

CHAPTER I

IMPORTANCE OF POLITICAL FINANCE DISCLOSURE

According to the Section 84 (7) (Electoral Act 2002), it is mandatory for the Commission to make available for public inspection during regular business hours at the national and state offices, the audited returns of political parties and the publication shall include the name, address, occupation and amount contributed by each contributor to a party.

Information on expenses of Political Parties/candidates allows voters 'to make better-educated decisions at the polls and this can help hold candidates and parties accountable to the electorate. Disclosure of information about income and spending by political parties and candidates is nowadays seen as a critically important component of a democratic campaign and party finance regime. Disclosure may help accomplish a number of tasks:

- 1) It contributes to an overall transparency of the electoral process. By means of disclosure, voters are offered an opportunity to learn more about political contenders in order to make an informed decision at the polls.
- 2) Requirements to disclose their sources of funding are likely to stimulate parties/candidates to raise and also spend their financial resources in ways that are acceptable to a majority of .voters and do not provoke public disappointment.
- 3) Disclosure emerges as an obstacle to corruption.
- 4) Publicly available information about the flow of money of parties and/or candidates serves as a deterrent to a risk-free use of funds from illegal or

criminal sources. Therefore, disclosure can serve the purpose of dignifying the politics.

- (5) Disclosure of financial records contributes to making politicians accountable to voters and/or donors for the formers' choices of spending the amounts raised.
- 6) Public disclosure can serve as a barrier to excessive campaign spending.

The most typical mechanism of disclosure is employed *inter alia* in many democratic countries - political parties or candidates are required to submit declarations containing their income, spending or both. These declarations are offered for public scrutiny by publishing them in official media or making them available to commercial media. However, financial information about political parties or candidates can also be disclosed indirectly - as a consequence of political competition.

Problems with disclosure

One of the problems with disclosure concern the extent and accuracy of reports. While it may seem obvious that parties and candidates are required to disclose full information about their financial transactions, the reality lags behind this optimistic assumption. There are countries where only campaign income and spending has to be reported while routine expenses of political organizations remain hidden from the public eye. Other countries require reports about the finances of party headquarters while financial activities of local organizations are left unreported. In yet other countries, parties have to report about local and central levels but transactions of affiliated units (women's organizations, youth organizations, political foundations etc.) remain unknown to the general public.

Political parties and/or individual candidates may be tempted to report a distorted picture of their finances to appropriate official bodies for a number of reasons. One of the reasons for misreporting can be receipt of larger donations in cash. In some cases, these may be so-called kickbacks from contracts with public institutions or other contributions of illegal character (e.g. abuse of state resources). Alternatively, some donors may be excessively concerned with preserving their privacy and require no reporting as a precondition for a contribution. Another reason for misreporting stems from the requirement (introduced in some countries) to reveal not only finances of a party/candidate but also resources spent on their behalf. At times, the imprecision and incomplete reports may be intentional to hide financial supporters or to decrease the overall amount of money spent on election campaign. One more reason is related to different "ceilings" set in the legislation. For example, a party may report lower than actual income in order to comply with the maximum amount of donations allowed by the legislation.

While disclosure is an important element of fair democratic process, its significance can be reduced in the absence of effective enforcement mechanisms. Many scholars have admitted that an excellent legislative framework for political and/or campaign finance is not sufficient to provide a meaningful control over money in politics. Another highly important component is impartial and timely enforcement of the existing regulations that brings at least some kind of sanctions against violators. Moreover, an effective tool would be a highly competitive party system where parties carefully monitor the activities of other contenders and state agencies and appeal to the public in the case of any irregularities or inadequate enforcement. This phenomenon refers to a growing sense among political parties that it is in their best interest to restrict mutual political competition in the name of their long-term survival.

NGOS and the Media

In addition, non-governmental organizations and independent media emerge as reliable watchdogs of party and campaign finance in many of the contemporary democracies. It is these groups that can best act in the interests of the society generally by monitoring election campaigns and scrutinizing financial records of parties/candidates. It is these actors that, in many cases, have sufficient public credibility to appeal to voters should any violations be discovered and achieve certain results (initiation of official investigation, loss of voter support by a political party /candidate, etc.). In many cases they possess enough public credibility to appeal to voters, if some violations of rules are discovered and could achieve certain results such as initiating of official investigation.

Disclosure and Audit

Finally, it is the INEC's comprehensive audit process which guarantees that the disclosure is meaningful and accurate. Disclosure without audit can not ensure that the public is getting complete and true information. Auditing forces disclosure to be accurate and helps public to verify facts. Auditing can make a difference for the quality of the data available and it is a necessary condition for any disclosure process to be successful.

CHAPTER 11

GUIDE TO THE AUDIT OF THE ACCOUNTS OF POLITICAL PARTIES

1. INTRODUCTION

Pursuant to the provision of Section 15(d) of part 1 of the Third Schedule of the Constitution of the Federal Republic of Nigeria, 1999, the Independent National Electoral Commission (INEC) is required to "arrange for the annual examination and auditing of the funds and accounts of Political Parties, and publish a report on such examination and audit for public information". Furthermore section 225(6) of the Constitution allows INEC to appoint "any person who is an auditor by profession and who is not a member of a Political Party" for the purpose of carrying out an audit on the accounts of Political Parties.

