede-Ekiti
30.	Irewolede Local Council Development Area	Iloro-Ekiti
31.	Ise/Orun Local Government	Ise-Ekiti
32.	Isokan Local Council Development Area	Ifaki-Ekiti
33.	Moba Local Government	Otun-Ekiti
34.	Okemesi/Ido-Ile Local Council Development Area	Okemesi-Ekiti
35.	Oye Local Government	Oye-Ekiti

Citation.

- 10.** This Law may be cited as Ekiti State Independent Electoral Commission (Third Amendment) Law, 2021.