

**Extraordinary**



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SUPREME COURT PRE-ELECTION AND ELECTION  
APPEALS PRACTICE DIRECTIONS, 2023



ARRANGEMENT OF REGULATIONS

*Regulation 1*

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S. I. No. 1 of 2023

**SUPREME COURT PRE-ELECTION AND ELECTION  
APPEALS PRACTICE DIRECTIONS, 2023**

[1st Day of February, 2023]

Commence-  
ment.

In the exercise of the powers conferred on me by Section 233 (2) (e) and Section 236 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended); Order 10 Rule 2, Supreme Court Rules, 1999 (as amended) and by the virtue of all other powers enabling me in that behalf, I, **OLU KAYODE ARINWOOLA, GCN**, Chief Justice of Nigeria, hereby issue the following Practice Directions—

1. These Practice Directions shall apply and be observed in the Supreme Court of Nigeria, in the determination of a pre-election, or an election appeal from the Court of Appeal. Application of the Practice Directions.
2. An appellant shall file in the Registry of the Court of Appeal, notice and grounds of appeal within 14 days from the date of the delivery of the ruling, or judgment appealed against. Filing of Notice of Appeal.
3. Upon the filing of the notice of appeal, an appellant shall — Record of Proceedings.
  - (a) pay to the Registrar of the Court of Appeal, such fees as may be determined, having regard to the bulk of the record of proceedings being complied;
  - (b) furnish to the Registrar of the Court of Appeal as many copies of the record of proceedings as there are respondents in the case and provide 10 extra copies of the record; and
  - (c) pay a fee for service of court processes on all the respondents.
- 4.—(1) The Registrar, shall upon the receipt of the notice of appeal, serve the respondents copies of the notice of appeal; and Service and Transmission of Notice of Appeal and Record of Proceedings.
  - (2) The Registrar shall not later than 10 days from the receipt of the notice of appeal, compile and serve the parties with the notice of appeal and the record of proceedings and transmit same to the Supreme Court.
5. An appellant shall within seven days after the service of the record of proceedings, file 10 copies of a written Brief of Argument of the appeal, and as many copies as there are respondents to be served, in the Supreme Court. Appellant's Brief of Argument
6. A respondent shall within five days of the service of the appellant's brief, file a brief of argument in the Supreme Court. Respondent's Brief of Argument.
7. An appellant may file a reply brief within three days of the service of a respondent's brief. Appellant's Reply Brief.



**B 4**

Oral  
Argument.

**8.—**(1) The Supreme Court may allow oral argument at the hearing of the appeal to emphasize and clarify the written argument contained in the briefs filed in the Supreme Court :

(2) Unless otherwise directed, 10 minutes may be allowed to each party for argument ; and

(3) An appellant shall be entitled to open and close the argument.

Cross-  
Appeal.

**9.** In the case of a Cross-Appeal, the Cross-Appeal shall be argued together with the appeal as one case within the time allotted for the case, and the Supreme Court, having regard to the nature of the appeal may direct either of the party to open and close the argument.

Page and  
Paper size  
Requirements  
of written  
submissions.

**10.—**(1) Except otherwise directed by the Supreme Court —

(a) a written submission or a reply to the submission to be filed in the Supreme Court shall not exceed 40 pages ; and

(b) a Reply Brief on Points of Law shall not exceed 10 pages.

(2) A written submission or a reply shall be —

(a) prepared in 210mm by 297mm paper (A4) ;

(b) typed in clear typographic character ;

(c) in Arial, Times New Roman or Verdana theme fonts ;

(d) in the font size of 14 point ; and

(e) typed with at least 1.5 line spacing.

(3) A written submission or a reply which does not comply with the provisions of this paragraph shall not be accepted by the registry for filing.

Security for  
— Costs.

**11.** The security for costs prescribed by the First Schedule to the Electoral Act, 2022 to be deposited with the Supreme Court shall be the sum of ₦500,000.00 only.

Cost of  
service of  
court  
process.

**12.** Notwithstanding, paragraph 2(c) of these Practice Directions, an appellant shall deposit at the Supreme Court the sum of ₦500,000.00 to make up for the cost of service of notices, registered postings, and other expenditures that may be occasioned by the appeal.

Interlocutory  
appeal.

**13.** An interlocutory appeal shall be heard together with the main appeal and shall not operate as a stay of proceedings or form a ground of a stay of proceedings before the Court of Appeal.

Revocation.

**14.** The Supreme Court Election Appeals Practice Directions, 2011 is revoked.

15. These Practice Directions may be cited as the Supreme Court Election Appeals Practice Directions, 2023.

MADE at Abuja this 1st day of February, 2023.

HON. JUSTICE OLUKAYODE ARIWOOLA, (GCON)  
*Chief Justice of Nigeria*