

LAGOS STATE UNIVERSITY LAW STUDENTS SOCIETY ELECTORAL GUIDELINES LAW

A Law to make provisions for Election matters, including conduct of elections and election guidelines.

ARRANGEMENT OF SECTIONS

CHAPTER I

- Section 1- The Committee
- Section 2- Functions of the Committee
- Section 3- Expenditure
- Section 4- Registration of Voters

CHAPTER II

- Section 5- Days of Election
- Section 6- When Poll is required
- Section 7- Withdrawal by Candidates
- Section 8- Polling Agents

CHAPTER III

- Section 9- Election Petition
- Section 10- Campaigns
- Section 11- Election Procedure
- Section 12- Close of Poll
- Section 13- Counting of Votes
- Section 14- Declaration/Announcement/Publication of Results
- Section 15- Certificate of Return
- Section 16- Oath
- Section 17- Electoral Offenses

CHAPTER IV

- Section 18- Abbreviation
- Section 19- Interpretation
- Section 20- Citation and commencement

CHAPTER I

The Committee

1. The Electoral Committee(a) shall be a independent corporate body with perpetual succession; and (b) may sue and be sued in its name.

2. Functions of the Committee

(1)The Committee shall have power to:(a) conduct proper election.

(b) organize screening for all candidates contesting an election (c) conduct any referendum required to be conducted pursuant to the provision of the LASULAWS Constitution or any other law of the LASULAWS Students Representative Council;

(d) provide suitable boxes, papers and such other necessary items for the conduct of elections.

(e) Power to publish result of screened candidates 48 hours before the election.

(f) Shall not exceed seventy percentage (70%) of the total income generated in the cause of the election

(2) the committee shall have power to create an election timetable, and the election timetable shall be made public within three days of its constitution.

(3) the committee shall have power to make additional electoral regulations, and those regulations to be made by the committee shall be made not later than 7 working days to the election.

3. Expenditure

(1) The Committee shall have power to embark on sale of expression of interest forms and shall have power to fix modest and reasonable fees as cost for such forms.

(2) The Committee shall have power to embark on spendings for

a) purchase of necessary materials for the conduct of elections;

b) maintenance of election materials purchased by or vested in the committee;

c) remuneration of its members;

d) performing any such other functions as stipulated under this law or the LASULAWS constitution or reasonably incidental to the performance of its duties.

(3) The Committee shall publish and submit its budget within 5 working days after its appointment to the House.

(4) document all its income and expenditure in the course of organizing any form of elections and shall produce same upon request by the Students Representative Council or Students Judicial Council or any other body wielding such authority.

(5) The Committee shall submit to the Students Representative Council not later than one week after the conclusion of Elections a comprehensive report on its expenditure and income (including payments to the Committee).

4. Registration of Voters

(1) The committee shall make provisions for registration of voters on the day of election.

(2) A Person shall be qualified to register as a voter and subsequently vote in Election if such a person-

(a) is a member of the society as defined in the LASULAWS Constitution, save the bye-election for 100 Level Student Representative Council Honourables;

(b) presents himself/herself to register as a voter and to vote in the Election;

(c) is not subject to any legal incapacity to vote under any law, rule or regulation in force in the Society or the Lagos State University as a whole.

(3) Prospective Voters shall register with the Committee as required and shall provide such necessary document(s) namely:

(a) Valid School I.D Card; or

(b) Course Registration Form; and/or

(c) any such document(s) as may be announced by the Committee prior to the Election.

(4) The Committee shall prepare documents:

(a) containing the names of all voters in the election specifying their level, gender, matriculation number and other necessary informations;

(b) containing all the figures of votes in the election;

- (c) containing the names of all persons who picked up the expression of interest forms;
 - (d) containing the names of all contestants in the election.
- (5) The Committee shall transmit signed copies of the documents mentioned in subsection (4) above and such other documents as it may have kept to the Students Representative Council.

