



# NATIONAL ELECTIONS APPEAL COMMITTEE OF THE NIGERIAN BAR ASSOCIATION

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## **GUIDELINES FOR HEARING AND DETERMINING COMPLAINT(S) FROM CANDIDATES IN THE 2022 NBA NATIONAL ELECTIONS.**

### **1. ESTABLISHMENT AND MANDATE OF THE NBA NATIONAL ELECTION APPEALS COMMITTEE (NBA-NEAC)**

This Committee is established pursuant to the provisions of Section 14(1)(L) of the NBA Constitution 2015 (as amended in 2021) (**The Constitution**).

Section 14(2)(L) of the Constitution further provides that the National Election Appeal Committee shall receive and resolve electoral complaints and disputes arising from the election of National Officers and the election of the representatives of the Association in the General Council of the Bar.

### **2. Consequently, the President of the Nigerian Bar Association, Mr. Olumide Akpata set up the 2022 NBA Election Appeals Committee (**NBA-NEAC**).**

The members of NBA-NEAC are:

- i. Mrs Funmi Roberts (Chairperson- Ibadan)
- ii. Austin Ajineh (Secretary-Warri)
- iii. Huwaila Muhammad Ibrahim (Kano)
- iv. Dr Rosemary Chinelo Chikwendu (Abuja)
- v. Herbert Nwoye (Gombe)
- vi. Stephen Obajaja (Lagos)
- vii. Okey Ohagba (Port Harcourt)
- viii. Grace Selre Mamswa (Jos)
- ix. Matthew Egbadon (Lagos)

### **3. THE GUIDELINES**

Pursuant to and incidental to the foregoing, the NBA-NEAC hereby, issues the following Guidelines for dealing with complaints and disputes arising from candidates who participated in the elections of National Officers and Representatives of the Association in the General Council of the Bar in the elections conducted on Saturday the 16th of July, 2022:

- 3.1** The NBA-NEAC shall receive and determine complaints and disputes (**Petition**) from candidates who took part in the elections of National Officers and Representatives of



the Association in the General Council of the Bar in the elections conducted on Saturday the 16th of July, 2022 only.

- 3.2 A Petitioner shall send his/her Petition with supporting documents to NBA-NEAC by e-mail to: [electionappeal@nigerianbar.org.ng](mailto:electionappeal@nigerianbar.org.ng) within **10 (Ten) days** of the announcement of the election results by the ECNBA.
- 3.3 The Petitioner shall at the same time, send a copy of the Petition and supporting documents, to the Respondents, including the ECNBA (**Respondents**).
- 3.4 Upon receipt by the NBA-NEAC of a Petition, the Respondents shall file with the NBA-NEAC, and serve the Respondents, their responses within **5 (Five) days** of the receipt of the Petition (**Response**).
- 3.5 That upon the receipt of the Response from the Respondents, the Petitioner shall file with the NBA-NEAC and serve the Respondents, his/her Reply, if any, within 3 (Three) days of the receipt of the Responses (**Reply**).
- 3.6 Proof of service on all the relevant parties shall be filed with the NBA-NEAC by e-mail to: [electionappeal@nigerianbar.org.ng](mailto:electionappeal@nigerianbar.org.ng)
- 3.7 The hearing may be conducted by reviewing documents presented by the Petitioner and the Respondents only; and if considered necessary by the NBA-NEAC, an oral hearing involving the Parties may be conducted online or in-person.
- 3.8 The NBA-NEAC may rely on any document, information or material relevant for the just determination of the Petition, after giving the Parties the opportunity to address NBA-NEAC on it.
- 3.9 Expert Witness: If any of the Parties intend to call expert witnesses, the number of such expert witnesses, discipline and credentials, as well as the written evidence of such expert witnesses shall be front loaded by the party seeking to present the expert witness; *Provided that:*
  - i. If necessary, opportunity shall be given to any party or NBA-NEAC to put questions to any expert whose evidence is brought before NBA-NEAC;
  - ii. The NBA-NEAC may on its own, invite an expert to assist it in the resolution of any Petition if it deems it necessary, provided further that the parties shall be given opportunity to put questions to such expert.

#### **4 THE DECISION**

The decision of the NBA-NEAC shall be rendered, and notified in writing to the Petitioner and the Respondents, before the swearing-in of the elected National Officers or before the Representatives of the Association in the General Council of the Bar takes office. Provided



that whenever the circumstances dictate, the Committee may reserve its right to defer giving the full reasons for its decision to a later date.

**DATED THIS 16<sup>TH</sup> DAY OF JULY 2022**

A handwritten signature in blue ink, appearing to read "F Roberts".

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**MRS FUNMI ROBERTS, C.Arb; F.IoD  
(CHAIRPERSON)**

A handwritten signature in blue ink, appearing to read "Augustine O. Ajineh".

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**AUGUSTINE O. AJINEH, ESQ  
(SECRETARY)**

