

DELTA STATE INDEPENDENT ELECTORAL COMMISSION, (DSIEC)

GUIDELINES FOR LOCAL GOVERNMENT COUNCIL GENERAL ELECTIONS SCHEDULED

FOR SATURDAY, 6TH JANUARY, 2018.

For the purpose of Local Government Council General Elections scheduled to take place on Saturday, 6th January, 2018, the State Independent Electoral Commission (hereinafter referred to as the "Commission") in exercise of the powers vested in it by law, hereby issues the following guidelines, that is to say:

1. There shall be Local Government Council General Elections as follows:
 - (a) A Chairman shall be elected for each of the Local Government Councils in the State.
 - (b) One Councilor shall be elected for each of the wards in each of the wards in all the LGAs in the State.

Local Government
Council Elections
2. A person shall be eligible to vote at the Local Government Council Election if:
 - (a) he is a citizen of Nigeria and has attained the age of (18) eighteen years;
 - (b) he is ordinarily resident in the ward of the Local Government Area for a period of not less than (12) twelve months prior to the date of election; or is an indigene of the ward of the Local Government Area; and
 - (c) he is registered as a voter in the ward or Local Government Area, and has obtained a Voter's card to be presented at the polling station or Unit on the day of the election;
3. Where a person claims that his name is on the Register of Voters for the polling unit but that his Voter's card is missing or has been destroyed, the Presiding Officer shall if:
 - (a) the name and photograph of the person is found in the Register of Voters for the polling station or unit; and
 - (b) he satisfies himself that the person has not voted earlier in that particular election and is not otherwise impersonating any other person, allows the person to vote.
4. A person shall not be qualified as a candidate to contest Local Government Council Elections if:-
 - (a) he has voluntarily acquired the citizenship of a country other than Nigeria Or has made a declaration of allegiance to such other Country
 - (b) he is under any law in force in any part of Nigeria, adjudged to be a lunatic or is otherwise declared to be of unsound mind;
 - (c) he is under a sentence of death imposed upon him by any court or tribunal in Nigeria or a sentence of imprisonment for fraud (by whatever name called) or for any other offence (other than misdemeanor or simple offence) imposed on him by such Courts or Tribunal:
 - (d) he has been found guilty of contravention of the Code of Conduct Bureau and Tribunal Act, 1989;
 - (e) within a period of less than ten years before the date of an election to the Local Government Council, he has been convicted and sentenced for an offence involving dishonesty.
 - (f) he has been found guilty of an offence involving narcotic drugs or other psychotropic substances under a law in force in Nigeria or elsewhere;
 - (g) he has been adjudged guilty of economic sabotage against

Disqualification from
from contesting the
Elections.

Nigeria, or of treason or treasonable felony or of disruption of public peace or security of Nigeria or any part therein by any Court of law or Tribunal;

- (h) he has been dismissed from the Public Service of the Federation or a State or Local Government or Area Council or from an employment in the private sector;
- (i) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt, under any law in force in any part of Nigeria or any other country;
- (j) being a person employed in the Public or Civil Service of the Federation or of a State or of a Local Government or Area Council, he has not resigned, withdrawn or retired from such employment 30 days before the date of the election;
- (k) he is a member of a secret society;
- (l) he has been indicted for examination malpractice, including presentation of forged or false certificate;
- (m) if he is not a registered voter in his ward.
- (n) He has been elected to such office at two previous elections in the case of Chairman.
- (o) found guilty of an electoral offence under this law.

5. A person shall be qualified to contest the Local Government Council Election if: -

Qualification for contesting an election

- (a) he is a citizen of Nigeria;
- (b) he has been educated up to at least the Secondary School Certificate Level or its equivalent;
- (c) in the case of Councillorship election, he has attained the age of 21 years;
- (d) in the case of Chairmanship election, he has attained the age of 30 years;
- (e) he is ordinarily resident in the ward or constituency in which he intends to contest the election or is an indigene of that ward or constituency;
- (f) he produces evidence of tax payments as and when due for a period of 3 consecutive years immediately preceding the year of the election;
- (g) in the case of councillorship election, he is nominated in writing by 10 persons whose names appear in the Register of Voters for the ward in which he intends to contest the election;
- (h) in the case of Chairmanship election, he is nominated in writing by 5 persons coming from at least two-thirds of all the wards in the Local Government Area where he intends to contest the election whose names appear in the register of voters for their respective wards;
- (i) in the case of councillorship election, he makes to the Commission a payment of the sum of N30, 000 (thirty thousand naira);
- (j) in the case of Chairmanship election, he makes to the Commission a payment of the sum of N50, 000 (fifty thousand naira);
- (k) he is registered as a voter in the Ward in which he intends to contest the election;
- (l) he is a registered member of a registered Political Party and sponsored by it; and
- (m) in the case of the candidate contesting as Chairman, he has nominated from a ward other than his own, another Candidate as his associate who shall occupy the office of Vice – Chairman PROVIDED the provisions of the Law relating to qualifications and disqualifications of Chairman shall also apply to the Vice-Chairman;
- (n) where a person seeking to contest as a candidate is involved in a case that may lead to his being disqualified under this law and the case is

