

# **ASECO GUIDELINES**

**FOR**

**ANLCA ELECTION**

**CONSTITUTIONALITY FOR ASECO**

**IS OPEN A/C**

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## PREAMBLE

Whereas by section 22 (2) (d) of the ANLCA constitution, the Electoral Commission of the Association, otherwise known as ASECO has been duly appointed and inaugurated.

*AND*

Whereas the ASECO pursuant to Section 22 (2) (f) (i)-(iv) of the supreme constitution as amended in 2008 hereby formulate and make rules for the conduct of ANLCA's election with the aim of entrenching qualified, credible and viable officers to govern the affairs of the association through an honest and transparent electoral process.

### ARTICLES 1: INTERPRETATION.

**ANLCA:** means Association of Nigerian Licensed Customs Agents.

**ASECO:** means Association Electoral Commission.

**ARTICLE:** Any reference to article here means a reference to this ASECO regulation.

**MEMBER:** means A Corporate Member of Association of Nigerian Licensed Customs Agents.

**CANDIDATE:** means a person standing for any electoral office of ANLCA

**VOTERS:** Accredited individuals who are nominated in writing to represent the corporate member during voting/election.

### ARTICLES 2: ELECTIVE OFFICES

- I. (I) National: By Section 6 of ANLCA constitution, the following officers shall govern and administer the Association at National Level;
  - a. (a) National President
  - a. (b) Vice President
  - a. (c) National Secretary
  - a. (d) Assistant National Secretary
  - a. (e) National Financial Secretary
  - a. (f) National Treasurer
  - a. (g) National Publicity Secretary
- ii. (ii) **BOARD OF TRUSTEES:** With reference to section 13 (3) a & 13 (4) nine persons shall be elected to the board of ANLCA with a function as shown in section 679 of the CAAMA for a tenure of the six (6) years unless re-elected.

**ZONAL OFFICERS:** By virtue of Section 7 (3) & (4) of ANLCA constitution, the following officers shall co-ordinate at the zonal level and are members of NECOM.

- a. (a) Zonal Co-coordinator
- a. (b) Secretary

(iii) **CHAPTER OFFICERS:** By virtue of Section 11(2) of the ANLCA constitution the following officers shall govern and administer the Association at Chapter level.

- a. (a) Chairman
- b. (b) Vice Chairman
- a. (c) Secretary
- a. (d) Financial Secretary
- a. (e) Treasurer
- a. (f) Publicity Secretary
- a. (g) Assistant Secretary

**ARTICLE 3: ELIGIBILITY**

- i. (i) (GENERAL REQUIREMENTS)
- a. (a) All candidates must be free from any criminal conviction and other vices as enshrined in Section 23 (6) of the ANLCA constitution.
- a. (b) All reported cases of financial impropriety and or indebtedness against any candidate shall be cleared by a letter of clearance of non indebtedness from the National

Headquarters not later than (7) seven days before the Election Day.		
The	letter	of
clearance shall absolve the candidate from further liability on the same	indebtedness.	

- c. (c) All candidates shall be director of corporate member. The candidate shall have a substantial shareholding of the corporate member which shall not be less than 10% of the total share capital of the corporate member. The candidate’s names and shareholding status shall be reflected and duly registered with **Corporate Affairs Commission (CAC)** on the particulars of directors i.e. Form CAC2 and Form C.07 filling date. **NOT LESS THAN FIVE (5) YEARS** earlier beside that of Board of trustee (BOT) which shall **NOT BE LESS THAN TEN (10) YEARS** with major shareholding status as at the time of interest, that of other office as stipulated in Article 4b. The candidate shall also provide a written letter of authority signed by the corporate member’s directors for his nomination as candidate.
- d. (d) Candidates and voters shall be employees of a corporate member who must be a financial up to date corporate member.
- d. (e) Minimum qualification of the candidate shall be West Africa School Certificate or its equivalent. Any higher qualification shall be an added advantage.

- f. (f) All candidates to indicate interest by a notice of such interest addressed in writing to the chairman of ASECO in accordance with Section 22 (3) (b) of the ANLCA Constitution.
- f. (g) All candidates must be directors of corporate member. The number of years of experience of the corporate member shall depend on the post being vied for. The corporate member must Possess a valid current year operational licensed or that of immediate past year (depending on the time of the year the election is being conducted) provided he/she shows evidence that renewal of the current year licensed is being processed.
- f. (h) Company's income tax certificate of the Corporate member as well as candidate's personal income tax certificate for the last three years must be submitted for a candidate to be qualified or where not applicable, a certificate of tax exemption shall be submitted in lieu thereof.
- f. (i) All petitions against candidates must reach the ASECO chairman or secretary (14) Fourteen days before the Election Day.
- f. (j) No member holding ANLCA'S elected and appointed position shall be eligible to contest any other elective position(s) until he/she resigns thirty (30) days prior to any election.
- f. (k) In consonance with section 22-(2)-b. No further Biometric Registration will be administered on new members for purposes of election (90) ninety days to every tenure expiration at any chapters of ANLCA.

#### ARTICLE 4

#### SPECIFIC QUALIFICATIONS

- a. (a) All candidates vying for Board of Trustee Membership shall have been a director of the corporate member of ANCLA for a period of not less than Ten (10) years, and for elective National (NECOM) offices shall have been a director of corporate member of ANLCA for a period of not less than five (5) years respectively.
- a. (b) Same for the chairman, vice chairman and secretary of the chapters who should have been director of corporate members with earlier registered requisite shareholding filling date in the book of Corporate Affairs Commission (CAC) for at least five (5) years, all other chapter officers for at least three (3) years at the Corporate Affair Commission (CAC)
- a. (c) All candidates' **MUST** have confirmed their **MEMBERSHIP** of a chapter through enrolments on ANLCA BIOMETRIC on or before one (1) year to any election.
- a. (d) In case of members migrating from one chapter to another (within a particular zone) to vie or to be voted for, a minimum of one (1) year is required to election date in line

movement as per the constitution.