Section 226(3) of the Constitution provides every member of the Commission or its duly authorized agent with unfettered right to access at all times, the books and accounts and vouchers of all political parties and to request from the Officers of the Political Party such information and explanation as he deems necessary for the performance of his duties under the constitution.

Thus, the external auditor who is nominated and paid by INEC, should have access, at all reasonable times, to all records, documents, books, accounts and vouchers held by the political party and to such information and explanation that, in the auditor's opinion, is necessary to conduct the audit. This includes copies of official receipts issued, bank statements and cancelled cheques, lists of outstanding cheques, copies of all bills, vouchers and pro-forma invoices, details of any loans, details of fund-raising functions, details of miscellaneous revenue, details of inventory remaining on hand. The law requires that the auditors report directly to INEC.

Auditors, appointed and paid by INEC, should not, under any circumstances, request payment for their services from political parties.

2. Check-list for Auditing of Political Parties Accounts

The audit must be carried out in accordance with applicable Auditing Standards and Accounting Statements of best practices issued by the Nigerian Accounting Standards Board as follows:

(A) Audited Report and Accounts

- a. Obtain signed copies of Reports and Accounts including the annual report as well as report on election expenses;
- b. Confirm that the reports were made by auditors who have appropriate qualifications to do so;
- c. Confirm that the supporting affidavits have been sworn to by authorized officers of the party;

(B) Membership Register

Examine records of membership to confirm authenticity, number, addresses and identify (passport photographs) of members of the party.

(C) The Budget

- (i) Obtain and study the party's budget document for the period under review;
- (ii) Confirm budget went through laid down procedures, e.g. proper approval procedures and operations;
- (iii) Obtain schedules of actual income and actual expenditure categorized into various sub-heads and scrutinize against the budgeted amounts for significant variances or departures from the budget;

(iv) Investigate departure as to the nature and magnitude.

(D) Internal Control

Evaluate the internal control system in operation in the party to ascertain extent of the effectiveness of administrative procedures and controls. :'

(E) Book-Keeping

(i) Confirm the party maintained adequate and necessary records and accounts for its financial transactions during the period under review.

(ii) Carry out sample vouching and validation tests and evaluate the general organization and management of the book-keeping and accounting functions as they relate to expenditure;

(F) Income

Scrutinize sources of Income against Constitutional provisions/guidelines and the Electoral Act; Scrutinize amounts of donations/contributions against the provisions of the Electoral Act 2002.

(G) The Balance Sheet

Assets and Liabilities

(i) Obtain detailed schedules of all classes of assets, i.e. fixed assets, current assets, investment etc, showing cost and valuation and location.

(ii) Ensure the schedules separate assets donated as grants in kind by the Government, by individuals and other bodies/organizations from those acquired by the party.

- (iii) Obtain relevant purchasing documents and/or transfer/donation documents including records of approval by party NEC;
- (iv) Obtain asset register or inventory record for detailed inspection to ascertain existence and physical status of the assets;
- (v) Obtain schedules of other assets such as:-
 - Debtors and prepayments
 - Stock of stationery & other consumables
 - Cash balances
 - Bank balances
 - Investments.
- (ii) The Schedule of liabilities should include creditors and credit balances.
- (iii) Reconcile evidences from expenditure accounts to assets record to confirm existence, ownership and utility.
- (iv) Carry out validation tests on each balance sheet grouping to confirm accuracy of the accounting records of the party.
- (H) Carry out such activities and/or investigations, to obtain such explanations, written or verbal, as to enable expression of professional opinion on the financial transactions and record of the party for the period under review.

CHAPTER III

REPORTING FORMS GUIDELINES TO COMPLETING

The main purpose of this manual is to shed light to the financial reporting requirements of Political Parties in Nigeria. The Manual assists parties to report their financial transactions properly for the sake of transparency. It supports and explains new Reporting Forms prepared by INEC. It should become a useful tool for all the Political Parties in the field of Financial Reporting and help INEC to build closer relations with the parties. INEC Forms presented in this Manual are official documents. Thus, all the reports should follow the format of the forms provided by INEC. The required contents of the reports are discussed below.

Political Parties in Nigeria are required by law to submit to the Independent National Electoral Commission two types of Financial Report, as follows:-

1. Annual Statements of Accounts Analysis of Sources of Funds and other assets and Expenditure Report shall be submitted not later than 31st March of the following year, for the previous calendar year, and
2. Statement relating to Election Expenses which shall be submitted not later than 90 days from the date of the election.

In addition, the Commission is mandated to prepare every year and submit to the National Assembly a REPORT on the accounts and balance sheet of every Political Party.

All Financial Reports shall be submitted in the format approved by the Independent National Electoral Commission.