DSIEC Form. 006.

DSIEC Form. 005.

pending before a Court or Tribunal, he may stand as a candidate in the election pending the determination of the case, but if he is found guilty by the Court or Tribunal as the case may be, he shall;

- (a) withdraw from the election; and
- (b) if already elected, ceases to be a Councilor, or Chairman or Vice-Chairman as the case may be.

(1) For the purpose of these Guidelines, a person shall be deemed to be ordinarily resident in the place where he normally lives, sleeps and has his usual abode, whether or not he is an indigene of that place. ordinary residence

(2) for the avoidance of doubt, a person who is ordinarily resident in a place outside his indigenous Local Government Area or outside his State of origin shall be eligible to vote in the place if he has been so ordinarily resident there for not less than 12 months prior to the date of the election.

6. Subject to the provisions of any enactment, Candidates and their Political Parties shall campaign in the Local Government Council Elections in the following manner: -

- (a) campaigns shall be within the Ward or Constituency in which a Candidate intends to contest the election;
- (b) campaigns shall not be allowed within 24 hours preceding the date of the election;
- (c) campaigns or addresses shall be devoted to outlining what the Candidate intends to do for the people of his Ward or Constituency;
- (d) campaigns or addresses shall not be carried out in Schools, Churches, Mosques or other religious places, Military or Police Barracks or Stations, public offices and any other places the Commission may forbid from time to time;
- (e) campaigns or addresses shall not be based on sectional, ethnic or religious sentiments or prejudices;
- (f) bribery or other forms of inducement to voters, either directly or indirectly, shall be avoided by Candidates and their agents;
- and
- (g) Abusive, vile, derogatory or hate language shall not be used during campaigns or addresses.

7. (1) Voting shall be by Open secret ballot and in accordance with the procedures laid down in these guidelines. voting by secret ballot

- (2) voting shall take place on the same day at the same time throughout the State, except in a bye-election as ordered by the Commission.
- (3) Accreditation and voting shall take place simultaneously during the elections.
- (4) The use of Electronic voting for the time being is prohibited.
- (5) Card readers may be used for accreditation if available.

8 (1) Every registered political party shall not later than 30 days before the date appointed for the elections,

deliver to the Commission:

(i) in Form DSIEC 001 a list of candidates the Political Party proposes to sponsor at the election.

(ii) In Form DSIEC 002 the personal particulars of its candidates for

DSIEC Forms 001 &

002

the election as supplied by the candidates; accompanied by an affidavit sworn to at the Delta State High Court or Magistrate Court;

(2) The Commission shall, within 7 days of the receipt of the list of Candidates and their personal particulars from the Political Parties, deliver to the Political Parties:

(a) In Form DSIEC 003 a list of candidates who are adjudged qualified

DSIEC Forms 003 & 004

- to contest the elections; and
- (b). where applicable, in Form DSIEC 004, a separate list of candidates who supplied incomplete particulars.
9. (1) Every Candidate shall, before his nomination paper is delivered to the Commission, deposit or cause to be deposited with the Commission the sum specified herein before in these guidelines, and shall at the time of delivery of the nomination paper produce and show to the Commission the official receipt for the sum. Non-refundable deposit
- (2) No nomination shall be valid unless such is backed by the receipt for the deposit made in accordance with sub-paragraph (1) of this Paragraph. Invalidity of Nomination.
- (3). A Candidate or any person nominating him shall obtain the nomination paper in DSIEC Form 005 or DSIEC Form 006 as the case may be from the place appointed by the Commission for the purpose. Nomination paper.
DSIEC Forms 005 & 006
- (4). A candidate for election shall at the time of submitting the prescribed form, Furnish the Commission with an identifiable address in the Local Government Area where he intends to contest the election at which address all documents and Court processes from either the Commission or any other person shall be served on him. Address for service
10. A candidate may withdraw his candidature by notice in writing signed by him, and delivered by himself, to his Political Party that nominated him for the election and the political party shall forward the original copy of the said letter of withdrawal to the Commission not later than 7 days to the election. Withdrawal of a Candidate.
11. If after the latest time for the delivery of nomination papers and before the commencement of the poll, a nominated sole candidate dies, the Chief Independent Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days. Death of sole candidature
12. If a Nomination Form signed by a candidate and by the persons Nominating him is lodged in more than one Ward or Constituency, his candidature shall be void in each Ward or Constituency. Invalidity of double Nomination.
13. (1) If at the close of the nomination in an election to the office of Chairman:
- (a) one candidate has been nominated, the Commission shall extend the time fixed for nomination or Extension of time for nomination and
uncontested election of the Chairman
- (b) . If a candidate is the only candidate by reason of the withdrawal, incapacitation, disappearance or death of other candidates, the Commission shall extent the time for nomination by 7 days; so, however, that where after the extension only one candidate remains nominated, there shall be no further extension.
- (2) if after the latest time for the delivery of nomination papers, the withdrawal of candidates and the extension of time as provided in sub-paragraphs (1) (a) and (b) of this Section for election to the office of Chairman, only one candidate remains duly nominated, that candidate shall be declared returned unopposed.
- 14.(1) A candidate for an election to the office of the Chairman Contested election

- shall be deemed to have been elected where, there being only two candidates for the election: -
- (a) he has a majority of the lawful votes cast at the election; and
 - (b) he has not less than one quarter of the lawful votes cast at the election in each of at least two-thirds of all the wards in the Local Government Area Council as the case may be; two thirds being an approximation to the nearest whole number.
- (2). If no Candidate is duly elected under this sub-section (1) of this section, the Commission shall within 7 days conduct a second election between the two candidates, and the Candidate who scored a majority of the lawful votes cast at the election shall be deemed duly elected at the election.
- (3). A candidate for an election to the Office of Chairman shall be deemed to have been duly elected where, there being more than two candidates for the election:
- (a) he has the highest number of lawful votes cast at the election, and
 - (b) he has not less than one-quarter of the lawful votes cast at the election in each of at least two-thirds of all the wards in the Local Government Area as the case may be; two third of the wards being an approximation to the nearest whole number of wards.
- (4). If no candidate is duly elected in accordance with sub-section (3) of this Section, there shall be a second election in accordance with sub-Section (5) of this Section at which the only candidate shall be;
- (a) the candidate who scored the highest number of lawful votes at the election held under sub-Section (3) of this Section and;
 - (b) one among the remaining candidates who has the majority of lawful votes in the highest number of wards, so however that where there are more than one candidates, the one among them with the highest number of lawful votes cast at the election shall be the second candidate for the election.
- (5). In default of a Candidate duly elected under the fore-going sub-sections, the Commission shall within 7 days of the result of the election held under the said sub-sections arrange for another election between the two candidates and a candidate at such an election shall be deemed to have been duly elected to the office of Chairman of the local Government Area Council if he has:-
- (a) a majority of the lawful votes cast at the election; and
 - (b) not less than one-quarter of the lawful votes at the election in each of at least two-thirds of the wards in the Local Government Area as the case may be; two thirds of the wards being an approximation to the nearest whole number of wards.
- (6) If no candidate is duly elected under sub-paragraph (5) of this section, arrangement shall be made within 7 days of the result of the previous election for another election between the two candidates specified in sub-section (5) of this section, the Candidate at this last election shall be deemed duly elected to the office of the Chairman of the local Government Council Area if he scores a simple majority of the lawful votes cast at the election.
- (7) If a person duly elected as Chairman dies before taking and subscribing to the Oath of allegiance and Oath of Office, the person elected with him as Vice-Chairman shall be sworn-in as Chairman who shall then nominate and with the approval of a majority of the members of the Local Government Area Legislative Council appoints a new Vice-Chairman.
- (8) Where the Vice-Chairman is appointed from among the Councilors as the new Vice-Chairman, the Commission shall conduct a by-election to fill the vacant seat created in the ward from which the new Vice-Chairman has been appointed.

Death of Chairman
before Oath of Office

(9) Where the persons duly elected as Chairman and Vice-Chairman of a Local Government Area Council dies before taking the Oath of Allegiance and Oath of Office during which period the Council has not been inaugurated the Commission shall within 21 days conduct an election to fill the vacancies.

