



ELECTORAL COMMITTEE OF THE NIGERIAN BAR ASSOCIATION

ECNBA Secretariat, 1st Floor, Abuja Chamber of Commerce and Industry, Abuja Trade & Convention Centre, KM 8 Umaru
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2022 ELECTIONS OF NATIONAL OFFICERS OF THE NIGERIAN BAR ASSOCIATION (NBA) AND NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR

GUIDELINES FOR THE 2022 ELECTIONS OF NATIONAL OFFICERS OF THE NBA AND NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR

1.0 APPOINTMENT /CONSTITUTION OF THE ECNBA

1.1 At the National Executive Council (“NEC”) meeting of the NBA held on Thursday, 16 December 2021, in Abeokuta, Ogun State, a five-man Electoral Committee of the Nigerian Bar Association (ECNBA) was appointed pursuant to *Section 10* and the second schedule of the Constitution of the NBA 2015 as amended in 2021 (“The Constitution”). The Committee consists of:

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|-------------------------------|---|-----------|
| 1. Mr. Ayodele Akintunde, SAN | – | Chairman |
| 2. Ms. Mabel Ekeke | – | Secretary |
| 3. Prof. Chidi Odinkalu | – | Member |
| 4. Ms. Aisha Ado-Abdulahi | – | Member |
| 5. Mr. Basil Udotai | – | Member |

The President of the NBA, - Mr. Olumide Akpata inaugurated the Committee on Monday, 24 January 2022.

1.2 The ECNBA is mandated to conduct election to National Offices and election of the Representatives of the Association in the General Council of the Bar by the provisions of *Section 10* and the Second Schedule of the Constitution.

1.3 Consequently, in accordance with *Section 10* and the Second Schedule of the Constitution, the ECNBA hereby issues the following Rules and Guidelines governing the conduct of the 2022 election to National Offices and election of the representatives of the Association in the General Council of the Bar.

2.0 OFFICES TO BE CONTESTED FOR IN THE ELECTIONS OF NATIONAL OFFICERS OF THE NBA AND NBA REPRESENTATIVES TO GENERAL COUNCIL OF THE BAR

2.1 As specified in the Preliminary Notice of Elections dated 17 March 2022 issued by the ECNBA (ECNBA's Preliminary Notice), the underlisted National Offices will be contested at the elections pursuant to *Section 9* of the Constitution:

- a. The President.
- b. The First Vice-President.
- c. The Second Vice-President.
- d. The Third Vice-President.
- e. The General Secretary.
- f. The Assistant General Secretary.
- g. The Treasurer.
- h. The Welfare Secretary.
- i. The Publicity Secretary.
- j. The Assistant Publicity Secretary.

2.2 The twenty (20) members representing the Association in the General Council of the Bar who shall be elected for a term of two (2) years and shall only be eligible for re-election for another term of two (2) years, provided that at least seven (7) of them shall be members of not less than ten (10) years post-call, pursuant to with *Section 10 (7)* of the Constitution.

3.0 ZONING OF OFFICES

3.1 ECNBA's Preliminary Notice has set out the zoning prescription for the purpose of election of National Officers for the 2022 elections in accordance with the provisions of *Part IV(1), (2), (3), (4) and (5)*, Second Schedule of the Constitution. The same is reproduced below:

S/N	OFFICE	ZONE
1	President	Northern Zone
2	First Vice-President	Northern Zone
3	Second Vice-President	Eastern Zone
4	Third Vice-President	Western Zone
5	General Secretary	Western Zone
6	Assistant General Secretary	Not Zoned

7	Treasurer	Not Zoned
8	Welfare Secretary	Not Zoned
9	Publicity Secretary	Not Zoned
10	Assistant Publicity Secretary	Not Zoned

3.2 For the election of NBA Representatives to the General Council of the Bar, the zoning principle prescribed in *Part V(2)*, Second Schedule of the Constitution shall apply as follows:

S/N	Zone	Number of Representatives
1	Northern Zone	Not less than 6
2	Eastern Zone	Not less than 6
3	Western Zone	Not less than 6

3.3 The States comprising the respective zones specified in *Part IV (1), (5) (a), (b) and (c)*, Second Schedule of the Constitution are as follows:

- i. Northern Zone: Adamawa, Bauchi, Benue, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Nasarawa, Niger, Plateau, Sokoto, Taraba, Yobe, Zamfara and FCT-Abuja.
- ii. Eastern Zone: Abia, Akwa Ibom, Anambra, Bayelsa, Cross River, Ebonyi, Enugu, Imo, and Rivers State.
- iii. Western Zone: Delta, Edo, Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo.