**NON REFUNDABLE NOMINATION FEES**

Pursuant to the powers conferred on it (ASECO) UNDER SECTION 22 (3) (C) of the supreme constitution. **THE FOLLOWING NON REFUNDABLE** fees shall be payable before the collection of nomination forms.

**NATIONAL OFFICERS**

(a)	President	600,000.00
(b)	Vice President	500,000.00
(c)	Secretary/Other Officers	400,000.00

B. (B) **ZONAL OFFICERS**

(a)	Zonal Co-coordinator	400,000.00
	Secretary	300,000.00

C. (C) **CHAPTER OFFICERS**

(a)	Chairman	
(b)	Vice Chairman	
(c)	Secretary	
(d)	Financial Secretary/Treasurer	
(e)	Publicity Secretary/Asst. Secretary	
(iii )	<b>REGISTRATION PROCEDURE</b>	
(A)	<b>COLLECTION OF NOMINATION FORMS:</b> Nomination form shall be collected from the ASECO secretary or the representative, at a period designated in ASECO Timetable.	
(B)	<b>MODE OF PAYMENT:</b> All payment shall be made by certified bank draft made payable to ASSOCIATION OF NIGERIAN LICENSED CUSTOMS AGENTS - dedicated Account prior to the collection of nomination forms from the secretary of ASECO or the representative who shall remit same to the Association within 48 hours of its receipt.	

C. (C) Submission of nomination form: All completed nomination forms shall be submitted within a time frame specified in the electoral time table and shall be accompanied by the following documents.

- a. (a) Photocopy of the receipt of payment of the non-refundable nomination form fee.
- a. (b) Photocopy of relevant academic qualification and all other requirement in preceding Articles

- c. (c) Photocopy of the certificate of Incorporation, Form C07/CAC 2, Corporate/Personal Tax

Clearance Certificate and Memorandum and Articles of Association.

- c. (d) Evidence of membership registration from the chapter via chapter dues payment, National dues and other special levies as the case may be verifiable through ANLCA Biometric Data register. This payment however, must be dully confirmed by the Chapter and National Treasurer/Financial Secretary.
- c. (e) An affidavit verifying or attesting to the truthfulness of the documents and its contents in paragraphs a to e above
- (f) An undertaken Sworn to in a Law Court or by a NOTARY Public to comply and accept result of elections.

#### **ARTICLE 5: SCREENING OF CANDIDATES**

Screening of candidates shall be done at a date and time to be fixed by ASECO in its electoral time table.

#### **ARTICLE6: IDENTIFICATION AND VALIDATION OF VOTERS REGISTERS**

On the receipt of the register of members with covering letter duly signed by chapter chairman/ secretary. ASECO shall visit the different chapters for the purposes of:

- a. (a) Comparing the list of registered members with their valid and subsisting current year operational Customs Licenses.
- a. (b) Comparing the register of member with the receipt of payment of the Association's dues and other applicable levies for the elections
- a. (c) Comparing the list and identity of registered members with previous ANLCA Biometric register of the Chapter.
- a. (d) No one is deemed to have register as a chapter member if not through National Headquarters of ANLCA via Biometric enrollment.

#### **ARTICLE7: CONDUCT OF ELECTION:**

- i. (i) Accreditation of voters: only those voters authenticated and validated by ASECO under Article 6 of this regulation shall be accredited to vote on the Election Day.
- i. (ii) Voting: Voting shall be by open ballot.
- i. (iii) Who shall vote: -
  - a. (a) Voting at National elections shall be by elected zonal and chapter executives
  - b. (b) Voting at Board of Trustee election shall be by general members of all ANLCA chapters.
  - a. (c) Voting at zonal elections shall be by the elected chapter executives of the zone Concerned.
  - a. (d) Voting at chapter elections shall be by all the accredited registered members of the chapters.
- iv. (iv) Sole candidacy: in any event that a candidate emerges a sole candidate for a particular office, that candidate shall still stand for an affirmation voting wherein votes shall be

50% of accredited voters valid votes.

- v. (v) Announcement of election result: Any candidate who polls the highest number of votes cast for any particular office shall be declared the winner for the particular office, PROVIDED THAT, It shall be the duty of the Chairman of ASECO who shall be the Returning officer for the purpose of the election to announce the election result immediately after the election.

**ARTICLE 8: MISCELLANEOUS PROVISION**

All cases of fraudulent declaration or forged documentation discovered before, during and/ or after the election shall be a ground for disqualifying a candidate and if discovered after the announcement of the election result shall be a ground to nullifying the election of the candidate if he has won the election. In all cases of discovery of frauds or forgery, every report shall be directed to ASECO CHAIRMAN notifying the National President who shall in conjunction with the BOT report same to the police, **ECONOMIC & FINANCIAL CRIMES COMMISSION (EFCC)** or any other law enforcement agents for necessary actions.

*This Guideline was adopted by: -  
ASSOCIATION ELECTORAL COMMISSION (ASECO)  
Dated this 22<sup>nd</sup> day of January. 2015.*

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<b>PRINCE OLAYIWOLA SHITTU.</b>	<b>CHIEF HENRY NJOKU</b>
<i>NATIONAL PRESIDENT</i>	<i>CHAIRMAN BOT</i>

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**ALH. ABDULAZEEZ BABATUNDE M.**  
*CHAIRMAN ASECO*

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**GIDEON NWAGBARAOCHA C.**  
*SECRETARY ASECO*

*Issued on behalf of:  
Association of Nigerian Licensed Customs Agents (ANLCA)*