(10) For the purpose of an election under this paragraph, a Local Government Area shall be regarded as one constituency.

15. If after the expiration of time for the delivery of nomination papers and the withdrawal of candidates for election of Councilors, under this law only one candidate remains duly nominated, that candidate shall be declared returned unopposed. Uncontested election of Councilor
16. If after the expiration of time for the delivery of nomination papers and for withdrawal of candidates for an election to the office of Councilors under this Section, more than one person remains duly nominated, a poll shall be taken in accordance with the provisions of this guidelines. Contested election a Councilor
17. Where a candidate is declared returned unopposed, a certificate of Return shall be issued to him by the Commission and the return shall be published along with the returns of other successful candidates at the election. Issue of certificate of return to persons returned Unopposed.
18. Where no candidate remains nominated in any ward or constituency on the date appointed for the election, the Commission shall fix another date for the election. Lack of nominated Candidate.
19. The result of the poll shall be ascertained by counting the votes cast for each candidate at the election. Ascertainment of result of poll
- 20.(1) For every contested election under these guidelines, a poll shall be taken and Presiding Officer appointed by the Commission shall be in charge of each polling station or unit. Arrangement for contested election
- (2) The Commission shall:
- (a) appoint sufficient number of polling stations or units in each ward or constituency in respect of which a poll is to be taken and allot the voters of the wards or constituencies to the polling stations or units.
21. (1) Each candidate may appoint one person to attend at each polling station or unit in the area for which he is a candidate for the purpose of detecting impersonation. Polling Agent
- (2) Notice in writing of the appointment of Polling Agents stating their names and addresses and the polling stations, or units to which they have been assigned, shall be given by the candidate to the Electoral Officer not later than 7 days before the day fixed for the election.
- (3) If a polling Agent dies or becomes incapable of acting as a Polling Agent, the candidate may appoint another Polling Agent in his place, and shall forthwith give to the Electoral Officer notice in writing of the name and address of the Polling Agent so appointed.
22. (1) The voting at an election shall be conducted in the following manner, that is-
- (a) every voter desiring to record his vote shall present himself to a Poll Clerk at the polling station or unit at which he is entitled to vote and the Poll Clerk shall after satisfying himself that the voter –

- (i) is a person whose name appears on the register of voters
Provided for the polling station and
- (ii) has not already voted

deliver to him ballot papers.

- (b) before delivering the ballot papers to a voter, the Presiding Officer may require the voter to submit to being searched by the Presiding Officer or a person directed by him for the purpose of ensuring that a ballot paper relating to the election is not in his possession and a voter who refuses to submit to a search shall not be entitled to receive the ballot papers.
- (c) a female voter shall not be searched except by a female person,
- (d) for the purpose of satisfying the Poll Clerk as to his entitlement to vote, a voter shall produce to the Poll Clerk a Voter's card issued to the voter during registration of voters.
- (e) immediately before the Poll Clerk delivers the ballot papers to a voter:
 - (i) the ballot papers shall be punched or stamped with an Office stamp provided;
 - (ii) the number, name, address and occupation of the voter as stated in the copy of the register of voters or part of the register of voters, shall be called out.
 - (iii) the number of the voter in the register of voters shall be marked on The counterfoil, and
 - (iv) a mark shall be placed against the number of the voter in the copy of the register of voters or part of the register of voters, to denote that the ballot papers have been received by the voter, but without showing the serial numbers of the ballot papers which have been received.
- (f) a Poll Clerk may, and if required by a candidate or a Polling Agent shall put to any person applying for ballot papers at the time of his application but not afterwards, the following questions or either of them:
 - (i) "Are you the person whose name is on the register of the voters as follows?"
 - (ii) "Have you already voted at the present election at this or any other polling station or unit?"
- (g) a voter shall, on receiving the ballot papers, go immediately into the screened compartment in the polling station or unit and there secretly record his vote by placing his thumbprint against the symbol of the candidate 's Political Party of his choice;
- (h) a voter shall, after recording his votes, come out of the screened compartment and put the ballot papers in the ballot box in full view of the Presiding Officer and all others present;
- (i) a voter shall not record more than one vote in favour of a candidate or place on a ballot paper any writing or mark by which he may be identified.
- (j) a voter who defaces a ballot paper issued to him shall deliver the defaced ballot paper to the Presiding Officer who shall promptly mark the ballot paper as cancelled and issue another ballot to the voter;
- (k) immediately after recording his vote, a voter shall submit to having the finger nail of his left thumb marked with ink sufficiently indelible to leave a mark for a period of approximately ten hours;
- (l) a voter who suffers from blindness or from any other physical disability may be accompanied by such friend or relative as he may choose who shall, after informing the Presiding Officer, be permitted in the presence of the voter alone to place the voter's thumbprint against the voter's candidate of choice;

(2) A vote shall not be recorded by a voter except by his attending in person at the Polling Station and recording his vote in accordance with this section..