3.4 The remaining two (2) NBA Representatives to be elected to the General Council of the Bar shall be the two (2) candidates with the highest number of votes from two (2) of the three (3) geographical zones after the election of the eighteen (18) NBA Representatives to the General Council of the Bar in accordance with *Part V (2)*, Second Schedule of the Constitution.

4.0 ELECTION DATE

4.1 The 2022 elections of National Officers of the NBA and NBA Representatives to the General Council of the Bar shall be by universal suffrage and electronic voting, in accordance with *Section 10(6)* of the Constitution commencing from 00:00 hours to 23:59 hours on Saturday, 16 July 2022.

5.0 QUALIFICATIONS TO HOLD NATIONAL OFFICE

5.1 By virtue of *Section 9(3)* of the Constitution, a member of the Association shall be qualified to hold a National Office if he/she:

- a. is a full member of the Association and has paid, as at the date of his/her nomination, his/her Practicing Fees, and Branch Dues, as and when due, for three (3) consecutive years inclusive of the year of election.
 - b. with respect to the offices of the President, 1st Vice-President and General Secretary, is in private legal practice.
 - c. has at any time prior to his/her nomination been a member of the National Executive Council or the Executive Committee of a Branch or Section or Forum as indicated hereunder:
 - i. for contestants for the offices of President, Vice-Presidents, and General Secretary – he/she shall have been a member of the National Executive Council for not less than two (2) years at the time of nomination.
 - ii. for contestants for the offices of Treasurer, Publicity Secretary and Welfare Secretary - he/she shall have been a member of the National Executive Council or the Executive Committee of a Branch or Section or Forum for not less than two (2) years at the time of nomination.
 - iii. for contestants for the offices of Assistant General Secretary and Assistant Publicity Secretary- he/she shall have been a member of the Executive Committee of a Branch or Section or Forum for not less than two (2) years, at the time of nomination.
 - d. has satisfied the post-call enrolment requirement specified hereunder:
 - i. President, First Vice-President, Second Vice-President, Third Vice-President, and General Secretary – not less than fifteen (15) years post-call.
 - ii. Treasurer, Publicity Secretary, and Welfare Secretary – not less than ten (10) years post-call.
 - iii. Assistant General Secretary and Assistant Publicity Secretary – not less than five (5) years post-call.
- 5.2 In reckoning years of post-call, a person shall be regarded as having attained a year post-call on each succeeding anniversary of his/her call to the Bar and not sooner.
- 5.3 The National Officers, and in particular, the President and the General Secretary, must be persons with proven integrity, administrative skills, and experience and with demonstrable capacity to serve without expecting or having consideration for pecuniary rewards and/or remuneration.
- 5.4 No serving President or other National Officer shall canvass or solicit for appointment in government; and if offered such appointment, must decline, otherwise, he/she shall be

deemed guilty of professional misconduct, and shall not attend or speak at any meeting of the Association; Provided that the provisions of this sub-section shall not apply to members of the Association who are serving as representatives of the Association in any Commission, Agency or other Executive Bodies established under the Constitution of the Federal Republic of Nigeria as well as members serving as non-executive directors of Statutory Corporations and Government-owned Companies.

5.5 Pursuant to *Part IV (10)*, Second Schedule of the Constitution, a candidate for any elective national office, shall be nominated or proposed in writing by a member and seconded by another, both of whom shall be qualified like the candidate in accordance with the provisions of the Constitution for the equivalent office, and shall have paid their practicing fees and Branch dues.