CHAPTER II

5. Days of Election

- (1) The Committee shall, not later than 1 day before the day of the election, cause to be published, in such manner as it may deem fit, a notice specifying -
- (a) the day and hours fixed for the poll;
 - (b) the persons entitled to vote; and
 - (c) the election venue.
- (2) Election to the Students Representative Council shall hold on a date to be appointed by the Committee in accordance with the LASULAWS Constitution and this Law.(3) The date mentioned in subsection (2) of this section shall be within 15 working days of the constitution of the committee. (4) Elections to the Students Executive Council shall be held on a date to be appointed by the Committee in accordance with the Constitution and this Law.(5) The date mentioned in subsection (4) of this section shall be within 15 working days of the constitution of the Committee.
- (6) In the event of an emergency affecting an election, the Committee shall, as far as possible, ensure that persons displaced as a result of the emergency are not disenfranchised;(7) Where a date has been appointed for the holding of an election, and there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or it is impossible to conduct the elections as a result of natural disasters or other emergencies, the Committee may postpone the election and shall appoint another date for the holding of the postponed election, provided that:
- (a) such reason for the postponement is cogent, apparent and verifiable
 - (b) such postponement shall not exceed the 15 working days stipulation of this Law
 - (c) such postponement is agreed to by 3/4 of contestants in the election to the Students Executive Council and 3/4 of contestants in the election of the Students Representative Council
 - (d) if the provision of paragraph (b) above is impracticable, an order of the competent Students Judicial Council court must be obtained

6. When poll is required

A poll shall take place in accordance with this law in the case of an election where the position is contested for.

7. Withdrawal by Candidates

- (1) A candidate may withdraw his candidature by notice in writing signed by him and delivered by himself to the Committee not later than 2 days to the Election and he shall convey such withdrawal to the public not later than 1 day to the election.
- (2) Subject to the provisions of this law and the constitution, an aspirant is assumed to have withdrawn from an election if he/she fails to submit his form at the stipulated time.

8. Polling Agents

- (1) Each Candidate may, by notice in writing addressed to the Committee appoint a polling agent, and in such notice set out the name, level and matriculation number of the polling agent at least 1 day before the date fixed for the election, and the committee shall cause the polling agent to enter a register of polling agents for the election.PROVIDED that no person presently holding a political office shall serve as a polling agent of any candidate. (2) Notwithstanding the requirement of subsection (1) of this section, a candidate shall not be precluded from doing any act or thing which he has appointed a polling agent to do on his behalf in this Law.
- (3) Where in this Law, an act or thing is required or authorized to be done by or in the presence of a polling agent, the non-attendance of the Polling Agent at the time and place appointed for

the act or thing or refusal by the Polling Agent to do the act or thing shall not, if the act or thing is otherwise done properly, invalidate the act or thing.

(4) The Polling Agents of Aspirants shall be entitled to be present at the placement or distribution of election materials, voting, counting, collation and the announcement of election results.

(3) The Committee shall, before the commencement of voting in each election, provide all election materials for the conduct of such election at the election venue.

CHAPTER III

9. Election Petition

No election under this Law shall be questioned in any manner other than by a petition complaining of an undue election (in this Law referred to as an “election petition”) presented to the competent committee, tribunal or court in accordance with the provisions of the LASULAWS Constitution or of this Law, and in which the person elected is joined as a party.

10. Campaigns.

(1) A candidate shall campaign for the elections in accordance with the LASULAWS Constitution, this law and such other rules and regulations as may be determined by the Committee.(2) Society apparatus, including official social media pages, shall not be employed to the advantage or disadvantage of any candidate at any election

(3) All forms of campaigns by Aspirants shall be in a well mannered and cultured way devoid of any harassment, intimidation and contradiction to any provisions of this law or the constitution.

(4) All form of campaigns shall end 24 hours before voting.11. Election ***Procedure***

(1) At the hour fixed for opening of the poll, before the commencement of voting, the Presiding Officer shall open the empty ballot box and show same to such persons as may lawfully be present at the Election Venue and shall then close and seal the box in such manner as to prevent its being opened by an unauthorized person(s).(2) The ballot box shall then be placed in full view of all present, and be so maintained until the close of poll.

(3) Voting at an election under this Law shall be by open secret ballot.(4) Voting at an election under this Law shall be in accordance with the procedure determined by the LASULAWS Constitution, this law or the Committee, as the case may be.(5) A voter on receiving a ballot paper shall mark it in the manner prescribed by the Committee.(6) All ballots at an election under this Law at any polling station shall be deposited in the ballot box in the open view of the public or polling agents.

(7) The Committee may take reasonable steps to ensure that voters with disabilities are assisted at the Election Venue by necessary and possible means.

(8). No voter shall record his vote otherwise than by personally attending at the Polling unit and recording his vote in the manner prescribed by the Committee.

12. Close of Poll

At the prescribed hour for the close of poll, the Presiding Officer shall declare the poll closed and no more person shall be admitted into the Election Venue and only those already inside the Election Venue shall be allowed to vote.

13. Counting of Votes

(1)The Presiding Officer shall count the votes publicly

(2) A candidate or a Polling Agent may, where present at the Election Venue, when counting of votes is completed by the Presiding Officer, demand to have the votes recounted provided that the Presiding Officer shall cause the votes to be so recounted only once.