23.(1) No voter shall be permitted to vote at a polling station or unit other than the one to which he is allotted.

Voter not permitted to vote in Polling Station

(2) The Presiding Officer shall regulate the admission of voters to the Polling station or unit and shall exclude all other persons except Candidates, Polling Agents, Polling officers and other persons who in his opinion have lawful reason to be admitted.

24. (1) If at the time a person applies for a ballot paper, or after he has so applied and before he has left the Polling Station, a Polling Agent declares to the Presiding Officer that he has reasonable cause to believe that the person has committed the offence of personating and undertakes to substantiate the charge in a court of law, the Presiding officer may order a police officer to arrest that person, and the Presiding Officer's order shall be sufficient authority for the police officer so to do.

(2) A person in respect of whom a Polling Agent makes a declaration in accordance with the provisions of sub-section (1) of this Section shall not, by reason of the declaration, be prevented from voting but the Presiding Officer shall cause the words "protested against for impersonation" to be placed against his name in the marked copy of the register of voters or part of the register of voters.

(3) Where a person against whose name the words specified in sub-section (2) of this section are placed admits to the Presiding Officer that he is not the person he held himself out to be, he shall not be permitted to vote if he has not already voted, and if he has already voted, the Presiding Officer shall make a note of the number of the ballot paper delivered to him and the count being taken, that ballot paper shall be invalid.

(4) A person arrested under the provisions of this Section shall be deemed to be a person taken unto custody by a police officer for an offence in respect of which he may be arrested without warrant.

25. (1) If a person presenting himself to be a voter named in the register of voters applies for a ballot paper after another voter has voted as that person, the person shall, on giving satisfactory answers to the questions set out in section 22. (1) herein before, be entitled, if he wishes, to receive a ballot paper in the same manner as any other voter.

Tendered ballot paper

(2) A ballot paper, received under sub-section (1) of this section (in this Section referred to as a "tendered ballot paper") shall, instead of being put into a ballot box

(a) be given to the Presiding Officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in one of a number of separate packers, each of which shall correspond to and bear the same mark as one of the ballot boxes provided and shall not be counted by the Presiding Officer.

(3) The name of the voter and his number on the register of voters shall be entered on a list to be called "the tendered voters list" and this list shall be admissible in any legal proceeding arising out of the election.