6.0 QUALIFICATIONS TO HOLD OFFICE AS NBA REPRESENTATIVE TO THE GENERAL COUNCIL OF THE BAR

6.1 The Twenty (20) members representing the Association in the General Council of the Bar shall be elected for a term of two (2) years and shall only be eligible for re-election for another term of two (2) years; Provided that at least seven (7) of them shall be members of not less than ten (10) years post-call as specified in *Section 10 (7)* of the Constitution.

6.2 Pursuant to *Part V(5)*, Second Schedule of the Constitution, a candidate for election as Representative to the General Council of the Bar, shall be nominated or proposed in writing by a member and seconded by another, both of whom shall be qualified like the candidate in accordance with the provisions of the Constitution for the equivalent office, and shall have paid their practicing fees and Branch dues.

7.0 DISQUALIFICATION OF CANDIDATES TO HOLD OFFICE AS NATIONAL OFFICERS OR AS NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR

7.1 Pursuant to *Section 9(4)* of the Constitution, a member shall not be qualified to hold any national office in the Association if during election campaigns:

- a. There is evidence that he/she is sponsored by or has received any financial assistance or inducement from any government of the Federation, public or private organizations or bodies corporate.
- b. He/she sponsors or is associated with sponsoring a Newspaper or Magazine article or any electronic broadcast vilifying other candidates or extolling a candidate's virtues.

- c. Any member who has held an elective office as a national officer for two (2) terms shall not be eligible to contest for a national office until at least ten (10) years after his/her last term of office.

7.2 *Part IV (12), (13), (14), (15) and Part V (8), (9), (10) and (11)*, Second Schedule of the Constitution prohibits the following:

- (12) The publication, printing or distribution of any campaign material, gifts, and any form of souvenir whatsoever by a candidate or his/her supporter(s) is hereby prohibited and any candidate who contravenes this provision shall be disqualified from being voted for.
- (13) Any form of donations and philanthropic gestures by candidates seeking election into any national office during the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election.
- (14) All Branches, Sections, and Fora are prohibited from soliciting contributions, donations or sponsorship from candidates seeking election into any national office during the election year.
- (15) Any form of financial inducement including paying annual practicing fees or branch dues for lawyers to curry favour from voters or for any reason whatsoever by candidates and their supporters in the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election. PROVIDED that any such payment of Bar Practicing Fees and branch dues by the candidate for lawyers who are in his/her direct employment shall not be construed as financial inducement.

7.3 Pursuant to *Part VIII* of the Second Schedule of the Constitution, a member shall not be eligible for election as a National Officer or Representative to the General Council of the Bar if he/she:

- (a) is not a Nigerian Citizen;
- (b) is a member of a political party in Nigeria;
- (c) has been adjudged bankrupt or has made a compromise or arrangement with his creditors;
- (d) is adjudged mentally unfit to take up the position by a competent medical authority;
- (e) has been convicted of a crime by a court of competent jurisdiction or has been found guilty of misconduct or professional impropriety by the Legal Practitioners Disciplinary Committee.

8.0 NOMINATION OF CANDIDATES FOR ELECTION OF NATIONAL OFFICERS AND ELECTION OF NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR

- 8.1 Nomination Forms for election of National Officers of the NBA and/or election of NBA Representatives to the General Council of the Bar shall be available for collection at the ECNBA Secretariat, 1st Floor, Abuja Chamber of Commerce and Industry, Abuja Trade & Convention Centre, KM 8 Umaru Musa Yar’adua Express Way, (Airport Road), Abuja. The Nomination Forms can also be downloaded online from the NBA website: www.nigerianbar.org.ng or the ECNBA website: www.ecnba.ng as from 08:00 hours on Monday, 21 March 2022. Submission of completed Nomination Forms and accompanying documents shall CLOSE at 16:00 hours on Friday, 15 April 2022.
- 8.2 All duly completed Nomination Forms should be submitted physically in sealed envelopes clearly marked: ECNBA 2022 or by a reputable courier company **NOT LATER THAN** 16:00 hours on Friday, 15 April 2022, and addressed to:

The Secretary,
Electoral Committee of the Nigerian Bar Association
ECNBA Secretariat, 1st Floor, Abuja Chamber of Commerce and Industry,
Abuja Trade & Convention Centre, KM 8 Umaru Musa Yar’adua Express
Way, (Airport Road), Abuja.