(3) Where two or more candidates, upon counting of Votes, poll equal number of votes being the highest in an election, the Returning Officer shall not return any of the candidates and a fresh election shall be held for the candidates on a date to be appointed by the Commission, not exceeding two working days after the initial election.

14.Declaration/Announcement/Publication of Results

(1) In an election to the Students Executive Council the result shall be ascertained by counting the votes cast for each candidate and subject to the provisions of the LASULAWS Constitution, the candidate that receives the highest number of votes shall be declared elected by the

appropriate Electoral Officer.

(2) If after the expiration of time for expression of interest and withdrawal of candidates as provided for in this Law there is only one person contesting in respect of an election to offices in the Students Executive Council, that person shall be declared elected.

(3) Where a person is declared elected, same will be properly documented.

(4) The results of all elections shall be announced:

(a) publicly, in a place communicated to the electorates.

(b) by the Chief Electoral Officer (Chairman of the Committee) or any other electoral officer so appointed by the committee. (5) The Committee shall cause to be posted on official media platforms, a notice showing the candidates at the election and their scores; and the person declared as elected or returned at the election.

15. Certificate of return

A sealed Certificate of Return at an election in the prescribed form in the first schedule to this law shall be issued within 3 working days to every candidate who has won an election under this Law

PROVIDED that where the Election Petition Committee or LASUSU Court of Appeal being the final Appellate Court in any election petition as the case may be nullifies the Certificate of Return of any candidate, the Committee shall within 36 hours after the receipt of the order of such Court, issue the successful candidate with a Certificate of Return

16. Oath

(1) All members of the committee taking part in the conduct of an election shall affirm or swear before the Students Representative Council an Oath of Neutrality as in the second schedule to this Law at the time of the inauguration of the committee. (2) All members of the committee taking part in the conduct of an election shall affirm or swear to an Oath of Loyalty and Neutrality indicating that they would not accept bribe or gratification from any person, shall not influence voting or the election in any way, and shall perform their functions and duties impartially and in the interests of the Society without fear or favour, and where the provisions of this section and/or this law is contravened by any member of the committee, such person shall be liable upon conviction to a punishment to be determined by the Lagos State University Students Union Students Judicial Council.

17. Electoral Offenses

(1) Any Person who-

(a) registers to vote more than once in an election

(b) votes for more than one candidate or records more than one vote in favour of any candidate at any one election.

(c) disrupts, or attempts to disrupt, the conduct of an election

(d) votes with document(s) belonging to another person

(e) by duress, including threats of any kind, causes or induces any person or persons generally to refrain from registering as a voter or voters

(f) in any way hinders another person from registering as a voter

(g) by himself or any other person procures the registration of a fictitious person or another person or votes on behalf of a fictitious person or another person

(h) votes or attempts to vote at an election knowing that he is not qualified to vote at the election

(i) induces or procures any other person to vote at an election knowing that such other person is not qualified to vote at the election

(j) commits the offence of impersonation or who aids, abets, counsels or procures the commission of that offence

(k) conspires to make false declaration of result of an election

(l) announces or publishes an election result knowing same to be false or which is at variance with the signed certificate of return

commits an offense and is liable on conviction to punishment as may be determined by the Lagos State University Students Union Students Judicial Council

(2) Any Candidate who-

(a) campaigns or uses a slogan in an abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings.

(b) employs abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions from the LASULAWS Public or a fellow candidate(c) directly or indirectly threatens any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a candidate

has contravened electoral guidelines and may be disqualified from the Election if the Committee so finds.

CHAPTER IV

18. Abbreviation

In this Law, LASULAWS means Law Students Society of the Lagos State University

19. Interpretation

In this Law,

(1) the Committee means the Independent Electoral Committee

(2) society means LASULAWS

(3) bye election of 100 Level Students Representative Council Honourables means the bye-election conducted for the 100 Level, after the normal general elections, before due matriculation of the 100 Level Students

(4) polling agent means a person overseeing an election on behalf of a candidate

(5) ballot paper means a slip of paper, provided by the committee, used to register a vote.

20. Citation and Commencement

This Law may be cited as the **LASULAWS Electoral Guidelines Law, 2022** and comes into effect this _____ day of _____, 2022 upon its fulfillment of the law making procedure enshrined in the LASULAWS Constitution.

Signatures

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Rt Hon. Desmond Aderinsola Comr. Seyi Akande. Hon. Balogun Habeedah

(Senate President)

(President).

Chairman Standing Order and Bills