26.(1) The Presiding Officer shall ensure compliance with the provisions of this

Conduct in the Polling

- Law at the polling station or unit. Station
- (2) If a person misconducts himself in a polling station or unit, or fails to obey a lawful order of the Presiding Officer, the Presiding Officer may order the person to be removed from the polling station or unit by any police or by any other person authorized in writing by the Presiding Officer in that behalf.
- (3) A person so removed shall not without the permission of the Presiding Officer again enter the polling station or unit during the day of the election and if charged with the commission of an offence in that station, the person shall be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without warrant.
- (4) The provisions of sub-section (3) of this section shall not be enforced so as to prevent a voter who is otherwise entitled to vote at a polling station or unit from having an opportunity of voting.
- 27(1) When the proceedings at a polling station or unit are interrupted or in obstructed by riot or violence, the Presiding officer may adjourn the proceedings till the following day and shall forthwith give notice of the adjournment to the Electoral Officer. Adjournment of poll
case of riot.
- (2) when the poll is adjourned at a polling station or unit, the hours of polling on the day to which it is adjourned shall be the same as for the original day.
28. When the prescribed hour for the closing of the poll has been reached, the Presiding Officer shall declare the poll closed and no more persons shall be admitted to the polling station or unit, but those persons already inside the polling station or unit shall be permitted to vote. Closing of Poll
- 29.(1) The Presiding Officer shall, after the close of poll, open the ballot box and empty its contents in the presence of the Polling Clerk, Poll Orderly, candidates or their Agents and begin to count the votes with the ballot papers kept face upwards. Counting of votes
- (2) During the counting of votes all rejected ballot papers shall be put in a special envelope.
- (3) The votes scored by each candidates shall be entered in statement of result Form as in Form DSIEC 008 & 009 which shall be signed and stamped by the Presiding Officer and endorsed by the candidates or their Agents, where available, at the polling station or unit. Form DSIEC. 008 and 009
- (4) The Presiding Officers shall give a copy of the statement of result form to the police officer, if any, at the polling station or unit and take the original copy to the Returning Officer at the Ward Collation Centre together with the ballot boxes, the relevant envelopes and all other election materials including the stamp, stamp pad and endorsing ink.
- (5) The result of the Councillorship election shall at the Ward Collation Centre be entered in Form DSIEC 011 and announced by the Ward Returning Officer. Form DSIEC 011
- (6) The result of the Chairmanship election shall at the Ward Collation Centre be entered in Form DSIEC 010 by the Ward Returning Officer and taken to the Local government Collation Centre. Form DSIEC 010
- (7) The result of the Chairmanship election shall at the Local Government Collation Centre be entered in Form DSIEC 012 and announced by the Returning Officer. Form DSIEC 012
- (8) Subject to sub-section (9) of this section, a ballot paper which does not bear the official mark shall not be counted.
- (9) If the Returning Officer is satisfied that a ballot paper which does not bear the official mark was from a booklet of ballot papers which was furnished to the Presiding Officer of the polling station or unit in which the vote was cast for use at the election in question, he shall, notwithstanding the absence of

the official mark, count that ballot paper.

30. (1) The Presiding Officer shall endorse the word “rejected” on a ballot paper rejected under the provisions of section 29 hereof and that ballot paper shall not be counted. Endorsement by Presiding Officers
- (2) If an objection to the decision of the Presiding Officer is made by a candidate or his agent, the Presiding Officer shall add to the endorsement the words “rejected objected to”
31. (1) The Presiding Officer shall prepare a statement showing the number of ballot papers rejected and shall on request allow a candidate or his agent to copy the statement. Statement of rejected ballot paper
- (2) No candidate or his agent shall record the serial number of a rejected ballot paper which he sees during counting
32. The decision of the returning Officer to a question arising in respect of a ballot paper shall be final, and shall be subject to review only in an election petition questioning the election. Returning Officer’s decision
33. A candidate or his agent may, if present at the Polling Station or Unit when the counting of votes is completed by the Presiding Officer, demand to have the votes recounted, but the Presiding Officer may refuse to do so, if, in his opinion, the demand is unreasonable. Recount
34. When there is an equality of votes between candidates so that the addition of a vote would entitle any one of the candidates to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote, and shall declare that candidate to be elected. Equality of votes
35. The Returning Officer shall record the results scored by the Candidates in a Declaration of Result forms DSIEC 013 for Chairman and 014 for Councilor. DSIEC Forms 013 & 014
36. The Returning Officer shall cause to be posted at the office of the Local Government Council concerned a copy of the notice of the result of the elections in the Local Government Area. Publication of result of election
37. The Returning Officer shall deliver all documents relating to the conduct of the election to the Chief Electoral Officer who shall ensure their safe custody. Custody of document
38. A Poll Clerk may be authorized by the Presiding officer to do an act which the Presiding officer is required or authorized to do at a polling station or unit except that he may not order the arrest of a person, or the exclusion or removal of a person from the polling station or unit.
39. Where in this guidelines an act or a thing is required or authorized to be done by or in the presence of the agent of the candidates, the non-attendance of an agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise properly done, invalidate the act or thing done. Non-attendance of agents not to invalidate proceedings
40. A sealed Certificate of Return at an election shall be issued in DSIEC Forms 015 for Chairman and DSIEC 016 for Councillor within 7 days to every candidate who has won an election under this law. Sealed Certificate of Return to be issued

41 (1) Disputes arising from the elections shall be resolved through an election petition brought before an Election Petition Tribunal which shall be duly established for the purpose.

Resolution of
election disputes

(2) Election Petitions shall be presented within 21 days from the date of the declaration of results of the election.

DATED at Asaba this3rd day ofOctober, 2017.

NOTE: These guidelines apply generally to Local Government General Elections in the State.

**CHIEF MIKE OGBODU,
CHAIRMAN,
DELTA STATE INDEPENDENT ELECTORAL COMMISSION, ASABA.**