Financial Report shall contain:

1. All cash at hand
2. All incomes and disbursement based on membership fee contributions from natural persons/candidates and legal entities, contributions in the form of goods and services, reforms on its own assets or entrepreneurial activity, loans, donations, refunds, rebates, sales and collections, dividends, interests and other sources of income for the reporting period;
3. The total amount of operating expenditures, e.g. salaries, travel, rent, telephones, newspaper advertising and media advertising; loan repayments; transfers to other authorized bodies, refunds of contributions

Financial Disclosure Guide

The Independent National Electoral Commission is obliged to make all REPORTS available to the public and to take appropriate actions to ensure that all interested persons have easy access to the information contained within the reports. Consequent upon this the Commission has adopted forms for Political Party Financial Reporting. These forms are designed in such a way that summary information are to be filled and signed by the party Auditor/Treasurer, whichever is appropriate and countersigned by the party chairman. The other forms give detailed summary of receipts, expenditures, contributions, loans, credits liabilities, sales and collections.

FORM 1:-SUMMARY OF RECEIPTS AND EXPENDITURE

It is recommended that political parties complete Form 1 in the following way:

Line 1 Print or type the complete name of the Political Party.

Line 2 Enter the Party Acronym.

- Line 3 Enter the National Headquarters location address of the party as at reporting time.
- Line 4,5&6 Telephone, fax, e-mail address rows shall contain data related to the Headquarters office of the Political Party.
- Line 7 Enter the total number of employees of the Political Party at all levels.
- Line 8 Check the appropriate boxes. Indicate if the REPORT is Annual or General Election Report. In addition, check the appropriate boxes, which indicate the elections for which this REPORT contains activity. For example, if the REPORT is raising funds for general elections, check both the "Primary Election" box and the "General Election" box. If it is for a referendum or recall measure, check the "other" box, and indicate the type of activity.
- Line 9 Enter the coverage dates for this REPORT. All activity from the ending coverage date of the last REPORT filed must be included.
- Line 10(a) Enter the total amount of cash in hand at the beginning of the calendar year. The term "cash on hand" includes: currency, balance on deposit in banks, savings and loans institutions and other depository institutions; and certificates of deposits, treasury bills and other investments valued at cost.

Line 10(b) Enter the total amount of cash in hand at the beginning of the reporting period.

Line 10(c) Enter the total amount of receipts as contributions, transfers, loans, sales, interest, etc.

Line 10(d) Add lines 10(a) and 10(c) or lines 10(b) and 10(c) to get the amount at the end of the reporting period.

Line 11 Enter the total expenditures by adding the operating costs, transfers, loan repayments, refunds on contributions, other expenditures.

Line 12 Subtract line 11 from line 10(d) to get the figure for cash in hand at close of reporting period.

Line 13 & 14 Transfer the total amount of debts and obligations owed to and owed by the party, respectively.

Line 15(a) Enter the total contributions (other than loans) from (b), (c) and individuals and/or persons who are **not** candidates for (d) elections, interest groups, corporate organizations and the candidates, in that order.

Line 15(e) Add lines 15(a), (b), (c) and (d) to derive the figure for 15(e).

Line 16 Enter the total amount of transfers from other authorized bodies. Loans and loan repayments received must be included on this line not on line 17. For each transfer, provide

identification (full name and mailing address of the individual/person, corporate organization or interest group), date and amount of the transfer.

Line 17 Enter the total amount of loans received. For each loan, provide the identification (full name, mailing address and where applicable, occupation, of the person making the loan, date and amount of the loan.

Line 18 Enter the total amount of offsets to operating expenditures (including refunds, rebates and returns of deposits).

Line 19 Enter funds received from sales and collections, proceeds from the sales of tickets at dinner, luncheon, rally or other fund-raising events and sale of items such as political/campaign buttons, pins, badges, emblems, flags, hats, etc, during the reporting period shall be reported in the total amount.

Line 20 Enter the total receipts by adding lines 15(e), 16, 17, 18 and 19 to obtain the figures for line 20.

Line 21 Enter the total amount of operating expenditures. Examples of operating expenditures are: newspaper and television advertising, salaries, travel, rent and telephones.

Line 22 Enter the total amount of transfers to other authorized bodies.

Line 23 Enter the total amount of loan repayments made.

Line 24(a) Enter the total amount of contribution refunds to (b), (c) individuals/persons, interest groups, corporate and (d) organizations and the candidate(s). For each person who receives a refund of a contribution, the full name, mailing Address, date and amount shall be provided.

Line 24(e) Enter the total amount of refund by adding lines 24 (a), (b), (c) and (d).

Line 25 Enter the total amount of other expenditures unitemized.

Line 26 Enter the amount by adding the totals on lines 21,22,23, 24(e) and 25.

Line 27 Enter the total amount of cash in hand at the beginning of the reporting period. This amount includes; currency, balances on deposit in banks, savings and loans institutions, treasury bills and other investments valued at cost.

Line 28 Transfer the amount on line 20 to line 28.

Line 29 Add the amounts on lines 27 and 28 to obtain the figure for line 29.

Line 30 Transfer the amount on line 26 to line 30.

Line 31 Subtract line 30 from line 29 to derive cash in hand at the close of the reporting period.

Line 32 Provide information as specified in line 32