- 8.3 Any unsealed envelope would be rejected and once submitted, the forms cannot be retrieved.
- 8.4 A candidate for election may wish to send Notification of submission of the Nomination Forms to the Secretary of the ECNBA by e-mail: info@ecnba.ng upon confirmation of the handover of the hard copies to the address above.

9.0 APPEALS BY DISQUALIFIED CANDIDATES

- 9.1 *Part IX (1), (2), and (3)*, Second Schedule to the Constitution provides that:

- (1) Any candidate who is disqualified by the ECNBA in respect of his nomination or candidature, may within seven days of the communication of the decision, appeal to the Election Appeal Committee.
- (2) The Election Appeal Committee, shall upon receipt of an appeal lodged by a candidate in the manner stated above, hear the appeal, and make a decision thereon within fourteen (14) days thereof. Such hearing may be based on documents only, or by physical hearing or hearing via electronic medium.

- (3) The decision of the Election Appeal Committee on any appeal lodged by a candidate shall be final and binding on the parties.

10.0 QUALIFICATION OF MEMBERS TO VOTE

10.1 In accordance with *Part IV (6)*, Second Schedule of the Constitution, all members of the Association shall be eligible to vote at the general election for National Offices in accordance with these guidelines, provided that such members must belong to a Branch, and must have paid their Practicing Fees as at when due. and are duly registered to vote at the elections.

10.2 In accordance with *Part IV (9)*, of the Second Schedule of the Constitution, the full list of members eligible to vote shall be published at least 45 days before the date of the elections.

11.0 CAMPAIGN RULES AND REGULATIONS

11.1 Candidates are advised to observe strictly to the provisions of the Constitution regarding conduct that may lead to disqualification.

11.2 The ECNBA shall ensure strict compliance by the Candidates with the provisions of the Constitution, as well as the rules and regulations issued by the ECNBA under its constitutional mandate. Candidates are therefore enjoined in their own interest and in the interest of the credibility of the Association's electoral process to observe and comply with the following rules and regulations:

- i. Candidates shall submit by e-mail, a copy of their Curriculum Vitae of not more than four pages of A4-size paper, comprehensive manifestoes and other campaign materials to the ECNBA for publication on the NBA website, not later than the day fixed by the ECNBA.
- ii. The publication, printing or distribution of any campaign material, gifts, and any form of souvenir whatsoever by a candidate or his/her supporter(s) is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for.
- iii. Any form of donations and philanthropic gestures by candidates seeking election into any national office during the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election.
- iv. All Branches, Sections, and Fora are prohibited from soliciting contributions, donations or sponsorship from candidates seeking election into any national office during the election year.

- v. Any form of financial inducement including paying annual practicing fees or branch dues for lawyers to curry favour from voters or for any reason whatsoever by candidates and their supporters in the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election; PROVIDED that any such payment of Bar Practicing Fees and branch dues by the candidate for lawyers who are in his/her direct employment shall not be construed as financial inducement.

12.0 ELECTRONIC VOTING

12.1 Pursuant to *Part VI*, Second Schedule of the Constitution, the elections shall be conducted by electronic voting in accordance with the guidelines stipulated by the ECNBA.

12.2 The ECNBA shall not less than sixty (60) days issue guidelines for conduct of electronic voting which shall, amongst other things, provide for verification of voters, time, and platform to be utilized for electronic voting.

13.0 ANNOUNCEMENT OF RESULTS OF ELECTION

13.1 At the close of the poll, the ECNBA shall in the presence of the candidates, or their representatives/agents collate and verify the votes before the announcement of results.

13.2 Pursuant to *Part X* (1), Second Schedule of the Constitution, the results of the election shall be announced within twenty-four (24) hours of the conduct of elections upon collation and verification of the votes.

Dated 24 March 2022.



Ayodele Akintunde, SAN
Chairman



Mabel Ekeke
Secretary